



EMPLOYEE HANDBOOK

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WELCOME!

It is our privilege to welcome you to the Town of Burns Harbor as we wish you every success with the organization. We believe that each employee contributes directly to the Town of Burns Harbor's growth and success, and that our employees and residents are our most important assets.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the handbook as soon as possible, as it will answer many questions about employment at the Town of Burns Harbor.

We hope that your experience here will be challenging, enjoyable, and rewarding.

Sincerely,

The Town of Burns Harbor Town Council

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INTRODUCTION

040 Introductory Statements

For purposes of these work guidelines all employees will be referred to as "employee(s)". The Town of Burns Harbor, Indiana will be referred to as "the Town of Burns Harbor".

These work guidelines have been designed to acquaint employees with the Town of Burns Harbor and provide them with information about working conditions, employee benefits, and some of the policies affecting their employment. Employees are responsible for reading, understanding, and complying with all provisions of the handbook. It describes many of their responsibilities as an employee and outlines the programs developed by the Town of Burns Harbor to benefit employees. One of management's objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook may anticipate every circumstance or question about policy. As the Town of Burns Harbor continues to grow, the need may arise and the Town of Burns Harbor reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. All changes will be made in accordance with federal, state, and local employment-related laws. Employees will, of course, be notified of such changes to the handbook as they occur and employees will be expected to acknowledge in writing that they have received those changes. Nothing in this employee handbook shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

060 Resident Relations

Residents are among our Town's most valuable assets. Every employee represents the Town of Burns Harbor to our residents and the public. The way we do our jobs presents an image of our entire Town. Residents judge all of us by how they are treated with each employee contact. Therefore, one of our first business priorities is to assist any resident or potential resident. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention that employees give to residents.

Our personal contact with the public, our manners on the telephone, and the communications we send to residents are reflections not only of ourselves, but also of the professionalism of the Town of Burns Harbor. Positive resident relations not only enhance the public's perception or image of the Town of Burns Harbor, but also pay off in greater resident loyalty.

EMPLOYMENT

101 Nature of Employment

Employment with the Town of Burns Harbor is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Town of Burns Harbor may terminate the employment-at-will relationship at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Town of Burns Harbor and any of its employees. The provisions of the handbook have been developed at the discretion

of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the Town of Burns Harbor's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Town Council. When Police Department policies differ from what is written in this employee handbook, Police Department policies will prevail.

102 Employee Relations

The Town of Burns Harbor believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Department Heads, or the Clerk-Treasurer.

When employees deal openly and directly with management, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the Town of Burns Harbor amply demonstrates its commitment to employees by responding effectively to employee concerns.

The Town Council will make determinations as to changes or alterations in salary, leave or other special circumstances.

103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town of Burns Harbor will be based on merit, qualifications, and abilities. The Town of Burns Harbor does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state and local laws.

The Town of Burns Harbor will make a reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their Department Head, or the Clerk-Treasurer. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination may be subject to disciplinary action, up to and including termination of employment.

104 Business Ethics and Conduct

The successful business operation and reputation of the Town of Burns Harbor is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the Town of Burns Harbor is dependent upon our residents' trust and we are dedicated to preserving that trust. Employees owe a duty to the Town of Burns Harbor and its residents to act in a way that will merit the continued trust and confidence of the public.

The Town of Burns Harbor will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

In general, the use of good judgment, based on high ethical principles, will guide employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with a Department Head, or the Clerk-Treasurer for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every Town of Burns Harbor employee. Employees disregarding or failing to comply with this standard of business ethics and conduct may be subject to disciplinary action, up to and including termination of employment.

105 Nepotism in the Workplace

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried over into day-to-day working relationships. Accordingly, the Town of Burns Harbor follows IC 36-1-20.2 with regards to nepotism.

For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or step-child), a brother, sister, stepbrother, stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law.

“Employed” means an individual who is employed by the Town of Burns Harbor on a full-time, part-time, or temporary basis. The term does not include an individual who holds an elected office. The term includes an individual who is a party to an employment contract with the Town of Burns Harbor. The performance of the duties of a precinct election officer (as defined in IC 3-5-2-40.1), or a volunteer firefighter, that are imposed by IC Title 3 is not considered employment by the Town.

“Direct line of supervision” is defined as an elected officer or employee who is in a position to affect the terms and conditions of another employee’s employment, including making decisions about work assignments, compensation, employee complaints and concerns, advancement, or performance evaluation. The term does not include the responsibilities of the executive, legislative body, or fiscal body of the Town of Burns Harbor, as provided by law, to make decisions regarding salary ordinances, budgets, or personnel policies of the Town.

Individuals who are relatives may not be employed by the Town of Burns Harbor in a position that results in one relative being in the direct line of supervision of the other relative. This applies to an individual who is employed by the Town of Burns Harbor on the date that the employee’s relative begins serving a term of an elected office of the Town and is not exempt from the application under exemptions of the policy. This policy does not abrogate or affect an employment contract with the Town of Burns Harbor that: an individual is party to; and is in effect on the date the employee’s relative begins serving a term of an elected office of the Town of Burns Harbor.

Employees who are employed by the Town of Burns Harbor on 7/1/12, are not subject to this policy unless they have had a break in employment with the Town. The following are not considered a break in employment: the employee is absent from the workplace while on paid or unpaid leave, including any paid time off, medical leave or workers' compensation and the employee's employment with the Town is terminated followed by immediate reemployment by the Town of Burns Harbor, without loss of payroll time.

Employees seeking additional information regarding this policy should refer to the Clerk-Treasurer.

106 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required for any applicant or employee in the Police Department who will be driving a Police Department vehicle.

After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the Town of Burns Harbor's expense by a health professional of the Town of Burns Harbor's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know. Refer to Policy #214 – Medical Information Privacy for additional information.

107 Immigration Law Compliance

The Town of Burns Harbor is committed to employing only United States residents and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Town of Burns Harbor within the past three-years, or if their previous I-9 is no longer retained or valid. In addition, the Town of Burns Harbor utilizes E-Verify, an Internet-based system that compares information from an employee's Employment Eligibility Verification Form I-9, to data from the U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility.

The I-9 may be completed by the employee prior to his or her first day of work but federal law requires that this form be completed no more than three-days after the employee starts his or her employment. Failure to complete this form will cause the employee not to be established as an employee with the Town of Burns Harbor and he or she will not be able to be paid through the Town of Burns Harbor's payroll system until the form is properly completed.

Employees with questions or seeking additional information on immigration law issues are encouraged to contact the Clerk-Treasurer. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

108 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Town of Burns Harbor wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees may seek additional clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the Town Council. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific approval from the Town Council.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a dependent as a result of the Town of Burns Harbor's business dealings. For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or step-child), a brother, sister, stepbrother, stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law. "Elected official" refers to the Clerk-Treasurer, or any other elected Town official.

The Town of Burns Harbor may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official. The Town of Burns Harbor may also enter into a contract or renew a contract with an individual or business entity if all of the following are satisfied: the elected official files with the Town of Burns Harbor a full disclosure, which must be in writing, describe the contract or purchase to be made, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, be affirmed under penalty of perjury, be submitted to the Town Council and be accepted by the Town Council in a public meeting prior to final action on the contract or purchase and be filed, not later than 15-days after final action on the contract or purchase with the State Board of Accounts and the Clerk of the circuit court in the county where the Town of Burns Harbor takes final action on the contract or purchase. The appropriate agency of the Town of Burns Harbor must make a certified statement that the contract amount or purchase price was the lowest amount or price bid or make a certified statement of the reasons why the vendor or contractor was selected. In addition, the Town of Burns Harbor must satisfy all other requirements under IC 5-22 or IC 36-1-12. The elected official must comply with the disclosure provision of IC 35-40-1-14, if applicable. This does not affect the initial term of a contract in existence at the time the term of office of the elected official of the Town of Burns Harbor begins.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to the Town Council as soon as possible the existence of any actual or potential conflict of interest so that safeguards may be established to protect all parties.

While this policy is comprehensive it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Contact the Clerk-Treasurer for additional information or questions about conflicts of interest.

110 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the Town of Burns Harbor. All employees will be judged by the same performance standards and will be subject to the Town of Burns Harbor's scheduling demands, regardless of any existing outside work requirements.

If the Town of Burns Harbor determines that an employee's outside work interferes with performance or the ability to meet the requirements of the Town of Burns Harbor as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Town of Burns Harbor.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Town of Burns Harbor for materials produced or services rendered while performing their jobs. Refer to Policy #108 - Conflicts of Interest for additional details.

112 Non-Disclosure

The protection of confidential information is vital to the interests and the success of the Town of Burns Harbor. IC 5-14-3-4 states what is considered to be public record and the Town of Burns Harbor will comply with all guidelines. Such confidential information includes information acquired in the course of one's work, and may include:

- computer processes
- computer programs and codes
- vendor lists
- facilities securities information
- financial information
- intra-agency or interagency advisory or deliberative material containing expressions of opinion that are communicated for the purpose of decision making
- marketing strategies
- new materials research
- pending projects and proposals
- resident preferences
- work product of the Town Attorney(s)
- technological data

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose confidential information may be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

114 Disability Accommodations

The Town of Burns Harbor is committed to complying fully with the Americans with Disabilities Act and its Amendments Act (ADAAA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis in accordance with both federal and state laws. Hiring procedures have been reviewed and provide persons

with disabilities meaningful employment opportunities. Post-offer inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, and benefits and training.

The Town of Burns Harbor is also committed to not discriminating against any qualified employee or applicant because they are related to or associated with a person with a disability. The Town of Burns Harbor will follow any state or local law that provides individuals with disabilities greater protection than the ADAAA.

This policy is neither exhaustive nor exclusive. The Town of Burns Harbor is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADAAA and all other applicable federal, state, and local laws.

Employees with questions or seeking additional information on the ADAAA are encouraged to contact their Department Head, or the Clerk-Treasurer. Employees may raise questions or complaints about the ADAAA compliance without fear of reprisal.

115 Lactation Accommodations

The Town of Burns Harbor supports breastfeeding mothers by accommodating the mother who wishes to express milk during her workday when separated from her newborn child. Any full-time employee who is breastfeeding will be provided up to two break periods of 20-minutes each to express milk for her newborn. Also, a reasonable place to express milk, other than a restroom, will be provided for the mother. The employee and her Department Head will agree on the times for these breaks. In addition, the Town of Burns Harbor will provide an area for the milk to be stored.

Contact the Clerk-Treasurer for additional information about lactation accommodations.

EMPLOYMENT STATUS & RECORDS

201 Employment Categories

It is the intent of the Town of Burns Harbor to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment-at-will relationship at any time is retained by both the employee and the Town of Burns Harbor.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. Exempt employees are paid on a salary basis that does not vary from week to week based upon the quality or quantity of work performed. In other words, exempt employees are paid "to get the job done."

Thus, an exempt employee's pay will not be reduced in any fashion for partial day absences, except when permitted by law, such as unpaid intermittent FMLA leave. Any deductions from an exempt employee's salary will be in compliance with acceptable parameters for such deductions.

For example, the following types of deductions are permissible with regard to exempt employees' pay:

- No work is performed in a workweek;
- Absences of one or more full days for personal reasons other than sickness or disability if all accrued paid time off, e.g. vacation and sick leave benefits have been exhausted;
- Fees received by the employee for jury or witness duty, or military leave may be applied to offset the pay otherwise due to the employee for the week;
- Penalties imposed by infractions of safety rules of major significance;
- Unpaid disciplinary suspensions of one or more full days in accordance with the Town's disciplinary policy;
- Deductions for the first and last week of employment, when only part of the week is worked by the employee; and
- Deductions for unpaid leave taken in accordance with an approved absence under the Family and Medical Leave Act.

Complaint Procedure

Employees who believe their pay has been improperly reduced should immediately contact the Clerk-Treasurer.

The Town of Burns Harbor will investigate the employee's concern and determine whether an inadvertent improper deduction has been made. If the deduction was in fact improper, the Town of Burns Harbor will reimburse the employee as promptly as possible. The Town of Burns Harbor complies with all applicable laws concerning the payment of wages and will correct any inadvertent improper deduction, should it occur and monitor the situation to ensure no further issues arise.

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Town Council.

In addition to the above categories, each employee will belong to one other employment category:

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a full-time 40-hour per week schedule. Employees in this category may be eligible for the Town of Burns Harbor's benefits package, subject to the terms, conditions, and limitations of each benefit program. Refer to each benefit policy for eligibility requirements.

REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than the full-time work schedule. Employees in this category are not eligible to work more than 29-hours per week with prior approval by the Town Council. Employees in this category may be eligible for the Town of Burns Harbor's benefits package, subject to the terms, conditions, and limitations of each benefit program. Refer to each benefit policy for eligibility requirements.

INTRODUCTORY employees are those Police Department employees whose performance is being evaluated to determine whether further employment is appropriate. Refer to Policy #205 – Introductory Period and the Police Department's Rules and Regulations Manual for additional details.

TEMPORARY/SEASONAL employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits, they are ineligible for any of the Town of Burns Harbor's other benefit programs.

202 Access to Personnel Files

The Town of Burns Harbor maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town of Burns Harbor and access to the information they contain is restricted. Generally, only Department Heads and management personnel of the Town of Burns Harbor who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Clerk-Treasurer. With reasonable advance notice, employees may review their own personnel file in the Town offices and in the presence of an individual appointed by the Clerk-Treasurer to maintain the files.

203 Employment Reference Checks

The Clerk-Treasurer will respond to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

204 Personnel Data Changes

It is the responsibility of each employee to notify the Town of Burns Harbor of any changes in personnel data within five-days of any change. Personal mailing addresses, telephone numbers, number and names of dependents, birth or adoption of child or placement in home of foster child, individuals to be contacted in the event of emergency, educational accomplishments, loss of license, loss of insurability, marital status, investment directions for PERF, and other such status reports should be accurate and current at all times. If any personal data has changed, employees must notify the Clerk-Treasurer.

205 Introductory Period

New employees in the Police Department will have a one-year introductory period from the date of their employment in accordance with I.C. 36-5-7-6 (c). The Town of Burns Harbor uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Town of Burns Harbor may end the employment-at-will relationship at any time during, or after the introductory period, with or without cause or advance notice. Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification. Refer to the Police Department's Rules and Regulations Manual for additional details.

208 Falsification of Employment Applications

The Town of Burns Harbor relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, immediate termination of employment.

209 Performance Evaluations

The Town Council may evaluate each Department Head on an annual basis. The date of each evaluation shall be determined by the Town Council. All other full-time employees will be evaluated on an annual basis as determined by the Department Head, or the Clerk-Treasurer.

The intent of a performance evaluation is to determine whether an employee is performing at an acceptable level of performance and may be used as an instrument to correct employee deficiencies in performance. Performance evaluations shall be written and shall include an employee's performance, efficiency, and dependability appraisal during the previous year. Performance appraisals will be discussed between the employee and the evaluator shortly after the written evaluation is prepared. An employee may submit a written response to the evaluator after the initial discussion has taken place. Appraisals may be used in determining promotions, demotions, terminations, and when rehiring a previously terminated employee.

210 Job Descriptions

The Town of Burns Harbor makes every effort to create and maintain accurate job descriptions for all positions within the municipality. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience and any certification required), a physical demands section, and a work environment section.

The Town of Burns Harbor maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

Department Heads prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure that they are up-to-date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees are expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. Employees may contact their Department Head, or the Clerk-Treasurer if they have any questions or concerns about their job description. Job descriptions will be kept in the Clerk-Treasurer's Office once approved by the Town Council.

214 Medical Information Privacy

This Medical Information Privacy policy describes how health information about employees may be used and disclosed by the Town of Burns Harbor and how employees may obtain access to this information. The Town of Burns Harbor is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Clerk-Treasurer is the designated Privacy Officer for all employee medical information.

This policy of privacy practices applies to the health plans of the Town of Burns Harbor that are covered by privacy regulations, for example medical plans, dental plans, vision plans, and life insurance plans, (collectively referred to as the Benefit Plans). The Benefit Plans are required by federal and state law to protect the privacy of employees' individually identifiable health information and other personal information and to provide employees with notice about their policies, safeguards, and practices. When the Benefit Plans use or disclose an employee's protected health information, the Benefit Plans are bound by the terms of this policy, or a revised policy, if applicable.

The Benefit Plans will not use an employee's protected health information or disclose it to others without the employees' authorization, except for the following purposes:

Treatment - The Benefit Plans may disclose an employee's protected health information, or an employee's covered dependents' protected health information, to a health care provider or administrator for its provision, coordination, or management of the employee's health care and related services. For example, prior to providing a health service to an employee, the employee's doctor may ask for information concerning whether and when the service was previously provided to the employee. The Benefit Plans may use and disclose an employee's protected health information for treatment activities of a health care provider.

Payment - The Benefit Plans may use and disclose an employee's protected health information to facilitate payment of premiums for an employee's coverage, and to determine and fulfill their responsibility to provide an employee's medical, dental, and vision insurance benefits, and life insurance plans. For example, an employee's protected health information may be used to make coverage determinations, administer claims, and coordinate benefits with other coverage employees may have. The Benefit Plans may also disclose an employee's protected health information to a health plan or administrator to determine an employee's eligibility for coverage, or for the health care provider to obtain payment for health care services provided to the employee.

Health Care Operations - The Benefit Plans may use and disclose an employee's protected health information for their health care operations, or the health care operations of a third-party administrator of the Benefit Plans. For example, the Benefit Plans may use protected health information to conduct quality assessment and improvement activities. Other health care operations may include providing appointment reminders or sending an employee's information about treatment alternatives or other health-related benefits and services. The Benefit Plans also may disclose an employee's protected health information to another health plan or provider that has a relationship with an employee, so that it may conduct quality assessment and improvement activities (for example, to perform case management).

Disclosure to Employer or Operating Company - The Benefit Plans may disclose an employee's protected health information to the Town of Burns Harbor, or to a company acting on the behalf of the Town of Burns Harbor, so that it may monitor, audit, and otherwise administer the employee health benefit plan in which employees participate. The Town of Burns Harbor and its operating companies are not permitted to

use protected health information for any purpose other than administration of an employee's medical, dental, vision, and group life insurance benefits. The Benefit Plans will not disclose protected health information to the Town of Burns Harbor for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

Disclosure to Health Care Vendors and Accreditation Organizations - The Benefit Plans may disclose an employee's protected health information to companies with whom they contract, if they need it to perform requested services. For example, the Benefit Plans may provide protected health information to vendors who provide important information and guidance to plan members with chronic conditions such as diabetes and asthma. Protected health information may be disclosed to accreditation organizations such as the National Committee for Quality Assurance (NCQA) for quality measurement purposes. When the Benefit Plans enter into these arrangements, they will obtain a written agreement to protect an employee's protected health information.

Public Health Activities - The Benefit Plans may disclose an employee's protected health information for the following public health activities and purposes: 1) to report health information to public health authorities that are authorized by law to receive such information for the purpose of controlling disease, injury, or disability; 2) to report child abuse or neglect to a government authority that is authorized by law to receive such reports; 3) to report information about a product or activity that is regulated by the U.S. Food and Drug Administration (FDA) to a person responsible for the quality, safety, or effectiveness of the product or activity; and, 4) to alert a person who may have been exposed to a communicable disease, if the Benefit Plans are authorized by law to give this notice.

Health Oversight Activities - The Benefit Plans may disclose an employee's protected health information to a government agency that is legally responsible for oversight of the health care system or for ensuring compliance with the rules of government benefit programs, such as Medicare or Medicaid, or other regulatory programs that need health information to determine compliance.

For Research - The Benefit Plans may disclose an employee's protected health information for medical research purposes, subject to strict legal restrictions.

To Comply with the Law - The Benefit Plans may use and disclose an employee's protected health information to comply with the law.

Judicial and Administrative Proceedings - The Benefit Plans may disclose an employee's protected health information in a judicial or administrative proceeding, or in response to a legal order.

Law Enforcement Officials - The Benefit Plans may disclose an employee's protected health information to the police or other law enforcement officials, as required by law or in compliance with a court order or other process authorized by law.

Health or Safety - The Benefit Plans may disclose an employee's protected health information to prevent or lessen a serious and imminent threat to an employee's health or safety, or the health and safety of the general public.

Government Functions - The Benefit Plans may disclose an employee's protected health information to various departments of the government such as the U.S. Military, or the U.S. Department of State.

Workers' Compensation - The Benefit Plans may disclose an employee's protected health information when necessary to comply with workers' compensation laws.

Other - The Benefit Plans may disclose an employee's protected health information when necessary to file claims with re-insurers or stop-loss carriers, or to obtain coverage with re-insurers or stop-loss carriers. The Benefit Plans may also disclose an employee's protected health information to subrogation vendors to recoup payments made by the Benefit Plans that were reimbursed by other insurance arrangements.

Uses and Disclosures with an Employee's Written Authorization - The Benefit Plans will not use or disclose an employee's protected health information for any purpose other than the purposes described in this policy without the employees' written authorization. For example, the Benefit Plans will not supply protected health information to another company for its marketing purposes or to a potential employer with whom an employee is seeking employment without the employee's signed authorization. Employees may revoke an authorization that has previously been given by sending a written request to the Clerk-Treasurer, but not with respect to any actions the Benefit Plans have already taken.

Employees may request restrictions on the use and disclosure of the employee's protected health information for the treatment, payment, and health care operations purposes explained in this policy. While the Benefit Plans will consider all requests for restrictions carefully, the Benefit Plans are not required to agree to a requested restriction.

Employees may ask to receive communications of their protected health information from the Benefit Plans by alternative means of communication, or at alternative locations. While the Benefit Plans will consider reasonable requests carefully, they are not required to agree to all requests.

Employees may ask to inspect or to obtain a copy of their protected health information that is included in certain records the Benefit Plans maintain. Under limited circumstances, the Benefit Plans may deny employees access to a portion of their records. If employees request copies, the Benefit Plans may charge employees copying and mailing costs.

Employees have the right to ask the Benefit Plans to amend protected health information that is contained in the Benefit Plans records. If the Benefit Plans determine that the record is inaccurate, and the law permits the Benefit Plans to amend it, the Benefit Plans will correct it. If the employee's doctor or another person created the information that the employee wants to change, the employees should ask that person to amend the information.

Upon written request, employees may obtain an accounting of disclosures the Benefit Plans have made of their protected health information. The accounting that the Benefit Plans provide will not include disclosures made before April 14, 2003, disclosures made for treatment, payment or health care operations, disclosures made earlier than six-years before the date of the request, and certain other disclosures that are exempted by law. If employees request an accounting more than once during any 12-month period, the Benefit Plans may charge those employees a reasonable fee for each accounting statement after the first one.

Employees may contact the Clerk-Treasurer to obtain a paper copy of this policy, even if the employees previously agreed to receive notices electronically. Employees must also contact the Clerk-Treasurer, if they wish to make any of the requests listed above.

If employees want more information about privacy rights, do not understand their privacy rights, are concerned that the Benefit Plans have violated their privacy rights, or disagree with a decision that the Benefit Plans made about access to protected health information, they may contact the Clerk-Treasurer. Employees may also file written complaints with the Secretary of the U.S. Department of Health and Human Services. The Town of Burns Harbor will not take any action against employees if they file a

complaint.

The Town of Burns Harbor may change the terms of this policy at any time. If the Town of Burns Harbor changes this policy, the Town may make the new policy terms effective for all protected health information that the Benefit Plans maintain, including any information the Benefit Plans created or received before the Town of Burns Harbor issued the new policy. If the Town of Burns Harbor makes any changes to this Medical Information Privacy policy, notice of the changes will be provided to employees.

216 Social Security Number Policy

To protect an employee's personal information, the Town of Burns Harbor prohibits the use of an employee's Social Security numbers for identification purposes, except as allowed by both federal and state laws. The Town of Burns Harbor will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by the Town of Burns Harbor.
- Require an employee to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require an employee to use his or her Social Security number to access an Internet website, unless a password or unique personal identification number or other authentication device is also required to access the Internet website.
- Print an employee's Social Security number on any materials that are mailed to the employee, unless law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number. In all instances, the Town of Burns Harbor will follow all applicable federal and state laws.

In instances where the Town of Burns Harbor previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- The employee is provided an annual disclosure that informs the employee that he or she has the right to stop the use of his or her Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of his or her Social Security number in a prohibited manner will be implemented within 30-days of the receipt of the request. There will be no fee or charge for implementing the request. The Town of Burns Harbor will not deny services to an employee because the employee makes a written request to stop the use of his or her Social Security number.

The Town of Burns Harbor will continue to collect, use, or release Social Security numbers as required by federal or state law, and may use Social Security numbers for internal verification or administrative purposes.

Employees who have questions about this policy or who feel that their Social Security number has been used inappropriately should contact the Clerk-Treasurer.

EMPLOYEE BENEFIT PROGRAMS

301 Employee Benefits

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Clerk-Treasurer may identify the programs for which employees are eligible. Details of many of these programs may be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- Bereavement Leave
- Clothing, Tool, Uniform and Equipment Allowances
- Family and Medical Leave Act (FMLA)
- Group Life and AD&D Insurance
- Health Insurance
- Holidays/Floating Holidays
- Indiana Military Family Leave
- Jury Duty Leave
- Licensing and Certification
- Long-Term Disability
- Military Leave
- Indiana Public Retirement System (INPRS)
- Short-Term Disability
- Sick Leave
- Time Off to Vote
- Vacation Benefits
- Witness Duty Leave
- Workers' Compensation

Most of the benefit programs require contributions from the employee, but some are fully paid by the Town of Burns Harbor.

302 Vacation Benefits

Vacation benefits with pay are available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation benefits as described in this policy:

- Regular full-time employees

The amount of paid vacation benefits an employee receives each anniversary year increases with the length of their employment as shown in the following schedule:

Years of Employment	Number of days	Number of hours
1 year of service, but less than 2 years	5 days	40 hours
2 years of service, but less than 5 years	10 days	80 hours
5 years of service, but less than 15 years	15 days	120 hours
15 years or service, or more	20 days	160 hours

All employees must submit a written vacation request by March 1 in order to have his or her vacation benefits approved and scheduled. Individuals may begin submitting requests for vacation benefits for the next year in the last week of the current calendar year. No employee may be allowed to take more than two consecutive weeks (80-hours) of vacation benefits at a time, unless authorized by his or her Department Head. As a general rule, only one employee in a department may be allowed to take his or her vacation benefits at a time. Vacation benefits are approved on a first-come-first-serve basis. In other words, once a vacation benefit request is approved, another employee cannot take it. The Department Head, taking into account employee seniority and previous vacations as determinants, shall settle a conflict with simultaneous vacation benefits requests. If an employee is reasonably certain of anticipated vacation dates, then the employee is encouraged to request and schedule it rather than take the chance of someone else requesting the same dates. An employee may not schedule more time than earned in order to protect certain dates. If an employee schedules a vacation but is unable to take it, then the employee will not be required to take it as scheduled. The Department Head must be notified of any changes, as soon as possible.

Employees are required to limit the number of vacation days taken as single days. If an employee scheduled excessive vacation days that are costly or detrimental to the operation of the department then they may be denied. Vacation days must be scheduled. Employees cannot use a vacation day to call off sick. Vacation days may be used in an emergency if approved by the Town Council at a council meeting.

Although all attempts to use vacation benefits by the end of the year should be made, employees may sell back up to five-days of vacation benefits per year. Under special circumstances, vacation days may be carried over into the next year if approved by the Department Head and Department Liaison. Unused vacation benefits will not be paid out to an employee upon termination of employment.

Vacation benefits are paid at the employee's base pay rate at the time of the vacation. Vacation benefits are counted in computing eligibility for overtime payment. It does not include any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

303 Shared Leave

The purpose of shared leave is to permit Town of Burns Harbor employees, at no additional cost to any Town fund other than the administrative costs of administrating the program, to come to the aid of a Town employee who is suffering from or has an immediate family member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental conditions which has caused or is likely to cause the employee to take leave without pay or to terminate his or her employment.

A Department Head, with the Town Council's or designee's concurrence, may approve an employee (referred to as "recipient" herein) to receive shared leave under this policy if:

- The employee suffers, or has an immediate family member suffering from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status or to terminate his or her employment.
- The employee has depleted or will shortly deplete his or her total available paid leave benefits. Paid leave accrual is defined as vacation benefits, sick leave benefits, or floating holidays. For purpose of this policy, the use of employee sick leave accrual is allowed only in the event of illness of the employee or for illness of an immediate family member as designated in the Family Medical Leave Act (FMLA).
- Prior to the use of shared leave, the employee has abided to the Town's sick leave policy.
- The use of shared leave will not significantly increase the costs of any fund, except for those costs which would otherwise be incurred in the administration of this program or which would otherwise be incurred by the employee's department.

Any employee who wishes to donate unused accrued paid leave to a coworker shall make the request in writing to the employee's Department Head on the form prescribed by the Town of Burns Harbor. The Department Head shall forward the request to the Clerk-Treasurer, who will verify the eligibility of the employee to donate leave and the recipient to receive donated leave. The written request will identify both employees, the type of leave and the number of hours to be donated, and will certify that the request is irrevocable, made voluntarily, and that the donating employee retains a balance of at least 40-hours of combined leave after making the donation.

Donor employees may request that the Clerk-Treasurer approve the transfer of a specified amount of accrued vacation benefits to an employee who is authorized to receive shared leave as provided herein. In order to be eligible to donate paid leave, a donor employee must have at least ten-days of accrued vacation or sick leave benefits. In no event shall a transfer of leave be approved which would result in a donor employee reducing his or her total accrued vacation or sick leave benefits in a calendar year to less than five-days. The Clerk-Treasurer will not transfer paid leave in excess of the amount specified in the request. All donations of leave must be voluntary. The donor's and the recipient's Department Heads must determine that no significant increase in Town costs will occur as a result of a donation of leave.

A recipient of shared leave will be required to provide appropriate medical certification and documentation both of the necessity for the leave and time which the employee may reasonably be expected to be absent due to the condition. A recipient of shared leave may not receive more than a total of six-months (131 work days) of shared leave throughout the employee's employment. To the extent possible, shared leave should be used on a consecutive basis.

A donor employee may transfer leave from one department to an employee of the same department, or, with the concurrence of both Department Heads, to an employee of another department. While the recipient is using shared leave, he or she will continue to be classified as a Town employee and will receive the same treatment, in respect to pay and benefits, as the employee would otherwise receive is using vacation leave benefits.

All pay benefits payments made to the recipient on a shared leave will be made by the department employing the person using the shared leave.

The recipient's pay rate will not change as a result of being on shared leave, nor, under any circumstances, shall the total of the recipient's pay and other benefits, including but not limited to insurance, or any other benefit received as a result of payment by the Town exceed the total of salary and benefits which the recipient would have received had he or she been in a regular pay status.

Donated leave will be transferred on an hour-for-hour basis. The minimum allowable transfer of donated leave will be in eight-hour increments. Donated leave will be transferred in the amount not to exceed the amount needed during each pay period.

The Clerk-Treasurer shall be responsible for monitoring the donated leave and shared leave and shall also be responsible for initiating the Donation Action Form adjusting the accrued leave balances to show the transferred leave for both the donor and the recipient. The Clerk-Treasurer shall determine the appropriate fund transfers and budget amendments as needed for Town Council action. Records of all leave time transferred will be maintained for State Board of Account audits.

Once donated leave is transferred to the recipient, the donated leave will henceforth remain in the recipient's accrual until exhausted and may not revert back to the original donor employee.

The Clerk-Treasurer will monitor the use of shared leave with the objective of establishing uniform administration of this policy for all employees of the Town. Inappropriate use or treatment of the shared leave policy may result in the cancellation of the donated leave or use of shared leave. In no event will any unused shared leave be paid to the recipient in the event of termination of employment. The Town in its sole discretion may cancel this program at any time and employees will be notified of such change.

Additional questions regarding this policy should be directed to the Clerk-Treasurer.

305 Holidays

The Town of Burns Harbor grants paid holiday time off to employees on the holidays listed below:

- New Year's Day (January 1)
- Good Friday (Friday preceding Easter Sunday)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving Day (fourth Thursday in November)
- Day After Thanksgiving (fourth Friday in November)
- Christmas Eve (December 24)
- Christmas Day (December 25)
- One Floating Holiday

Eligible employee classification(s) include:

- Regular full-time employees

If the holiday falls on Sunday, it will be observed on the following Monday, if it falls on Saturday, it will be observed on the preceding Friday. Employees must be in a paid status the day before and the day after a holiday in order to be paid for the holiday. If a holiday occurs when an employee is on vacation, such vacation benefits will not be charged against their vacation benefits. Holidays that fall on a weekend where the Town designated holiday is on a weekday, employees that are scheduled to work one or both of those days would be paid holiday pay for either day, but not both days.

Full-time employees may receive straight time holiday pay for each authorized holiday equal to eight-hours of an employee's regularly scheduled workweek. Holidays observed by the Town are counted in computing eligibility for overtime payment. Paid time off for holidays does not include any special forms

of compensation such as incentives, commissions, bonuses, or shift differentials. An employee who is on disability leave is not entitled to holiday pay.

If an employee is required to work on a holiday, the employee will receive double time for the hours worked on the holiday and will not receive a day off with pay at a later date for the holiday.

Float Holiday

Employees who are eligible for holiday pay may choose any day as a float holiday with advance notice and approval from their Department Head. Float holidays upon eligibility will be prorated depending upon the employee's date of hire. The request may be denied due to the operational needs of the Department. Floating holidays do not carry over and must be taken within the year.

The Town Council may decide to close Town Hall on additional days for a particular holiday and employees will be paid for the holiday in accordance with this policy. When that happens, the Town Council will record that in Town Council meeting minutes at the next Town Council meeting.

306 Workers' Compensation Insurance

The Town of Burns Harbor provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable federal and state legal requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately. Due to the nature of the work within the Town of Burns Harbor, the Town does not offer light-duty work in any capacity under the guidelines of workers' compensation.

Reporting a Work-Related Injury or Illness

The employee and his or her Department Head must complete an Indiana Worker's Compensation First Report of Employee Injury/Illness form within five-days from injury or illness and submit it to the Clerk-Treasurer. If the form is not completed or is not completed in a timely manner, the employee's work-related injury or illness treatment may not be covered by the workers' compensation insurance carrier. Franciscan Working Well Clinics, Porter Hospital (PH), including the Occupational Health Department or Northwest Indiana Occupational Medical Services (NIOMS) or any of Porter Hospital's emergency rooms, is the only provider approved by the Town to evaluate and treat work-related illnesses or injuries. Work-related illnesses or injuries that occur when an employee is away from the Town while conducting Town business or participating in a training program, should be treated by a provider in that area and submitted to the Town's workers' compensation insurance carrier. Work-related illnesses or injuries should never be submitted under the Town's group health insurance. Failure to promptly report a work-related injury or illness may result in ineligibility for benefits and disciplinary action.

In the event an employee requires emergency care after hours and other medical services are used, the employee must follow-up for a post-accident evaluation by the Town's occupational health care provider the next business day.

The Department Head or his/her designee or injured employee must notify the Clerk-Treasurer as soon as possible so that all claims and compensation may be administered properly and in a timely manner. Any employee injured on the job, who must leave the worksite, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

The Town of Burns Harbor maintains a return-to-work program. Following an appointment with a physician, the physician will communicate to the Department Head, or the Clerk-Treasurer any restrictions the employee may have as a result of the injury or illness. The Department Head, or the Town Council will determine what accommodations may be made to assign the employee to restricted work duty. If no work is available at the Town of Burns Harbor, to satisfy the restrictions, the Department Head, or the Clerk-Treasurer, will maintain close communications between the employee and physician to ensure proper and timely treatment for the injury or illness. The Town of Burns Harbor may return the employee to work as soon as he or she is either released with restrictions that may be accommodated by the Town of Burns Harbor, or fully released, whichever comes first.

The employee must be accompanied by a physician's release upon return to work. An employee who is on workers' compensation disability leave and does not return to work immediately following release from the health care provider will be considered to have voluntarily terminated employment as of the date of the release.

Compensation and Benefits for an Absence Resulting from a Work-Related Injury or Illness

Lost time benefits due to a work-related injury or illness begin on the eighth calendar day following an employee's absence because of a work-related injury or illness. If an employee wishes to be paid for work missed during the first seven calendar days, he or she may use any accrued vacation or sick leave benefits. An employee may not supplement workers' compensation paychecks with accrued vacation or sick leave benefits. If the absence from work extends longer than 21 calendar days, the initial seven-day waiting period will be retroactively paid by the workers' compensation insurance carrier. An employee returning from an absence resulting from a workers' compensation disability leave is entitled to any unconditional pay increases that occurred during his or her absence.

Employees are not paid longevity pay while receiving lost time benefits, but employees are credited for service time while receiving lost time benefits, showing no break in service while the employee is on a workers' compensation disability leave. The employees regular base pay (pro-rated over the remainder of the year) will resume upon his or her return to work.

Medical insurance coverage and dental insurance coverage will continue on the same basis as coverage would have been provided had the employee been continuously employed during the period of a workers' compensation disability leave as long as the employee pays his or her regular portion of the premium on a timely basis. Employees must arrange with the Clerk-Treasurer to pay their portion of the insurance coverage. The employees medical and dental insurance coverage may be terminated if the employee's payment is more than 30-days late.

An employee who is self-employed or accepts other employment or works for any other employer during a workers' compensation disability leave must report such work immediately to their Department Head, or the Clerk-Treasurer. An employee who works in one of the above capacities at any time during their workers' compensation disability leave, performing work of a like or similar character or exertion as that which the employee performed for the Town of Burns Harbor may be considered to have terminated his or her employment as the date such work began.

If appropriate the Town of Burns Harbor will follow all other federal and state employment-related policies that run concurrent with workers' compensation guidelines, such as FMLA, ADAAA, etc. Specific questions relating to workers' compensation should be directed to a Department Head, or the Clerk-Treasurer.

307 Sick Leave Benefits

The Town of Burns Harbor provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

Eligible employee classification(s):

- Regular full-time employees

All regular full-time employees will be eligible to earn five-days (40-hours) of paid sick leave benefits per year upon hire. Sick leave benefits upon eligibility will be prorated depending upon the employee's date of hire. Example: An employee's first day of employment is July 1, thus, the employee will receive six-months of sick leave benefits equivalent to 2.5-days or 1.25 days per month. After three-days in succession of sick leave, employees are required to submit a doctor's excuse in order to be paid.

The Department Head, or the Clerk-Treasurer must be notified of an employee's absence due to sickness at least one-hour prior to the start of the shift and on each subsequent day. Return to work after sick leave must also be reported. Sick leave benefits may be used in minimum increments of one-hour. Sick leave benefits do not accrue and do not carry over into the ensuing year. Unused sick leave benefits will not be paid out to the employee if they terminate from employment.

Sick leave benefits will be paid at the employee's base pay rate at the time of the leave. It does not include overtime, or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

308 Time Off to Vote

The Town of Burns Harbor encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the Town of Burns Harbor may grant unpaid time off to vote.

Employees should request time off to vote from their Department Head at least two working days prior to the Election Day. Advance notice is required so that the necessary time off may be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

309 Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Department Head, or the Clerk-Treasurer immediately.

At the discretion of the Department Head, or the Clerk-Treasurer, up to three-days of paid bereavement leave may be provided to eligible employees in the following classification(s):

- Regular full-time employees

Employee's immediate family for purposes of this section shall mean an employee's spouse, child, parent, grandparent, siblings, grandchildren, and equivalent in-law and step relationships.

Employees should notify their Department Head as soon as possible in the event that an immediate family death occurs. Proof of the death of the related family member may be required before receiving compensation for bereavement leave.

Any additional time needed may be granted on a case-by-case basis by the Town Council at a Town Council meeting and will be reflected in the meeting minutes. Time may be granted but the employee will have to use any unused compensatory time, vacation, or sick leave benefits he or she may have if he or she wants to be paid for the leave.

If an immediate family member dies during an employee's scheduled vacation, bereavement time off may be exchanged for vacation days. Employees may request unused compensatory time, vacation, or sick leave benefits, if available, to supplement bereavement time off granted for immediate family members or for time off needed to attend the funeral of persons not covered by this policy. Bereavement leave does not include overtime, or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

311 Jury Duty

The Town of Burns Harbor encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employee classifications that qualify for paid jury duty leave are:

- Regular full-time employees
- Regular part-time employees

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. The employee will be expected to report for work following jury duty, if three-hours or more remains during his or her scheduled workday. Either the Town of Burns Harbor or the employee may request an excuse from jury duty if, in the Town of Burns Harbor's judgment, the employee's absence would create serious operational difficulties.

The Town will pay employees serving jury duty at their regular rate of pay. After employees receive their check for jury duty, they must then endorse and turn the check over to the Clerk-Treasurer. In the event an employee must be away for an extended period on jury duty they may be required to make arrangements to cover costs associated with any elected benefit payroll deductions, e.g. health insurance, life insurance, etc. The Town of Burns Harbor reserves the right to require employees to pay the full cost of premiums during this time. Additionally, while out on jury duty, all benefit accruals will continue until the employee returns to their normal work schedule.

312 Witness Duty

The Town of Burns Harbor encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by the Town of Burns Harbor, they will receive paid time for the entire period of the witness duty. Any employee who is called to testify in court on work-related matters will be paid his or her normal rate of pay for the time expended.

An employee will be granted unpaid time off to appear in court as a witness when requested by a party other than the Town of Burns Harbor. Employees are free to use any available vacation benefits to receive compensation for the period of the absence, however are not required to do so.

The subpoena should be shown to the employee's Department Head, or the Clerk-Treasurer immediately after it is received so that operating requirements may be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

314 Genetic Information Nondiscrimination Act (GINA)

The Town of Burns Harbor follows all federal and state laws with regards to the Genetic Information Nondiscrimination Act (GINA). The Town of Burns Harbor may not use genetic information or genetic testing in furtherance of a workplace wellness program unless certain requirements are met. The Town of Burns Harbor is not prohibited from requesting or requiring genetic information for genetic monitoring of the biological effects of toxic substances in the workplace if certain requirements are met. The Town of Burns Harbor will treat genetic testing information consistent with the requirements of all other federal and state laws.

For additional information on GINA contact the Clerk-Treasurer.

316 Health Insurance

The Town of Burns Harbor's health insurance plan provides employees and their dependents access to medical, dental, prescription drug and vision insurance benefits. Employees in the following employment classifications may be eligible to participate in the health insurance plan:

- Regular full-time employees

Eligible employees may participate in the health insurance plan subject to the terms and conditions of the agreement between the Town of Burns Harbor and the insurance carrier.

Details of the health insurance plan are described in the Summary of Benefits and Coverage (SBC). An SBC and information on the cost of coverage will be provided in advance of enrollment to eligible employees. Contact the Clerk-Treasurer for additional information about health insurance benefits.

317 Group Life and AD&D Insurance

Group life and AD&D insurance offers an employee and their family important financial protection. The Town of Burns Harbor provides a group life and disability insurance plan for eligible employees.

Employees in the following employment classifications are eligible to participate in the group life and disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the group life and disability insurance plan subject to the terms and conditions of the agreement between the Town of Burns Harbor and the insurance carrier.

Details of the group life and disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. Contact the Clerk-Treasurer for additional information about the group life and disability insurance plan benefits.

318 Short-Term Disability

Short-term disability insurance offers an employee and their family important financial protection. The Town of Burns Harbor provides a short-term disability insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the short-term disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the short-term disability insurance plan subject to the terms and conditions of the agreement between the Town of Burns Harbor and the insurance carrier. Vacation benefits will continue to accrue during a short-term disability leave. The Town of Burns Harbor reserves the right to require employees to pay the full cost of benefit premiums during a short-term disability leave.

Details of the short-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. Contact the Clerk-Treasurer for additional information about short-term disability insurance benefits.

319 Long-Term Disability

Long-term disability insurance offers employees and their family important financial protection. The Town of Burns Harbor provides a basic long-term disability policy for eligible employees. Employees in the following employment classifications are eligible to participate in the long-term disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the long-term disability insurance plan subject to all terms and conditions of the agreement between the Town of Burns Harbor and the insurance carrier. All paid time off benefits will stop accruing during the time that the employee is out on long-term disability leave. The Town of Burns Harbor reserves the right to require employees to pay the full cost of premiums during a long-term disability leave.

Details of the long-term disability insurance plan including benefit amounts are described in the Summary Plan Description (SPD) provided to eligible employees. Contact the Clerk-Treasurer for additional information about long-term disability insurance benefits.

320 Indiana Public Retirement System (INPRS)

Full-time employees who work in eligible covered jobs will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives. Contact the Clerk-Treasurer for additional details of the plan.

TIMEKEEPING/PAYROLL

401 Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the Town of Burns Harbor to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

It is an employees' responsibility to sign his or her time record to certify the accuracy of all time recorded. A Department Head should review and sign the time record before submitting it for payroll processing. If corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initialing the time record.

Altering, falsifying, tampering with time records or the time clock, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

403 Paydays

The Town of Burns Harbor pays full-time and part-time employees on a bi-weekly basis (26 pays per year). The payroll week is from Wednesday through Tuesday. Appointed Board Secretaries/Employees are paid on a monthly basis.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization. Paydays are on Thursday after a pay period ends. If a holiday, bank holiday, or a day that the Town Hall is closed falls on a payday, paychecks will be used on the preceding business day. A schedule of paydays may be obtained from the Clerk-Treasurer. No other person is allowed to "pick-up" an employee's paycheck without the employee's permission, which must be provided in advance to the Clerk-Treasurer. Paychecks are not issued in advance of payday without approval from the Clerk-Treasurer. Employees will receive an itemized statement of wages when the Town makes direct deposits. Contact the Clerk-Treasurer for additional information regarding paydays.

405 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

An eligible employee who has decided to retire should notify his or her Department Head at least 30-days prior to his or her retirement date. In the event of voluntary termination, exempt employees are requested to give no less than 20 working days written notice prior to the effective date of their resignation, while nonexempt employees are requested to give no less than ten working days written notice. Working days indicate the days an employee is on the job and does not include vacation leave benefits, or sick leave benefits. Failure to give proper advanced notice prior to resignation and/or failure to work the notice period may make the employee ineligible for future reemployment. Department Heads must notify the Clerk-Treasurer and the Town Council President immediately in the event that an employee voluntarily or involuntarily terminates employment with the Town of Burns Harbor. If a Department Head fails to notify the Clerk-Treasurer and the Town Council President of an employee's voluntary or involuntary termination immediately, the Department Head may be subject to disciplinary action, up to and including termination of employment.

The Town of Burns Harbor may schedule exit interviews at the time of the employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to the Town. Suggestions, complaints, and questions may also be voiced. An employee who is terminated must complete an exit checklist and return all Town property prior to receiving his or her final paycheck in accordance with federal and state laws. Employees are responsible for reimbursing the Town for any property not returned.

Since employment with the Town of Burns Harbor is based on mutual consent, both the employee and the Town of Burns Harbor have the right to terminate the employment-at-will relationship, with or without cause. Employee benefits will be affected by employment termination in the following manner: All accrued, vested benefits that are due and payable at termination will be paid according to policy.

409 Administrative Pay Corrections

The Town of Burns Harbor takes all reasonable steps to ensure that employees receive the correct amount of pay and that employees are paid promptly on the scheduled payday.

If there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Clerk-Treasurer, so that corrections may be made as quickly as possible.

410 Pay Deductions and Setoffs

The law requires that the Town of Burns Harbor make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The Town of Burns Harbor also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social "Security "wage base." The Town of Burns Harbor matches the amount of Social Security taxes paid by each employee.

The Town of Burns Harbor offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by the Town of Burns Harbor, usually to help pay off a debt or obligation to the Town of Burns Harbor or others.

Employees who have questions concerning why deductions were made from their paycheck or how they were calculated, should contact the Clerk-Treasurer.

WORK CONDITIONS & HOURS

501 Safety

To assist in providing a safe and healthful work environment for employees, residents, and visitors, the Town of Burns Harbor has established a workplace safety program. This program is a top priority for the Town of Burns Harbor. Individual departments have responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

Each employee is expected to comply with occupational safety and health standards and all rules and regulations governed by the state, and orders issued relative to the Occupational Safety and Health Act (OSHA), which are applicable to his or her own actions.

All employees must wear the appropriate personal protective equipment (PPE) required to perform their job safely or while in certain designated areas of the work environment. If an employee is unsure what PPE he or she is required to wear at any given time they should ask a Department Head, or the Clerk-Treasurer.

If an accident results in an injury, no matter how minor the injury may be, employees are required to report the incident to their Department Head, or the Clerk-Treasurer. At the time the injury occurs, the need to see a doctor will be determined. All workplace injuries will be seen by a physician and/or facility selected by the Town of Burns Harbor and in accordance with state laws. Reports of injury are necessary to comply with both federal and state laws and initiate insurance and workers' compensation benefits. In the event that an employee does not report an accident or injury, there may be a delay in the benefits paid, including the possibility that medical bills will not be paid at all. Refer to Policy #306 – Worker's Compensation Insurance for additional information.

Any employee injured on the job, may be subject to a drug and alcohol test. Refusal to submit or positive results may result in disciplinary action, up to and including termination of employment. Refer to Policy #702 – Drugs and Alcohol Use/Testing for additional information.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to discuss them with their Department Head, or with the Clerk-Treasurer. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate Department Head, or the Clerk-Treasurer. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report, or remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

504 Use of Phone and Mail Systems

Personal use of the telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse the Town for any charges resulting from their personal use of the telephone or fax machine.

The use of the Town of Burns Harbor's paid postage for personal incoming or outgoing correspondence is not permitted.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Confirm information received from the caller, and hang up only after the caller has done so.

505 Non-Smoking

In keeping with Indiana state law and the Town of Burns Harbor's intent to provide a safe and healthful work environment, smoking, e-cigarettes, chewing tobacco and other tobacco product use is not permitted in the workplace, except in those locations that have been specifically designated as smoking areas. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, residents, and visitors.

507 Overtime/Compensatory Time/Make-up Time

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity for overtime work assignments. All overtime work must receive the Department Head's prior authorization and approval. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Public safety employees are not required to get prior Department Head approval for overtime hours.

Overtime compensation will be paid to nonexempt employees in accordance with federal and state wage and hour restrictions; any time worked over 40-hours in a standard workweek for nonexempt employees. Overtime pay is based on actual hours worked. An employee's time off while using sick leave benefits, bereavement leave, time off for the treatment of work-related injuries and illnesses, compensatory time, or on any other leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Compensatory Time

In lieu of paying overtime to nonexempt employees, the Town of Burns Harbor may recognize the use of "compensatory time".

"Compensatory time" will be paid at the employee's hourly pay rate at the time that the "compensatory time" was earned plus time and one-half for all hours worked over 40-hours in a standard workweek. Department Heads will keep verifiable records of overtime worked which will include the date, hours worked, reason for the overtime and a record of "compensatory time" used. Employees must request the use of "compensatory time" from their Department Head.

"Compensatory time" may be used in minimum increments by the hour for nonexempt employees. All "compensatory time" may be accrued up to a maximum of 40-hours. "Compensatory time" may be carried over from year-to-year. "Compensatory time" will not be paid out at the end of the year unless the employee requests to be paid for their unused "compensatory time."

Police Department Employees

Police Officers are required to provide protection 24-hours a day, seven-days per week. In light of the special responsibilities that the Police Department has in providing continuous, uninterrupted service, special policies apply to the methods in which overtime is provided.

Full-time Police Officers of the Police Department who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the Town of Burns Harbor further adopts the use of a 14-day “work period” for the purposes of determining compensation for overtime hours worked. Full-time Police Officers of the Police Department will be paid straight time compensation for up to 80-hours of regular employment during each “work period.” Overtime pay will be accrued for all time worked in excess of 80-hours during a “work period.” Overtime earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned.

508 Use of Equipment, Tools, and Vehicles

Employees must notify a Department Head if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Department Heads may answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. Employees may not use Town equipment, machines, tools, or vehicles for personal or private use regardless of whether it is during working or non-working time.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

Use of Town Vehicles

If an employee uses a municipally owned vehicle to conduct Town business and is required to purchase fuel or incur related vehicular expenses, the employee may be reimbursed for actual expenses incurred and documented.

Vehicle Safety Guidelines

To ensure safe operation of Town-owned and leased vehicles, maximize the safety of drivers, passengers, and the public, and to minimize losses, damages, and claims, the Town of Burns Harbor expects drivers authorized to drive Town-owned or leased motor vehicles to follow the rules and guidelines established in this policy.

This Town of Burns Harbor policy applies to all Town employees who may be engaged in the operation of any Town of Burns Harbor owned or leased motor vehicle on either public or private property.

In order to receive authorization to operate a Town of Burns Harbor motor vehicle, an employee must possess a current, valid Indiana driver's license for two consecutive years and be at least 18 years of age. The driver shall provide the Town a copy of his or her driver's license when first employed and each renewed license thereafter, and report any change in license status (i.e., convictions, license is suspended or revoked) to his or her Department Head and the Clerk-Treasurer's Office immediately. The driver agrees to operate the Town-owned motor vehicles in accordance with applicable local, state and federal laws and Town of Burns Harbor's regulations, at all times. Drivers shall not at any time engage in any activities that distract their attention from the operation of any motor vehicle while performing duties of

behalf of the Town. This shall include, but not be limited to, the use of cellular telephones, computers, electronic navigation devices and/or text messaging devices.

Eligibility to receive authorization to operate a Town-owned motor vehicle, is dependent upon a prospective driver's driving record. In order to qualify as an authorized driver, all drivers of Town-owned motor vehicles shall have their driver's licenses and driving records reviewed prior to employment and after employment commences, at least one time per calendar year, and upon reasonable suspicion of driving infractions and under other circumstances at the Town of Burns Harbor's discretion.

Motor Vehicle Record Standard

Any employee who wishes to operate a Town of Burns Harbor owned or leased vehicle must have a current, valid Indiana driver's license and be at least 18 years of age. No employee will be allowed to drive for the Town of Burns Harbor with a "probationary," "court-restricted," "junior," or international license.

Before an employee may drive for the Town of Burns Harbor, up to three (3) years of the employee's driving history will be evaluated by the Burns Harbor Police Department. The three-year period must be the three-year period immediately preceding the date of evaluation. The driving history must be evidenced by an official Motor Vehicle Record (MVR) kept by an appropriate governmental authority. The following criteria must be met:

- No more than two (2) moving violations (e.g., speeding, failure to yield, violating a traffic signal, failure to stop, improper turn, improper lane change, careless driving, following too closely) in the past three (3) years; or
- No more than two (2) safety belt violations in the past three years; or
- No more than two (2) at-fault accidents in the past three years; or
- No more than one (1) moving violation plus two (2) safety belt violations within the past three years; or
- No more than one (1) at-fault accident plus two (2) other violations in the past three years; or
- No more than six (6) points on an applicant's license under State law.

Additionally, an applicant shall not be employed as a driver if any of the following violations appear in the applicant's MVR within the past three (3) years:

- Leaving the scene of an accident
- Reckless driving
- Driving under the influence of, or with ability impaired by, alcohol or drugs
- Hit and run
- Vehicular homicide or assault
- Participating in an unlawful speed contest
- Eluding or attempting to elude a police officer.

Department Responsibilities

Each department which may use a Town-owned motor vehicle is required to maintain, a means for ensuring that only those individuals who have been determined to be eligible by the Town's MVR review are authorized by the department to operate a town motor vehicle. Each department must, also, maintain and issue ignition keys in such a manner so as to prevent unauthorized use of town motor vehicles. The Town may exercise, at its discretion, the right to request copies of each specific department's written procedures for review.

Each Town-owned motor vehicle must be properly maintained according to the motor vehicle manufacturer's recommendations and when applicable, the Motor Vehicle Maintenance Department's preventative maintenance schedule.

Departments are responsible for ensuring the materials listed below are maintained in each Town of Burns Harbor owned or leased vehicle:

- Vehicle Registration
- Insurance Cards
- Emergency and Accident packet including, first aid kit (optional), fire extinguisher (required for all vehicles, supplied and maintained by the Town), and emergency reflector triangles or Department of Transportation approved road flares (for ¾ ton trucks)

Town-owned or leased vehicles are only to be used in the performance of officially authorized Town of Burns Harbor business. Such vehicles are to be kept on Town of Burns Harbor premises when not in use unless the officially authorized Town of Burns Harbor business purpose requires the vehicle to be kept off premises.

Accident Procedures for Drivers

In the event of an accident, employees should immediately notify 911 of their name, location, and pertinent information about the accident. Obtain the names, addresses, and telephone numbers of all witnesses. Cooperate in the filing of all law enforcement reports required by law. As soon as possible, report the accident to your Department Head. If injured, complete, or assist Department Head in completing the *Indiana First Report of Employee Injury, Illness* form and submit to the Clerk-Treasurer's Office. The Clerk-Treasurer's Office shall coordinate any claims made by or against the Town of Burns Harbor with the town's insurance carrier and the involved department. Refer to Policy #306 Workers' Compensation Insurance for additional information on accident procedures.

509 Call-In Pay

Nonexempt employees from the Street Department and the Sanitation Department called into work for an emergency or who are on call will be paid at a minimum of one-hour. Time begins when the employee arrives at the jobsite. Time is calculated into the calculation of overtime.

510 Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, may disrupt the organization's operations. In extreme cases, these circumstances may require the closing of the organization's facilities. In the event that such an emergency occurs during nonworking hours, employees will be notified via telephone by their Department Head.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from a Department Head, or the Clerk-Treasurer. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will not be paid. However, with a Department Head's approval, employees may use available paid time off, e.g. vacation benefits, or compensatory time, to cover the absence.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the day, but may utilize available paid time off, e.g. vacation benefits, or compensatory time, to cover the time off period.

512 Business Travel Expenses

Employees are entitled to reimbursement of meal, lodging, mileage, and air travel expenses while traveling on approved Town business. Spouses or family members who accompany an employee are not covered by the policy and are not entitled to any reimbursed expenses.

Employees whose travel plans have been approved are responsible for making their own travel arrangements or may ask for assistance from the Clerk-Treasurer.

Expenses that may generally be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Cost of standard accommodations in low to mid-priced hotels, or similar lodgings at a maximum of \$250 per night.
- Employees attending Town-approved conferences, meetings, etc., outside of the Town and which require an overnight stay will receive up to the amount stated above for all State Board of Account allowable items and must turn in an itemized receipt with their claim.
- Car rental fees, only for compact or mid-sized cars, if appropriate.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Tolls and parking incurred during travel are reimbursable with valid receipts. Mileage will be reimbursed in accordance with the Town's Mileage Rate Resolution to the employee who is responsible for driving, for each mile necessarily traveled to the place of meeting and return.
- Taxi fares, only when there is no less expensive alternative.
- Cost of meals, no greater than \$50.00 per day including tip. Alcoholic beverages will not be reimbursed.
- Tips not exceeding 20% of the total cost of a meal, or 15% of a taxi fare.
- Charges for telephone calls, fax, and similar services required for work-related purposes.
- Charges for one personal telephone call each day.
- Charges for laundry and valet services, only on trips of five or more days. (Personal entertainment and personal care items are not reimbursed.)

Employees who are involved in an accident while traveling on business must promptly report the incident to their Department Head, or the Clerk-Treasurer. Vehicles owned, leased, or rented by the Town of Burns Harbor may not be used for personal use without prior approval.

Submitting Requests for Reimbursement

Claims must be turned into the Clerk-Treasurer within seven-days of the trip. In the event that itemized receipts are not turned in for meal purchases, the employee will not be reimbursed for meals purchased. Employees must provide the Clerk-Treasurer with a copy of the conference registration form indicating whether or not meals are provided as a part of the conference or meeting. In the event that meals are provided, the employee will not be reimbursed for meal purchases. Meals reimbursed for conferences and meetings that do not require an overnight stay require approval by the Town Council and are subject to tax withholdings on the employee's next paycheck.

Pending available funds for reimbursement of expenses approved in advance by the Department Head must include appropriate documentation of the expenses and must be submitted to the Clerk-Treasurer. Checks for expense reimbursement claims that are approved are issued on the Thursday following the Town Council meeting of each month. The deadline for submitting requests for expense reimbursement is five working days prior to the date of the monthly Town Council meeting.

513 Town Credit Cards

The use of Town credit cards is authorized for Town business only. No personal expenses are authorized nor are any uses not specifically relating to Town business.

The credit card user must take measures to assure that sales tax is not added to any purchase or charged to the Town's credit card other than those allowable by the State Board of Accounts. If sales taxes are billed to the Town on the credit card statement, the user will be required to pay for those taxes.

The credit card user is responsible for turning in the itemized receipts of all credit card purchases to the Clerk-Treasurer within the billing cycle. Any charges that appear on the credit card statement that do not have a corresponding itemized receipt will be paid by the credit card user. Any late fees that might be assessed to the Town card due to untimely payment for lack of a receipt will be the responsibility of the credit card user.

The Clerk-Treasurer will maintain possession of all Town credit cards. Each Town employee will be required to sign the card in and out on the credit card log. All credit cards issued must be returned to the Clerk-Treasurer when the purpose of the use of the credit card has been accomplished.

Credit card purchases that exceed \$500.00 will require a purchase order as stated in the Town's purchase order resolution.

Any misuse of the Town credit card is subject to loss of credit card privileges and possible disciplinary action, up to and including termination of employment.

514 Visitors in the Workplace

To provide for the safety and security of employees and the facilities at the Town of Burns Harbor, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances. Visitors are defined as persons at a Town facility for social reasons or any purpose other than directly job-related.

All visitors should enter at the main entrance of each facility. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on the Town of Burns Harbor's premises, employees should immediately notify their Department Head, or the Clerk-Treasurer, or if necessary, direct the individual to the closest exit.

515 Social Media

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Generally, these guidelines set forth in this social media policy should be applied to any online medium where information may reflect back on the image of the Town of Burns Harbor, employees, agents, or residents. Examples include but are not limited to: blogs, LinkedIn, Twitter, Facebook, My Space, Plaxo, YouTube, Instagram, Wikipedia or other wikis, etc. Any comments that the Town of Burns Harbor employees may leave on others' blogs, or Facebook and MySpace pages, edits to wikis, responses to tweets, postings on message boards/forums, opinions on

online polls or any product/services the Town of Burns Harbor employees may author are included in this policy.

All social media accounts, blogs, Web pages and related content carrying the Town of Burns Harbor brand identity are and will be owned and licensed by the Town of Burns Harbor, as appropriate. Personal accounts, blogs, Web pages and related content that do not carry the Town of Burns Harbor's brand identity may be owned, licensed and operated by an employee. If the Town of Burns Harbor is referenced in any media as approved by the Town Council, all social media guidelines must apply or employees may be subject to disciplinary action, up to and including termination of employment.

All employees should consider and follow the following guidelines when posting on social media sites:

- Do not post or link any materials that are threatening, intimidating, coercing, or otherwise interfering with the performance of coworkers, or residents.
- Do not disclose information acquired in the course of one's work.
- When reposting or referencing a post on one of the Town's online sites, provide a link to the original post or story.
- When relevant, the employee should identify their affiliation with the Town and their area of concentration. This adds credibility to both the employee and the Town.
- Do respect the laws regarding copyrights, trademarks, rights of publicity and other third-party rights. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information they use and accurately cite copyrighted works they identify in our online communications. Do not infringe on Town logos, brand names, taglines, slogans, or other trademarks.
- If a negative post or comment is found online about the Town or an employee, try not to counter with another negative post. Remedy the situation through a positive action.
- If an employee publishes content to any website outside of the Town's official online presence (this may include Town websites as well as the Town's presence on third-party sites) and it has something to do with subjects associated with the Town, consider a disclaimer such as this: "The postings are my own and do not necessarily represent the Town's positions, strategies or opinions."

As stated in Policy #517 – Internet Usage, all equipment, services, and technology provided to access the Internet remain at all times the property of the Town of Burns Harbor. As such, the Town of Burns Harbor reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. In addition, employees should understand that all information transmitted via the Internet is not considered to be confidential in nature and employees should not expect privacy of any information transmitted. Employees are also required to provide the Town of Burns Harbor with all passwords used to access the Internet via Town equipment, services and technology, as requested by a Department Head, or the Clerk-Treasurer.

While this policy is comprehensive, it is not all inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees who have additional questions concerning the guidelines of social media and the Town should contact their Department Head, or the Clerk-Treasurer.

516 Computer and Email Usage

Computers, computer files, the email system, and software furnished to employees are the Town of Burns Harbor's property and intended for business use, not for personal use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

The Town of Burns Harbor strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the Town of Burns Harbor prohibits the use of computers and the email system in ways that are discriminatory, disruptive, obscene, threatening, harassing, intimidating, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to:

- Ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for employees, residents, or visitors.
- Copying, pirating or downloading software and electronic files without permission.
- Participating in the viewing or exchange of pornography or obscene materials.
- Attempting to break into the computer system of another organization or employee.
- Refusing to cooperate with a security investigation.
- Disclosing information acquired in the course of one's work.
- Sending or posting messages that disparage another organization's products or services while engaged in performing his or her work tasks from a Town's computer or mobile device.

The Town of Burns Harbor purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, neither the Town of Burns Harbor nor any employee has the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Town of Burns Harbor prohibits the illegal duplication of software and its related documentation. Employees may not use any remote-control software or service on any internal or external host or systems not specifically approved by the Town of Burns Harbor.

Employees should be aware of the characteristics of spam and phishing messages and recognize and dispose of spam and phishing messages appropriately. Employees should never provide their login ID and/or password as a result of an email or phone solicitation unless they are completely certain it is from their municipality. Employees should not risk a malware infection by navigating to links embedded in spam messages.

Employees should notify their Department Head, or the Clerk-Treasurer upon learning of violations of this policy. Employees who violate this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

517 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the Town of Burns Harbor to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Town of Burns Harbor and, as such, is subject to disclosure to law enforcement or other third-parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the Town of Burns Harbor. As such, the Town of Burns Harbor reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems. Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation, national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination act (GINA), military service veteran status or any other characteristic protected by federal, state and local laws.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression. Employees may not bypass or attempt to bypass measures in place to protect information resources from security threats and inappropriate use. Employees may not disable software on computing devices designed to protect information resources. Employees may not use any remote-control software or service on any internal or external host or systems not specifically approved by their Department Head, or the Clerk-Treasurer.

Abuse of the Internet access provided by the Town of Burns Harbor in violation of law or the Town of Burns Harbor policies may result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

- Stealing, using, or disclosing someone else's code or password without authorization.
- Disclosing information acquired in the course of one's work.
- Violating copyright laws.
- Failing to observe licensing agreements.
- Engaging in unauthorized transactions that may incur a cost to the Town of Burns Harbor or initiate unwanted Internet services and transmissions.
- Jeopardizing the security of the Town of Burns Harbor's electronic communications systems.

While this policy is comprehensive, it is not all-inclusive. Employees who are in violation of any portion of this policy may be subject to disciplinary action, up to and including termination of employment. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

518 Workplace Monitoring

Workplace monitoring may be conducted by the Town of Burns Harbor to ensure quality control, employee safety, security, and resident satisfaction.

Employees who regularly communicate with residents may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our residents' image of the Town of Burns Harbor as well as their satisfaction with our service.

Computers furnished to employees are the property of the Town of Burns Harbor. As such, computer usage and files may be monitored or accessed. Refer to Policy #516 – Computer and Email Usage and Policy #517 – Internet Usage for additional information.

The Town of Burns Harbor may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because the Town of Burns Harbor is sensitive to the legitimate privacy rights of employees, every effort may be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

519 Speaking to the Media

The Town of Burns Harbor strives to anticipate and manage crisis situations in order to reduce disruption to our employees and to have met and to maintain our presence as a highly reputable municipality. To best serve these objectives, the Town of Burns Harbor will respond to the news media in a timely and professional manner only through the designated spokespersons.

For additional information on speaking to the media contact the Clerk-Treasurer.

522 Workplace Violence Prevention

The Town of Burns Harbor is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Town of Burns Harbor has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during working hours or on its premises.

Employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited within the facilities of the Town of Burns Harbor without proper authorization.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a Department Head, or the Clerk-Treasurer. This includes threats by employees, as well as threats by residents, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head, or the Clerk-Treasurer. Employees should not place themselves in harm's way. If an employee sees or

hears a commotion or disturbance near his or her workstation, they should not try to intercede or see what is happening.

The Town of Burns Harbor will promptly and thoroughly investigate all reports or threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the Town of Burns Harbor may suspend employees, either with or without pay, pending an investigation. Refer to Policy #716 – Progressive Discipline for additional information.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines may be subject to prompt disciplinary action, up to and including termination of employment.

The Town of Burns Harbor encourages employees to bring their disputes or differences with other employees to the attention of their Department Head, or the Clerk-Treasurer before the situation escalates into potential violence. The Town of Burns Harbor is eager to assist in the resolution of employee disputes and may not discipline employees for raising such concerns.

526 Mobile Device Usage

The Town of Burns Harbor may provide a mobile device allowance for the Town Marshal, Superintendents, full-time labor positions, on-call Police Officers, and other assigned employees, as approved by the Town Council, where the urgency of communication requires the use of such device as a business tool. The allowances are provided to assist employees in communicating with management and other employees, their residents, vendors, and others with whom they may conduct business. Refer to the Town of Burns Harbor salary ordinance for specific details related to the mobile device allowance.

Town employees receiving a mobile device allowance will maintain an active mobile device at all times and are required to provide the telephone number of that mobile device to the Town of Burns Harbor. The mobile device allowance may not be used for a pre-paid mobile device.

In the event an employee terminates his or her employment with the Town of Burns Harbor, the mobile device allowance will be prorated by the number of days employed during the month and any allowance that might be required to be reimbursed to the Town, will be withheld from the employee's last paycheck.

Employees will not be eligible for the mobile device allowance during disability leave or any other extended leave of absence from work.

As a representative of the Town of Burns Harbor, mobile device users are reminded that the regular business etiquette employed when speaking from office phones or in meetings applies to conversations conducted over a mobile device.

Generally, mobile devices should not be used while operating a motor vehicle. If an employee must use a mobile device, they must pull over to a safe location, stop the vehicle, and then use the device. This will minimize the risks inherent in using mobile devices while operating motor vehicles.

During working hours employees are urged to keep their personal conversations, emailing, texting, or data access activities brief and kept to only urgent matters when approved by their Department Head. Employees are required to conduct lengthy conversations, emailing, texting and or data access activities on their lunch breaks or during non-working hours. If mobile device usage, to include talking, emailing,

texting, or data access usage is abused, the first infraction may result in a verbal warning. A second infraction may result in a written warning and a third or subsequent violation and continued abuse may result in continued disciplinary action, up to and including termination of employment.

Employees are required, as a respect to others in the workplace to keep the ringers on their personal mobile devices in a silent mode. The Town of Burns Harbor reserves the right to ban all mobile device usage during working hours, if usage becomes problematic.

LEAVES OF ABSENCE

601 Family and Medical Leave

Under the Federal Family and Medical Leave Act of 1993, as amended (FMLA), an employee may be eligible for a period of job-protected unpaid leave if they meet the criteria set forth in the FMLA.

General Eligibility

To qualify for FMLA leave an employee:

- must be an employee of the Town,
- must have worked at the Town for at least 12-months,
- must have worked at least 1,250 hours (paid time off does not count towards the 1,250 hours) during the past 12-month period before the leave is to begin, and
- must work at a worksite at which the Town employs at least 50 employees within a 75-mile radius.

Types and Duration of FMLA Leave

- **Basic FMLA Leave and Active Duty Leave**
An employee may be eligible for up to 12-weeks of unpaid leave in a rolling 12-month period for the following reasons:
 - the birth of a child and to care for such child or placement for adoption or foster care of a child;
 - to care for an immediate family member (spouse, child under 18-years old or 18 and over that is incapable of self-care, or parent) with a serious health condition;
 - because of a serious health condition which renders an employee unable to work; or
 - “Active Duty Leave,” defined as leave due to any qualifying exigency arising out of the fact that an employee’s spouse, son (of any age), daughter (of any age) or parent is a “covered military member”. “Covered military member” means a member of the Armed Forces or a member of the Reserves (including the National Guard or Reserves) who is on “covered active duty”, or has been notified of an impending call or order to covered active duty. For members of the Armed Forces, “covered active duty” means duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserves, “covered active duty” 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.
- **Military Caregiver Leave**
An employee also may take Military Caregiver Leave to care for a spouse, son (of any age), daughter (of any age), and parent or next of kin (i.e., closest living relative) who is a “covered service member”. A “covered service member” is (i) a current service member of the Armed Forces or Reserves, including 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, or (ii) a veteran of the Armed Forces (including the National Guard and Reserves) who is discharged (other than dishonorably

discharged) within the five-year period before the eligible employee takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. For a current service member, "serious injury or illness" means an injury or illness incurred or aggravated by the covered service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank, or rating. For a veteran, "serious injury or illness" means an injury or illness that rendered the veteran medically unfit to perform his or her military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work, regardless of whether the injury or illness manifested before or after the individual became a veteran.

Eligible employees are entitled to a total of 26-weeks of unpaid Military Caregiver Leave during a single 12-month period. This single 12-month period begins on the first day an eligible employee takes Military Caregiver Leave and ends 12-months after that date.

The leave entitlement described in this paragraph applies on a per-covered service member, per-injury basis. However, no more than 26-weeks of leave may be taken within a single 12-month period by any covered employee. Even in circumstances where an employee takes other leave covered by the federal FMLA under the bullets in the basic FMLA Leave and Active Duty Leave section above, the combined leave may not exceed 26-weeks during that 12-month period.

Definitions

- A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
 - (a) in-patient care (*i.e.*, an overnight stay) in a hospital or other medical care facility (including any period of incapacitation or any subsequent treatment in connection with such in-patient care);
 - (b) a period of incapacitation of more than three consecutive full calendar days, and any subsequent treatment or period of incapacitation relating to the same condition that also involves (i) treatment two or more times by a health care provider or under the supervision of a health care provider within 30-days of the start of the incapacitation, or (ii) treatment by a health care provider on at least one occasion within seven-days of the start of the incapacitation which results in a regimen of continuing treatment under the supervision of a health care provider;
 - (c) any period of incapacitation due to pregnancy, or for prenatal care;
 - (d) any period of incapacitation due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a health care provider;
 - (e) a period of incapacitation which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
 - (f) any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacitation of more than three consecutive calendar days in the absence of medical intervention or treatment.
- A "qualifying exigency" refers to the following circumstances:
 - (a) Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven-days or less;
 - (b) Military events and related activities: to attend official military events or family assistance programs or briefings;

- (c) Childcare and school activities: for qualifying childcare and school-related reasons for a child, legal ward or stepchild of a covered military member;
- (d) Care of the military member's parent: for certain activities related to the care of a covered military member's parent who is incapable of self-care, such as arranging for alternative care, providing care on a non-routine, urgent, immediate need basis, admitting or transferring a parent to a new care facility, and attending certain meetings with staff at a care facility, such as meetings with hospice or social service providers;
- (e) Financial and legal arrangements: to make or update financial or legal affairs to address the absence of a covered military member;
- (f) Counseling: to attend counseling provided by someone other than a health care provider for oneself, for the covered military member, or child, legal ward, or stepchild of the covered military member;
- (g) Rest and recuperation: to spend up to 15-days for each period in which a covered military member is on a short-term rest leave during a period of deployment;
- (h) Post-deployment activities: to attend official ceremonies or programs sponsored by the military for up to 90-days after a covered military member's active duty terminates or to address issues arising from the death of a covered military member while on active duty;
- (i) Additional activities: for other events where the Town and the employee agree on the time and duration of the leave.

When Spouses Work Together

A husband and wife, when both are eligible for FMLA and both work at the Town, are eligible for either a combined 12-weeks of unpaid leave for the birth or placement of a child or to care for a parent who has a serious health condition. A husband and wife will be eligible for a combined 26-weeks of unpaid Military Caregiver Leave as discussed above. If the husband or wife taking Military Caregiver Leave also takes leave for the birth or placement of a child or to care for a parent who has a serious health condition, that leave also may count toward the 26-weeks of combined Military Caregiver Leave during a single 12-month period.

Notice of Need for FMLA Leave

If the leave is foreseeable (birth or placement, planned medical care, leave due to active duty of immediate family member), the employee must provide at least 30-day's advance notice. If circumstances prevent providing the 30-day's advance notice, then the employee should provide as much notice as possible.

If an employee fails to give the required notice for foreseeable leave with no reasonable excuse, the employee may be denied the taking of the leave until the employee provides adequate notice of need for the leave. Employees should make every reasonable effort to schedule medical treatments so as not to disrupt the ongoing operations of the department.

Intermittent FMLA Leave

Intermittent leave also may be available depending upon an employees' serious health condition or an employee's immediate family member's serious health condition. Intermittent or reduced schedule leave for the birth or placement of a child for adoption or foster care may be taken only with approval from the Department Head, or the Clerk-Treasurer in writing. Military Caregiver Leave may be taken intermittently or on a reduced leave schedule when medically necessary. Intermittent or reduced leave may not exceed the total hours an employee would have worked during his or her regular 12-week schedule. If intermittent or reduced leave is approved, the Town of Burns Harbor may require the employee to schedule the leave so as not to unduly disrupt its operations, or the employee may be placed in an alternate position which better accommodates the intermittent leave schedule.

Employees taking intermittent leave must follow the Town of Burns Harbor's standard call-in procedures absent unusual circumstances.

Documentation Supporting FMLA Leave

An employee's reason for the leave must be covered under FMLA and they must provide a completed FMLA Certification of Health Care Provider Form supporting the need for the leave. A request for reasonable documentation of family relationship verifying the legitimacy of a FMLA leave may also be required.

The employee will have 15-days in which to return a completed certification form following receipt of the form from the Town of Burns Harbor. If the employee fails to provide timely certification after being required to do so, they may be denied the taking of the leave under the FMLA. If the certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven-days after receiving such written notice to provide the necessary information.

If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the Town of Burns Harbor, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the Town of Burns Harbor, may be required. The opinion of the third health care provider, which the Town of Burns Harbor and the employee jointly select, will be the final and binding decision.

A request for Active Duty Leave must be supported by the Certification of Qualifying Exigency for Military Family Leave form as well as appropriate documentation, including the covered military member's active duty orders. A request for Military Caregiver Leave must be supported by the Certification for Serious Injury or Illness of Covered Service member form as well as any necessary supporting documentation.

Recertification

Under certain circumstances as provided by law, including (but not limited to) situations in which the need or nature of the approved leave changes, the Town of Burns Harbor may, in its sole discretion, require recertification of an employee's serious health condition.

Return to Work

If an employee's position is eliminated during their FMLA leave time, e.g. layoff, departmental restructuring, etc. the employee will not be entitled to return to his or her former or an equivalent position. Employee's whose FMLA leave was for their own personal medical condition must, prior to reinstatement, submit a medical certification to the Clerk-Treasurer as to their ability to return to work, subject to a second medical opinion as deemed necessary by the Town of Burns Harbor, or a third medical opinion as provided in the FMLA. Employees who do not return to work immediately following release from the health care provider as fully restored to perform all the essential functions of his or her position, will be considered to have voluntarily terminated employment as of the date of the release. Employment will be terminated if an employee is not able to return to work at the end of the FMLA. There may be exceptions to termination requirements under the Americans with Disabilities Act and its Amendments Act (ADAAA) and the Town of Burns Harbor will comply as appropriate.

Substitution of Paid Leave

Employees must substitute all accrued vacation benefits and sick leave benefits for unpaid FMLA leave. FMLA and any paid time off, run concurrently. The entire 12-week FMLA is not in addition to the paid leave, however, is any remaining portion after the paid leave time is subtracted. If an employee requires leave in excess of the weeks for which they are eligible, they will not be assured a position with the Town of Burns Harbor upon their return.

Benefits during FMLA Leave

During the approved FMLA leave, the employee's coverage under the Town of Burns Harbor's benefits will continue, but if the employee goes without pay, he or she must pay his or her share of medical, dental, vision, and other-related insurance premiums, if applicable. It is the employees' responsibility to make arrangements with the Clerk-Treasurer to pay his or her portion of the monthly benefit premiums during the unpaid period of absence. The Town of Burns Harbor reserves the right to require employees to pay the full cost of benefit premiums during an FMLA leave. All other benefits will be suspended during the leave.

602 Indiana Military Family Leave

Under the Indiana Military Family Leave Act, eligible employees may be able to spend time with family members who have been called up for active duty in the military.

Eligibility

To be eligible for Indiana Military Family Leave, an employee must have been employed with the Town of Burns Harbor for at least 12-months and must have worked at least 1,500-hours during the 12-month period immediately preceding the leave.

The deployed family member must be either:

- A legal spouse as defined under IC 31-11-1;
- A child as defined as (1) a biological child, (2) adopted child, (3) foster child or (4) stepchild;
- A parent as defined as (1) a biological father or mother, (2) an adoptive father or mother, (3) a court appointed guardian or custodian, (4) a foster parent, or (5) a stepparent;
- A sibling defined as (1) a biological brother or sister, (2) an adoptive brother or sister, (3) a foster brother or sister, or (4) a stepbrother or stepsister;
- A grandparent as defined as (1) a biological grandparent, (2) an adoptive grandparent, (3) a foster grandparent, or (4) a step-grandparent.

Eligible employees are provided an unpaid leave of absence of up to ten working days (consecutive or non-consecutive) per year when the employee's family member, as defined above, who is a member of the U.S. Armed Forces, the U.S. Armed Forces Reserve Unit, or the Indiana Air or Army National Guard, is deployed for full-time military service on active duty orders for 89-days or longer. For purposes of this policy, a year will consist of a rolling calendar year looking back from the date the leave is scheduled to begin.

The Town of Burns Harbor requires employees to use or exhaust any accrued vacation benefits and sick leave benefits prior to taking any unpaid time off for Indiana Military Family Leave. Accrued vacation benefits and sick leave benefits taken under this policy will count toward, and not be in addition to, the ten working days of Indiana Military Family Leave. Requests by employees for an exception to this requirement must be made in writing to their Department Head, or the Clerk-Treasurer and must state the reason for requesting the exception.

Health care benefits in which the eligible employee participated before taking leave under this policy will be continued during the leave period under the same conditions. An eligible employee taking leave under this policy still will be required to pay the employee's portion of the health care or other-related insurance premiums normally withheld from the employee's paycheck. The Town of Burns Harbor reserves the right to require employees to pay the full cost of benefit premiums during Indiana Family Military Leave.

Timing of Leave

An eligible employee may take up to a total of ten unpaid working days (consecutive or non-consecutive) of Indiana Military Family Leave during a year. The days may be taken during one or more of the following periods, but may not exceed ten days total:

- During the 30-days before active duty orders are in effect;
- During a period in which the family member ordered to active duty is on leave while active duty orders are in effect; and/or
- During the 30-days after the active duty orders are terminated.

Notice of Intent to Take Leave

An eligible employee who wants to take an unpaid military family leave under this policy must request leave under the policy by providing written notice of the date the leave will begin, including a copy of the active duty orders if available, to the Clerk-Treasurer. The notice must be given at least 30-days before the date on which the employee intends to take the leave, unless the active duty orders are issued less than 30-days before the date the requested leave is to begin. In that situation, notice should be provided as soon as possible after the active duty orders are issued.

Concurrent Leaves

To the extent an employee's Indiana Military Family Leave also qualifies for some other type of leave (such as FMLA); such leaves will run concurrently to the full extent allowed by law.

Additional information about the Indiana Military Family Leave Act is available from the Clerk-Treasurer.

603 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for 15-day training assignments and shorter absences. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation benefits, or sick leave benefits for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefit accruals, such as vacation benefits, sick leave benefits, or holiday benefits, will be suspended during the leave, after the first 30-days and will resume upon the employee's return to active employment. The Town of Burns Harbor reserves the right to require employees to pay the full cost of premiums during Military Leave.

Employees on military leave for up to 30-days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Clerk-Treasurer for additional information about military leave.

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

701 Employee Conduct and Work Rules

To ensure orderly operations and provide the best possible work environment, the Town of Burns Harbor expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Town.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- Theft or inappropriate removal or possession of property.
- Falsification of timekeeping records or any Town-related document or record.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Negligence or improper conduct leading to damage of Town-owned or resident-owned property.
- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a coworker, resident, or vendor.
- Violation of safety or health rules.
- Smoking in prohibited areas.
- Sexual or other unlawful or unwelcome harassment or discrimination.
- Unauthorized possession of dangerous materials, such as explosives or firearms, within the Town's facilities, unless otherwise authorized by the Town Council.
- Excessive documented tardiness or absenteeism.
- Entering or leaving the Town's facilities without permission.
- Unauthorized use of telephones, mail system, or other Town-owned equipment.
- Unauthorized disclosure of confidential information acquired in the course of one's work.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.
- Fraudulently obtaining accident or workers' compensation benefits.

Employment with the Town of Burns Harbor is at the mutual consent of the Town of Burns Harbor and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

702 Drug and Alcohol Use/Testing

It is the Town of Burns Harbor's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs.

While conducting business on behalf of the Town of Burns Harbor, no employee may manufacture, distribute, dispense, possess, purchase, sell, use, or be under the influence of alcohol or illegal drugs or in possession of drug paraphernalia. In addition, the unauthorized use or possession of prescription drugs or over-the-counter drugs is prohibited. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks.

To help ensure a safe and healthful working environment the Town of Burns Harbor may conduct drug and alcohol testing under any one of the following circumstances:

- Post-offer testing of all applicants
- Reasonable suspicion of current employees
- Post-accident of current employees
- Random testing of current employees
- Medical examinations for applicants or current employees

Applicants and employees may be asked to provide body substance samples, such as urine, blood, hair and/or saliva, to determine the illicit use of drugs and/or alcohol. The legal use of prescribed drugs and CBD oils are permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees who are taking prescription drugs or CBD oils at the time of the testing will be required to inform the testing facility of those legally prescribed drugs or CBD oils that they are currently using. This information will be considered confidential under the guidelines of the Health Insurance Portability and Accountability Act (HIPAA), refer to Policy #214 – Medical Information Privacy for additional information.

Applicants or employees who are not able to provide sufficient body substance samples will be evaluated by a physician selected by the Town of Burns Harbor. If the physician cannot find a legitimate medical explanation for the inability to provide a body substance sample, it will be considered a refusal to test. In that circumstance, the applicant and/or employee has violated one of the prohibitions of the policy. Both drug and alcohol testing may be performed on an employee following any accident involving a fatality or any accident in which the driver receives a citation under any state or local law for a moving traffic violation arising from an accident. An accident is defined as an incident involving a vehicle in which there is a fatality, property damage, an injury treated away from the scene, or where the vehicle is towed from the scene. When a post-accident drug or alcohol test is required it should be performed as soon as possible following the accident. If no alcohol testing may be done within eight-hours, attempts to collect a breath or blood sample will cease and if no urine specimen may be obtained within 32-hours, attempts to make such a collection will cease. As with any accident or injury, employees are required to contact their Department Head or the Clerk-Treasurer immediately. Refer to Policy #501 – Safety and Policy #306 – Workers' Compensation Insurance for additional information.

Random selections may result in employees being selected in successive selections or more than once in a calendar year. Alternatively, some employees may not be selected in a calendar year. Any employee scheduled for a random test will be required to immediately proceed to the testing facility to submit for the test. If the employee is not present at work on that day, they are required to proceed to the testing

facility on the next day that they are at work. Refusal to participate will be considered as the employee violating one of the prohibitions of the policy.

Violations of this policy and/or substitution, adulteration or refusal to submit to drug and/or alcohol testing may lead to the rescinding of an employment offer to an applicant, disciplinary action, up to and including termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program for current employees. Such violations may also have legal consequences and the Town of Burns Harbor will cooperate with all law enforcement officials.

When a positive test is received by the Town of Burns Harbor the following guidelines apply: The employee may be subject to disciplinary action, up to and including termination, if the employee receives either a verbal or written documented form of progressive discipline, or is suspended after a positive test result, he or she must submit to another test and have a negative result within six-weeks from the date he or she was tested positive for drugs and/or alcohol. The Town of Burns Harbor will decide when the test will be administered. Before the employee returns to work, after the testing, he or she will be required to sign a reinstatement agreement that states under what conditions the employee will be reinstated and that random drug testing may be conducted on that employee up to one-year. Any subsequent positive results will result in immediate termination of employment.

If the employee believes that the drug and/or alcohol test has produced a false positive, the employee may at his or her own expense submit for another drug test. If the retest produces a negative result, the employee may be reinstated if the Town of Burns Harbor is satisfied that the retest conforms to the scientifically accepted methods and procedures for collection. The Town of Burns Harbor will not reimburse the employee for the cost of the second test.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the Clerk-Treasurer of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five-days of the conviction.

Employees with questions on this policy, or issues related to drugs or alcohol use/testing may raise their concerns with their Department Head, or the Clerk-Treasurer without fear of reprisal.

703 Sexual and Other Unlawful Harassment

The Town of Burns Harbor is committed to developing a work environment free of unlawful discrimination and harassment. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the Town of Burns Harbor expects that all relationships among persons will be business-like and free of bias, prejudice, and harassment.

Equal Employment Opportunity

It is the policy of the Town of Burns Harbor to ensure equal employment opportunity without harassment or discrimination on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by federal, state and local laws. The Town of Burns Harbor prohibits any such harassment or discrimination.

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purpose of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; improper use of email or voice mail; verbal abuse of a sexual nature; comments about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the work place of sexually suggestive objects or pictures including screen savers or improper emails or attachments; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex (pregnancy, gender identity, or sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, or any other characteristic protected by law or that of his or her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Individuals found to be performing such harassing conduct may be subject to disciplinary action, up to and including termination of employment.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Town of Burns Harbor such as an outside vendor, consultant, or resident.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Retaliation Is Prohibited

The Town of Burns Harbor encourages reporting of all perceived incidents of harassment and discrimination. It is the policy of the Town of Burns Harbor to investigate such reports. The Town of Burns Harbor prohibits retaliation against any individual who reports harassment or discrimination, or participates in an investigation of such reports.

Reporting an Incident of Harassment, Discrimination or Retaliation

The Town of Burns Harbor encourages reporting of all perceived incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of harassing conduct should discuss their concerns with their Department Head, or the Clerk-Treasurer.

In addition, the Town of Burns Harbor encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. The Town of Burns Harbor recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

Complaint Procedures

If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify his or her Department Head, or the Clerk-Treasurer. In addition, there may be instances in which an individual seeks only to discuss matters with one of the Town of Burns Harbor designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination or retaliation should be aware however, that the Town of Burns Harbor may find it necessary to take action to address such conduct beyond an informal discussion. This decision will be discussed with the individual.

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with their Department Head, or the Clerk-Treasurer.

The Town of Burns Harbor encourages the prompt reporting of complaints or concerns so that rapid and corrective action may be taken before relationships become irreparably damaged. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Retaliation against an individual for reporting harassment or discrimination, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, may be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, retraining, referral to counseling and/or disciplinary action, up to and including termination or employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay as deemed appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to the Town Council.

Confidentiality

The Town of Burns Harbor will make all reasonable efforts to maintain the confidentiality of all parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the harassment complaint.

False Claims of Sexual Harassment, Discrimination, and/or Retaliation

In order to cover all possibilities of misconduct, the Town of Burns Harbor reserves the right to discipline employees who have falsely accused another of sexual harassment, discrimination, and/or retaliation. This does not mean that a complaint will be considered "false" solely because it cannot be corroborated.

Conclusion

The Town of Burns Harbor has developed this policy to ensure that all its employees may work in an environment free from harassment, discrimination and retaliation. The Town of Burns Harbor will make every reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of the Town of Burns Harbor prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Employees who have questions or concerns about these policies should speak with their Department Head, or the Clerk-Treasurer.

704 Attendance and Punctuality

An employee's position within the Town of Burns Harbor exists because it is necessary to assure the smooth and efficient handling of business-related activities. Employees are therefore expected to be at work, on time, on each scheduled work day. In the event an employee is absent or late due to illness, accident, or other reasons, the employee must inform their Department Head, or the Clerk-Treasurer, as soon as possible, but no later than one-hour prior to the start of their scheduled shift.

The Town of Burns Harbor recognizes that in certain situations, an employee may be late or absent from work due to an emergency condition or event over which an employee has no control. The reasons for a tardy or absence will be reviewed by a Department Head at an employee's request. The Department Head will, based on the information presented and verification of the condition, determine whether or not an event qualifies as excused, and may be asked to provide verification such as copies of towing bills, estimates or receipts of repairs, and/or police reports.

If a Department Head determines that an event or condition qualifies as a personal emergency, an employee may use unused vacation benefits in order to be paid for the time off. If an employee does not have unused vacation benefits, time off will be unpaid. Depending upon the day of the workweek on which a personal emergency occurs, a Department Head may allow an employee to "make up" some or all time off because of the personal emergency. All "make up" time, however, must be made up during the same workweek in which the personal emergency occurred and cannot create an overtime situation. A

decision to allow an employee to “make up” time off because of a personal emergency will be based on the needs of the department and employee’s job responsibilities.

Meeting Pay

Department Heads that are considered full-time nonexempt will be paid for time to attend any Town required meeting. Pay will be calculated based on the duration of the meeting and does not include travel time to and from the meeting. Department Heads who are considered exempt under the Fair Labor Standards Act (FLSA) should record time on his or her timesheet in the same manner.

705 Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Town of Burns Harbor presents to its residents and visitors.

During working hours or when representing the Town of Burns Harbor, employees are expected to present a clean, neat, and tasteful appearance. Employees should dress and groom themselves according to the requirements of their position and accepted social standards. This is particularly true if a job involves dealing with residents or visitors in person.

Department Heads are responsible for establishing a reasonable dress code appropriate to the job employees perform. If a Department Head, or the Clerk-Treasurer feels that an employee’s personal appearance is inappropriate, he or she may be asked to leave the workplace until they are properly dressed or groomed. Under such circumstance, nonexempt employees will not be compensated for the time away from work. Employees should consult with their Department Head, or the Clerk-Treasurer if they have questions as to what constitutes appropriate appearance. Where necessary a reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- Shoes must provide safe, secure footing, and offer protection against hazards.
- Tank tops and tube or halter tops, may not be worn under any circumstances.
- Mustaches and beards must be clean, well-trimmed, and neat.
- Unnaturally colored hair and extreme hairstyles, such as spiked hair, do not present an appropriate professional appearance.
- Long hairstyles should be worn with hair pulled back off the face and neck to avoid interfering with job performance.
- Excessive make-up is not permitted.
- Offensive body odor and poor personal hygiene is not professionally acceptable.
- Perfume, cologne, and after shave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, are not professionally appropriate and must not be worn during working hours.
- Torso body piercings with visible jewelry or jewelry that may be seen through or under clothing must not be worn during working hours.
- Visible excessive tattoos and similar body art must be covered during working hours.

Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

706 Return of Property

Employees are responsible for all the Town of Burns Harbor property to include:

- Materials
- Written information
- Identification badges
- Mobile devices
- Computers, laptops, iPads, printers, etc.
- Firearms
- Tools
- Keys
- Uniforms
- Body armor

Employees must return all the Town of Burns Harbor property immediately upon request or upon termination of employment. Where permitted by applicable laws, the Town of Burns Harbor may withhold from the employee's check or final paycheck the cost of any items that are not returned when required, if the employee has signed an agreement with the Town of Burns Harbor. The Town of Burns Harbor may also take all action deemed appropriate to recover or protect its property.

708 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the Town of Burns Harbor. Although advance notice is not required, in the event of voluntary termination, exempt employees are requested to give no less than 20 working days written notice prior to the effective date of their resignation, while nonexempt employees are requested to give no less than ten working days written notice. Prior to an employee's departure, an exit interview may be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits. If an employee does not provide advance notice as requested, the employee may be considered ineligible for rehire. Department Heads must notify the Clerk-Treasurer and the Town Council President immediately in the event that an employee voluntarily terminates employment with the Town of Burns Harbor. If a Department Head fails to notify the Clerk-Treasurer and the Town Council President of an employee's voluntary termination immediately, the Department Head may be subject to disciplinary action, up to and including termination of employment.

Former employees who resign from employment with the Town after providing the requested notice, and returning or reimbursing the Town for all items referred to in Policy #706 – Return of Property, are eligible to be considered for reemployment. Former employees interested in reemployment must complete and submit an application form when a job opening is advertised. Former employees will then proceed through the regular hiring process with other external applicants. Prior service is not a guarantee of reemployment. Service time will not continue uninterrupted. Employees will be treated as a new hire.

710 Security Inspections

The Town of Burns Harbor wishes to discourage theft or unauthorized possession of the property of employees, the Town of Burns Harbor, visitors, and residents. To facilitate enforcement of this policy Department Heads, or the Clerk-Treasurer, or law enforcement officials may inspect not only desks and file cabinets, but also persons entering and/or leaving the premises and any packages or other belongings.

Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Town's premises.

Computers, desks, laptops, mobile devices, file cabinets, and other storage devices may be provided for the convenience of employees but remain the sole property of the Town of Burns Harbor. Accordingly, they, as well as any articles found within them, may be inspected by any agent or representative of the Town of Burns Harbor at any time, either with or without prior notice. This includes purses, briefcases and personal devices located on Town property, based on reasonable cause, as well as all property used by employees, whether secured or unsecured by a lock or locking device provided by the employee, based on reasonable suspicion. An employee's personal items may be held so that law enforcement officials may conduct the search.

The Town of Burns Harbor wishes to maintain a work environment that is free of illegal drugs, alcohol, illegal firearms, explosives, or other improper materials. To this end, the Town of Burns Harbor prohibits the manufacturing, distribution, dispensing, possession, transfer, sale, or use of such materials in its facilities, or on a job site. Refer to Policy #702 – Drug and Alcohol Use/Testing for additional information.

The Town of Burns Harbor requires the cooperation of all employees in administering this policy.

712 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the Town of Burns Harbor may not solicit or distribute literature in the workplace at any time for any purpose. The Town of Burns Harbor recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, work breaks, or any other periods in which employees are not engaged in performing his or her works tasks. In addition, the posting of written solicitations on Town bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Town announcements
- Payday notice
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

If an employee has a message of interest to the workplace, they may submit it to their Department Head, or the Clerk-Treasurer for approval. All approved messages will be posted by an employee specifically designated by the Town of Burns Harbor. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

716 Progressive Discipline

The purpose of this policy is to state the Town of Burns Harbor's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The Town of Burns Harbor's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future. Department Heads are responsible for taking action in a progressive disciplinary situation with employees or may face disciplinary action themselves.

Although employment with the Town of Burns Harbor is based on mutual consent and both the employee and the Town of Burns Harbor have the right to terminate the employment-at-will relationship, with or without cause or advance notice, the Town of Burns Harbor may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. **Copies of all written warnings must be placed in the employee's personnel file in the Clerk-Treasurer's Office.**

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed:

- a first offense may call for a verbal warning;
- a next offense may be followed by a written warning;
- another offense may lead to a suspension when the employee needs to be removed from the workplace for investigation procedures to continue;
- and, still another offense may then lead to termination of employment.

The Town of Burns Harbor recognizes that there are certain types of employee problems that are serious enough to justify either a suspension with or without pay, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, Policy #701 - Employee Conduct and Work Rules includes examples of problems that may result in immediate suspension, or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems may be corrected at an early stage, benefiting both the employee and the Town of Burns Harbor.

718 Problem Resolution

It is the policy of the Town of Burns Harbor to ensure that employees' who have questions and complaints arising from misunderstandings and the application of policies, procedures, and work rules be promptly heard, answered and action taken to resolve or clarify each situation.

Any employee who has a complaint with the Town of Burns Harbor or any employee should follow these steps:

- Employees should talk with the person that they have an issue with to try and come to resolution of the problem or situation.
- If talking with the employee does not satisfy the problem or situation, then the employee should contact their Department Head to discuss the problem or situation, as soon as possible.

- If the problem or situation is not satisfactorily resolved or the problem or situation is with the Department Head, discuss the situation with the Clerk-Treasurer. If the problem or situation is still not satisfactorily resolved, the employee may request a meeting with the Town Council President to discuss the issue or complaint.

Additional questions may be directed to a Department Head, or the Clerk-Treasurer, as appropriate.

722 Workplace Etiquette

The Town of Burns Harbor strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues may be addressed by politely talking with a coworker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. The Town of Burns Harbor encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of coworkers and the work environment. Employees who have comments, concerns, or suggestions regarding these workplace etiquette guidelines should contact their Department Head, or the Clerk-Treasurer.

- Return copy machine and printer settings to their default settings after changing them.
- Replace paper in the copy machine and printer paper trays when they are empty.
- Retrieve print jobs in a timely manner and be sure to collect all pages.
- Be prompt when using the manual feed on the printer.
- Keep the area around the copy machine and printers orderly and picked-up.
- Be careful not to take or discard others' print jobs or faxes.
- Avoid public accusations or criticisms of others in the workplace. Address such issues privately with those involved or a Department Head, or the Clerk-Treasurer.
- Try to minimize unscheduled interruptions of other employees while they are working.
- Communicate by email or phone whenever possible, instead of walking unexpectedly into someone's office or workspace.
- Employees should be conscious of how their voices travel and try to lower the volume when talking on the phone or to others in open areas.
- Keep socializing to a minimum and try to conduct conversations in areas where the noise will not be distracting to others.
- Minimize talking between workspaces or over cubicle walls. Instead, conduct conversations with others in their workspace.
- Try not to block walkways while carrying on conversations.
- Refrain from using inappropriate language (swearing) that others may overhear.
- Employees should avoid discussions of their personal lives/issues in public conversations that may be easily overheard.
- Monitor the volume when listening to music, voice mail, or a speakerphone that others may hear.
- Clean-up after and do not leave behind waste or discarded papers.
- Keep all desks and work areas neat and orderly.
- Keep Town vehicles clean and fueled.

- Thoroughly clean-up after utilizing break and kitchen areas.

Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

MISCELLANEOUS

803 Political Activity

Employees of the Town of Burns Harbor are encouraged to support governments in our political system. However, there are limits on employee political activity. The Town of Burns Harbor employees may join civic, partisan or political organizations, may attend political meetings and advocate the principles or policies of civic or political organizations in accordance with the Constitution and federal and state laws.

Although any solicitation, refer to Policy #713 – Solicitation, by employees of the Town of Burns Harbor during working hours is strictly prohibited, employees must make every effort to avoid the appearance of impropriety when engaging in political activities on their own time. Employees must note that they are engaging in political activity on their own time and not on behalf of the Town of Burns Harbor. Employees must also refrain from using the Town of Burns Harbor’s vehicles, equipment, etc. or wearing a municipal uniform, while campaigning or attending campaign events. Employees must also refrain from discussing municipal business during political discussions. No Town of Burns Harbor employee should be required to contribute money or anything of value to any candidate for nomination or election to any office, campaign or political committee or be required to take part in any political campaign. In addition, receiving gifts, remuneration of any type or monetary reward in exchange for political activities while conducting or that conflict with municipal business is prohibited. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Specific questions regarding appropriate political activity behaviors may be directed to a Department Head, or the Clerk-Treasurer.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

ISSUE DATE: 09/01/2018

REVISED DATE: 07/08/2020

The employee handbook describes important information about the Town of Burns Harbor and I understand that I should consult the Clerk-Treasurer regarding any questions not answered in the handbook. I have entered into my employment relationship with the Town of Burns Harbor voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Town of Burns Harbor may terminate the employment-at-will relationship, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Town of Burns Harbor's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Town Council has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____