

PERSONNEL MANUAL

VILLAGE OF SHELTON

Adopted by the Village Board of Trustees

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INTRODUCTION

The Village of Shelton's personnel system provides a means to recruit, select, develop and maintain an effective and responsive workforce and include policies and procedures for employee compensation, benefits, discipline, dismissal, and other related activities. The purpose of this guide is to serve as a written statement of the employment practices of the Village of Shelton for all employees, except those employed by the Police Department.

As an employee of the Village of Shelton, your job is to serve all of the people of the village with efficiency and courtesy. It is your obligation to treat all citizens fairly, with special privileges to none.

Every job with the Village is important in that it provides a service to your employer, the residents of Shelton. The manner in which you serve the public strongly influences the public relations of the residents of the Village. Their opinions of their Village government are based to a large extent, upon their contact with Village employees such as yourself.

This Personnel Manual is an outline of the basic personnel policies, practices, and procedures in the Village of Shelton. It contains general statements of policy and it should not be read as including the fine details of each policy, nor as forming an express or implied contract or promise that the policies discussed in it will be applied in all cases.

This Personnel Manual totally supersedes all previous personnel policies and procedures adopted by the Village of Shelton. This Personnel Manual does not constitute a contract of employment, express or implied, between the Village or the employee. The Village Board and the department heads have the right to terminate the employment relationship, with or without cause, and without notice at any time.

AFFIRMATIVE ACTION STATEMENT

Discrimination against any person employed by the Village of Shelton or seeking employment with the Village on the basis of race, sex, religion, age, national origin, ancestry, physical fitness or handicap, or marital status is expressly prohibited, except where physical fitness, sex or age is a bona fide occupational qualification.

ANNIVERSARY DATE

The employee's anniversary date is the date when the employee began working for the Village. This is the date used to define eligibility for vacation time, sick leave, and holiday pay.

CONFLICT OF INTEREST

Employees are expected to be free from the influence or even the appearance of personal consideration or gain when exercising judgement over Village matters.

No employee shall have employment with any person, firm, contractor or other organization that receives monies or other remuneration from the Village. Any employee who has or had a personal interest in a business or individual seeking or maintaining a business relationship with the Village shall disclose that interest to his or her supervisor.

No employee shall solicit or accept gifts, money or services from individuals or organizations doing or seeking to do business with the Village. Gifts or promotional items given to employees by entities doing business with the Village are the property of the Village. Receipt of gifts or promotional items should be reported to your supervisor for advice on appropriate action.

DEPARTMENT SUPERVISORS

Every employee has a supervisor to whom he/she is directly responsible for the performance of the job. The primary responsibility of the supervisor is to get the job done, however, the supervisor also has the responsibility to see that the employee's interest is considered. If there are any questions, an employee should not hesitate to go to his/her supervisor for help. It is the supervisor's responsibility to give the employee the information or materials the employee needs to complete the given task. Any supervisor, with the approval of the Village Board, may appoint a supervisor pro tempore to serve in this absence.

JOB DESCRIPTIONS

Job descriptions for the Village Clerk/Treasurer, Municipal Utility Superintendent and the Chief of Police are as defined by the Village Ordinance (1-201 thru 1-213). Other Village employees shall perform, as required by their supervisors, the tasks that fall within the scope of the business and operation of the Village.

In addition to the duties described above, supervisors are required to maintain a daily work log for each employee. The log will show the days and the hours worked by the employee. In addition, the supervisor will also keep a log of the hours and days that he worked. The daily log will record the days of sick leave used and the vacation used.

A work schedule will be created by the supervisors as to the work days and days off of the employees that are under their direct supervision. As required by their supervisor, employees will periodically be required to be on 24—hour call.

INTRODUCTORY PERIOD

The introductory period for new employees is six (6) months. The introductory period will be used to evaluate the employee. Towards the end of the employee's introductory period, he/she will be formally evaluated. Should the employee's evaluation be satisfactory or above, he/she will be placed on permanent full—time employment status with the Village of Shelton. Evaluation forms must be signed by the employee, the supervisor and the Chairman of the Village Board or the head of the committee to which the employee is assigned. During this introductory period, the employee may be summarily dismissed by the department head or by the approval of the Village Board. The reason for dismissal shall be discussed with the employee by his supervisor.

PAY PLAN

All employees shall be paid on a bi-weekly basis. There shall be twenty-six (26) pay periods per year. Pay day shall be on Friday, except when such Friday is designated holiday. In which case, pay day shall be the next working day following the holiday.

Employees will be paid for days while attending continuing education classes, (i.e. conference, workshops, seminars, etc.). Each day of approved schooling will be paid 8 hours (12 hrs. for Police). Mileage to and from place of schooling (from The Village Office) will also be paid at current State rate.

The following required deductions will be made from each paycheck based upon the exemptions on the W-4 form submitted by the employee:

- (1) Social Security/Medicare-FICA Tax.
- (2) Federal Income Tax.
- (3) State Income Tax.
- (4) Pension plan deductions as authorized by the Governing Body.

It is the policy of the Village of Shelton that no advance in wages be made to any employee. Any employee who is terminated, laid off, or voluntarily resigns shall receive his final pay check on the first regularly scheduled pay day following termination of his employment. Your supervisor will tell you where you can pick up your paycheck. All Village property IE: keys, clothing, tools, phone, etc. must be returned before last paycheck is received. This applies to all Village employees. If you are unable to pick up your check it can be mailed.

The in-service death of a regular full-time employee who has completed his introductory period, shall be entitled to payment for unused sick leave up to maximum pay out (see sick leave), accumulated and unused vacation leave (less appropriate withholding) as was available to the employee at the time of his death. Payment shall be made to his/her estate.

WORKERS' COMPENSATION

All employees are covered by workers' compensation insurance which provides for payment of certain benefits should they become injured on the job in the performance of their regular duties. Reports of all job-related accidents and injuries must be made to your supervisor within 24 hours of injury or accident

OVERTIME HOURS AND WORKWEEK

Because Village employees are responsible for certain services provided by the Village that are operational 24 hours a day, it is expected that employees involved in providing or administering such services may be required to work beyond normal hours of employment. All salaried employees are expected to periodically work beyond normal hours of employment as required. Supervisors may grant additional time off for excessive hours beyond hours of employment.

All employees considered “non-exempt” under the Fair Labor Standards Act will be paid at the rate of time-and-one-half (1 ½) times their regular rate of pay for all hours worked in excess of 40 hours per week. Vacation, and unscheduled absences or time off for sickness, emergencies, or other personal reasons will not be considered hours worked for overtime purposes. All overtime must be approved in advance by the supervisor.

A non-exempt utilities employee who is called in for overtime work shall be paid for not less than one hour for each time he/she reports, unless such overtime commences less than one hour before the start of his/her regular scheduled working day. In which case, he/she shall be paid only for the time worked. Park employees shall be paid for not less than ½ hour when scheduled work is less than ½ hour in duration.

A non-exempt employee (Full or Part time) who is called in or scheduled to work a holiday or a weekend funeral shall be paid at the rate of time-and-one-half. (adopted 11/24)

ON CALL PAY

A non-exempt utilities (Full or Part time) employee when on call will be paid “On call” pay at a rate of \$25.00/day. A non-exempt utilities “ON CALL” employee who is called in for work shall be paid overtime for not less than one hour for each time he/she reports, unless such overtime commences less than one hour before the start of his/her regular scheduled working day. In which case, he/she shall be paid only for the time worked. (adopted 9/25)

REST BREAKS

Time permitting, you may be excused for a break period during the work day. Your supervisor will plan this so it will not affect the operation of your department. The break period may not be granted immediately preceding or immediately following the lunch period. You may not leave early if you are unable to take your break. If you work a full eight—hour day, you may receive two 15—minute break periods during the work day. If you work at least four hours a day, but less than eight, you may receive one 15—minute break period. If you work less than four hours a day, you are not entitled to break period.

JURY DUTY

An employee who is summoned to jury duty will receive a leave of absence for the period designated by the court. This leave will not be charged against any other paid leave allowance. If the employee is excused from such duty for one or more regularly scheduled workdays because of court adjournment or other reason, the employee is expected to report to work and resume his or her regular duties. Employees are to turn in to the Village any jury fees received, other than for expenses, and they will be paid their regular pay during the time absent for jury duty.

LEAVE WITHOUT PAY

In case of serious personal need, employees may request leave without pay. Such requests should preferably be two weeks in advance, but, if not possible, as much in advance of the leave as possible. The Chairman of the Board should be notified. Accumulated vacation leave must be used before leave without pay will be considered.

MILITARY RESERVES OR NATIONAL GUARD DUTY

An employee who is required to serve two weeks of active duty each year as a member of a Military Reserve or National Guard Unit will receive his regular pay for normal scheduled hours during the term of his active duty less any compensation received from his military unit. Copies of the employee's orders and pay records must be submitted before such compensation will be allowed.

EMPLOYEE BENEFITS

SICK LEAVE

Sick pay is earned but not available to take until after 6 months of employment and employee is accepted as a permanent full-time employee by the Village Board. Sick leave will be credited to all permanent FULL—TIME employees at the rate of 8 hours per each full calendar month of service. For the Police Department officers, sick leave will accumulate at the rate of 12 hours per each month of service. Sick leave may be accumulated to a limit of 120 working days. Sick leave may be used for the illness or injury of an immediate family member (immediate family as defined in the funeral leave policy), or any person reliant upon you for care, or for child bonding after the birth or adoption of a child. Medical certification may be required at the management discretion. For Salaried employees once sick leave has been used, they will have their salary deducted proportionally for days missed.

For purposes of reimbursement of sick leave at the time of termination, the maximum payable accumulation allowed per employee shall be 80 hours for regular employees and two weeks of average pay for Police Department employees.

It is the policy of the Village to provide a safe working environment as free as possible from hazards. An emergency procedure which describes the steps to be taken in case of fire, tornado, or severe weather is posted on the employee bulletin board. It is the responsibility of each employee to be aware of these procedures.

Any accident, no matter how slight, must be reported to the employee's supervisor immediately. The supervisor will send or take the injured employee for treatment. As soon as possible, the injured employee should give a full description of the accident to his supervisor or department head. If these procedures are not followed, the injured may not receive full benefits under the Workers' Compensation Laws of the State of Nebraska.

The Village may, when circumstances indicate that an employee may be suffering from a communicable disease, require the employee to be tested for the presence of a communicable disease. This testing will be done at the Village's expense. Should an employee be found to be suffering from a communicable disease, he/she will either be granted sick leave for the period in which the disease is communicable to others, or be assigned to work in an area in which transmission of the disease to co—workers or members of the public may be prevented.

VACATION LEAVE

All FULL-TIME employees of the Village of Shelton who have been employed for one full year shall be eligible for vacation leave with pay. Authorized vacation leave shall be computed on the following basis for Full Time Village employees

10 work days after one full year of service

15 work days for 5 — 14 years of service

20 work days for 15 or more years of service

Department heads shall not be allowed to take more than two consecutive weeks off unless approved by the Board and shall ensure that their respective employees will have the opportunity to take vacation leave with proper notice.

Non-department heads shall be limited to two consecutive weeks in a row unless approved by their Dept. Heads and the Village Board.

Minimum amounts taken at one time shall be not less than 2 hours. Hours may be taken in two, four or 8 hour increments.

Requests for vacation leave should be completed in writing 10 calendar days prior to the first day of vacation leave. No employee shall take vacation leave without the approval of the department head.

Due to exceptional hardship to the individual, the Village Board may authorize working through vacation time. (being paid for time rather than taking time off).

HEALTH INSURANCE

The Village does not provide health insurance for the employees of the Village or their families. The Village is not responsible for health insurance for its employees or for the cost of their medical care. In lieu of health insurance, the Village will pay to each full-time employee thirteen hundred dollars (\$1300.00) per month. This will start the 5th day of the first full month after thirty (30) calendar days are completed. The stipend will be a separate pay check and by law is subject to payroll taxes.

HOLIDAYS

Holiday pay starts after 6 months of employment and employee is accepted as a permanent full-time employee by the Village Board. Overtime pay accrues when working on the actual holiday. When a holiday is observed the Friday or Monday before or after a holiday (in the case a holiday falls on a weekend), an employee will be paid only once for the holiday and only once for overtime pay when working either the observed holiday or the actual holiday. The actual hours over 40 hours will be paid at the overtime rate.

All PERMANENT FULL—TIME employees will receive paid holidays as listed:

- | | |
|---------------------|------------------------------------|
| 1. New Year's Day | 6. Veteran's day |
| 2. Memorial Day | 7. Thanksgiving Day |
| 3. Good Friday | 8. Christmas Eve Day off at noon |
| 4. Independence Day | 9. Christmas Day |
| 5. Labor Day | 10. New Year's Eve Day off at noon |

Plus, one "floating" holiday as approved by Supervisor

FUNERAL LEAVE

A full—time employee may be granted excused absence with pay by his/her supervisor upon satisfactory evidence of death or burial of the employee's immediate family, including the employee's or spouse's parent, grandparent, child, grandchild, brother, sister or foster parent. An employee may also be granted an excused absence without pay upon satisfactory evidence of death or burial of a member of his/her secondary family, including a niece, nephew, cousin, aunt, uncle or friend.

The time allowed for funerals of the immediate family shall not exceed three (3) paid days. The time allowed for funerals other than the immediate family shall be at the discretion of the supervisor.

Additional time required for funerals may be charged against the employee's earned Vacation Leave. Vacation may be charged up to the amount the employee has earned. Balance of time off shall be without pay.

RETIREMENT

All full time employees are eligible for a SIMPLE (Savings Incentive Match Plan for Employees) IRA plan after their 6 month introductory period. The Village will match up to 3% of the employee contribution.

CLOTHING ALLOWANCE

All full time Utility Employees are given a clothing allowance paid once a year in January. New hires- after 6 months introductory period is completed and employment is approved by the Village Board, a pro-rated amount will be paid. Park employees are given T- shirts at the start of employment. (Shirt must be returned to utilities Superintendent at separation from village employment).

EMPLOYEE EVALUATION

Employees will be evaluated as to job performance annually in June of each year. The Village Board or its designated committee will meet with each department head personally for the purpose of his evaluation. Evaluations will be used by the Village Board to inform the Department Head of his performance of the assigned job and to determine the rate of pay for the employee. The department heads will evaluate employees they supervise.

Employees will be evaluated on the performance of their duties along the following guidelines:

1. Quality of work
2. Work completed in a timely manner
3. Employee's continued education, training, and self-improvement
4. Self-motivation in tasks
5. Care of Village equipment
6. Safety
7. Public relations

DISCIPLINARY ACTION

Employees are expected to conduct themselves appropriately at all times so as to reflect credit on themselves and the Village. Any action which reflects discredit upon the Village or is a direct hindrance to the effective operation of public facilities shall be considered good cause for disciplinary action. To the extent possible, the Village will attempt to correct work-related problems through the use of progressive discipline. However some offenses are so serious that a single incident will result in immediate discharge or suspension. Following are examples of unacceptable conduct. The performance of which by the employee will result in the employee being subject to suspension or dismissal.

- (a) Insubordinate conduct
- (b) Consumption of alcoholic beverages or drugs while on duty
- (c) Reporting for work while under the influence of alcohol or drugs
- (d) Theft or willful destruction of personal property

- (e) Sleeping during duty hours
- (f) Unauthorized absence during working hours
- (g) Deliberate falsification of employment records or other reports
- (h) Conviction of any felony charge
- (i) Endangering the life or property of others

Examples of the types of problems that will usually be dealt with through a system of progressive discipline include:

- (a) Unsatisfactory work performance
- (b) Attendance and tardiness problems
- (c) Horseplay
- (d) Failure to properly carry out, in a timely manner, instructions from a supervisor
- (e) Use of inappropriate or profane language in the presence of the public or co-workers while on duty
- (f) Violation of any safety rules
- (g) Inappropriate working attire
- (h) Failure to maintain work area in a clean and safe manner
- (i) Smoking in unauthorized areas
- (j) Failure to return on time from breaks or lunch
- (k) Failure to return to work or call in, in accordance with policy
- (l) Discourtesy to members of the public
- (m) Damage to Village property due to carelessness

These rules of conduct are not all-inclusive. Each situation must be dealt with on an individual basis according to the particular facts of the incident. However, it is important for you to have these guidelines so that you will understand the village's expectations of its employees.

The first step in the village's progressive disciplinary system is the "oral reprimand." This is an oral warning to erring employees that their conduct is unacceptable and that further infractions will lead to more severe penalties. In cases involving performance deficiencies employee(s) first will be counseled by their supervisors and told which improvements are

needed before they are subject to an oral warning. A notice of the reprimand will be placed in the employee's file, but will be removed after 2 months if the misconduct does not recur or the performance deficiencies have been corrected.

The second level is a written reprimand. This reprimand will describe the unacceptable conduct or performance and specify the improvement needed. A copy of this warning will be retained in the employee's personnel file.

The third level is an unpaid suspension. Employees may be suspended for repeated instances of minor misconduct or for a single serious offense. A record of the suspension will be retained in the employee's personnel file. Employees who fail to improve their conduct or performance after a disciplinary suspension, may be discharged.

SUSPENSION

When a supervisor finds it necessary to relieve an employee from duty for disciplinary reasons, he/she has the authority to place the offending employee on suspension from one day to an indefinite period (pending dismissal by the Village Board). All suspensions will be reviewed by the Village Board.

RESIGNATION/TERMINATION

An employee must give the Village notice at least two weeks in advance before leaving his position with the Village of Shelton. This notice should take the form of a written statement submitted to the resigning employee's supervisor. Failure to give this notice may jeopardize his right to benefits from accumulated vacation or sick leave credits at the end of employment. If vacation credits are to be used at the end of employment, the advance notice must be given ten (10) working days before the beginning of the vacation leave.

If a work force reduction or reorganization becomes necessary, the method in which workers will be laid off will be based on the relative qualification and abilities of the employees involved and the needs of the Village. The filling of reorganized positions will be handled on the same basis.

All employees are subject to termination of employment at the will of the Village Board. Final paychecks, if not delivered on the date of termination, will be mailed to the employee on the next scheduled payday or within 2 weeks, whichever is sooner.

EXIT INTERVIEW

An exit interview will be arranged with the departing employee by the supervisor. The purpose of this interview is to ensure that the employee's obligation to the village have been satisfied, to explain benefits or compensation available or due the employee, to clarify the reasons for termination and to obtain the employee's opinions about and suggestions for improvements in specific or general policies and practices of the Village. The exit interview will be reviewed by the Village Board and placed in the employee's personnel file.

GRIEVANCES

It is the policy of the Village to give individual employees an opportunity to discuss their complaints or grievances with their supervisors to try to find mutually satisfactory solutions as rapidly as possible. The grievance procedures are not applicable to a discharge or termination of employment.

Any employee may present his/her grievance to his/her department head at a time and place agreeable to the supervisor within two weeks after the occurrence of the event upon which the grievance is based. After obtaining the point of view of the employee, the supervisor may endeavor to resolve the matter. In the event the grievance is not resolved in a manner satisfactory to the employee, the employee may promptly notify the Village Board in writing that the employee wishes to have the Village Board review his/her grievance. The employee must submit his grievance in writing and may then discuss the grievance with the Village Board at a time and place agreeable to the Village Board.

SEXUAL HARASSMENT

It is illegal and against the employer's policy for any worker, male or female, to harass another worker by: making unwelcome sexual advances or favors or other verbal or physical conduct of a sexual nature as a condition of any worker's employment; using a worker's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; or otherwise creating an intimidating, hostile or offensive working environment by such conduct. All workers, including supervisors and managers, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment they commit. Employees who feel victimized by sexual harassment should report the harassment to their supervisor or their supervisor's superior immediately. Employees who are dissatisfied with the resolution of their complaint may file a complaint following the Village grievance procedure. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.

(Also see "Workplace Harassment Policy", adopted June 3, 1993)

USE AND OPERATION OF VILLAGE MOTOR VEHICLES

The use of any Village-owned vehicle for personal use is strictly prohibited. Village vehicles shall not be used to transport anyone other than Village employees and then only for official business. Any Village employee who operates a Village-owned vehicle must have a valid Nebraska operator's license which must be on or accompany the person while driving a Village vehicle. If an employee has an accident with a Village owned vehicle, he must first notify the Police Department and then notify his department head. All traffic violations are the personal responsibility of the operator. Excessive violations involving operation of Village vehicles may result in dismissal.

OUTSIDE EMPLOYMENT

Employees may hold another job outside of Village employment provided it does not interfere with Village employment and does not conflict with the interests of the Village. The employee must obtain written consent of the department head and the Village Board prior to taking a position of regular outside employment. Occasional outside employment does not require written consent but is subject to the same conditions as a position of regular outside employment.

VILLAGE OF SHELTON, NEBRASKA
GENERAL EMPLOYMENT POLICIES

I. AFFIRMATIVE ACTION STATEMENT:

It is the policy of the Village to select candidates for employment on the basis of their qualifications and potential as these relate to the requirements of the particular position in question. Selection is made without regard to age, sex, race, color, religion, national origin, or physical handicap, and all employees are treated equally with respect to benefits, compensation, opportunity for training and advancement. The Village's policy concerning equal opportunity shall be communicated periodically both in writing and by discussion with all employees. All personnel policies and practices shall be reviewed regularly to ensure that equal employment opportunity based on valid job requirements is being implemented actively and that no employee or applicant for employment shall suffer any form of discrimination because of age, sex, race, color, religion, national origin, or physical handicap.

Compensation practices of the Village including salaries, benefits, etc., are to be applied uniformly and consistently to all employees without regard to race, color, sex, age, creed, national origin or physical handicap.

As opportunities arise for transfer and promotion within an office, all qualified employees shall be considered without regard to race, color, sex, age, creed, national origin or physical handicap.

Also, employees are to be considered for training and development programs based on the manpower requirements of the Village and the development needs and potential of the individual, without regard to race, color, sex, age, creed, national origin or physical handicap.

II. SEXUAL HARASSMENT STATEMENT:

It is the Village's policy to prohibit harassment of one employee by another employee or supervisor on the basis of sex.

It is illegal and against the Village's policy for any worker, male or female, to harass another worker by: making unwelcome sexual advances or favors or other verbal or physical conduct of a sexual nature a condition of any worker's employment; using a worker's submission to or rejection of such conduct as the basis for or as a factor in any employment decision affecting the individual; making any unwelcome sexual advances of any nature; requesting sexual favors or engaging in verbal physical conduct of a sexual nature such as uninvited touching or sexually related comments; or otherwise creating an intimidating, hostile or offensive working environment by such conduct.

All workers, including supervisors and managers, will be subject to severe discipline, up to and including discharge, for an act of sexual harassment they commit.

Employees who feel victimized by sexual harassment should report the harassment to their supervisor, to the Chairman of the Village Board of Trustees, to the Chief of Police or to any member of the Village Board immediately.

Employees who are dissatisfied with the resolution of their complaint may file a complaint following the Village's grievance procedure. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.

III. DRUG FREE WORKPLACE:

It is the Village's policy to maintain a safe, productive working environment for everyone, and to safeguard Village property.

The Village of Shelton, in regards to the personnel manual, notifies its employees that all Village buildings, equipment and vehicles are considered to be smoke free and the smoking of tobacco products in such, by employees is prohibited.

As part of this policy, the Village prohibits the use, sale, transfer or possession of alcohol, drugs, or controlled substances on any Village premises or municipal work sites. In addition, the Village prohibits any employee from being at work under the influence of alcohol, drugs or controlled substances. The Village also prohibits any visitor, contractor, or employee of any contractor from being on Village premises or municipal work sites while under the influence of alcohol, drugs, or controlled substances. For purposes of this policy the following definitions are applicable:

1. Alcohol. Alcohol includes all intoxicating beverages that contain alcohol, including beer and wine.
2. "Drugs" and "Controlled Substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations.

Generally, these are drugs which have a high potential for abuse. Such drugs included, but are not limited to, Heroin, Marijuana, Cocaine, PCP, and Crack. They may also include "legal drugs" which are not prescribed by a licensed physician and which carry a warning about the effect they may have on operation of machinery, heavy equipment and driving. Any question about whether a substance is a drug or controlled substance should be directed to your supervisor.

Anyone taking drug or other medication, whether or not prescribed by the employee's physician for medical conditions, which is known or advertised as possibly affecting or impairing judgment, coordination, or other senses or which may adversely affect the ability to perform

work in a safe and productive manner, must notify his or her supervisor or other Village official prior to starting work. The supervisor or Village official will decide if the employee can remain at work on the Village's premises or municipal work site and what work restrictions. If any, are deemed necessary.

To ensure that an employee is not engaging in current illegal use of drugs and to determine compliance with this policy, the Village may require random drug testing of any of its employees. Refusal to submit to drug testing when reasonably requested shall give rise to a presumption of a violation of this policy.

Any employee who violates or refuses to comply with this policy may be disciplined which may include discharge from employment with the Village.

IV. AMERICAN WITH DISABILITIES ACT OF 1990:

The Village will not discriminate against a qualified individual with a disability because of the disability in regard to job application procedures, the hiring, advancement or discharge of employees, employee compensation, job training and other terms, conditions and privileges of employment.

The Village shall make a reasonable accommodation to known physical or mental limitations of an otherwise applicant or employee with a disability unless the accommodation would impose an undue hardship upon the business operations of the Village.

For the purposes of this policy, the terms "qualified individual with a disability", "disability", and "reasonable accommodation" shall be given the meanings set forth in Titles I and II of the Americans with Disabilities Act of 1990 and the Section 504 regulations issued by the U. S. Department of Justice and all policies and procedures set forth herein shall be subject thereto.

WORKPLACE HARASSMENT POLICY OF THE VILLAGE OF SHELTON, NEBRASKA

It is the policy of the Village of Shelton, Nebraska, that all women and men be treated fairly and equally, with dignity and respect, without regard to race, color, religion, age, sexual orientation, gender, disability, or national origin. Any form of workplace harassment is a violation of this policy.

This policy states that employees are intended to be protected from workplace harassment. It is also intended to protect those people who meet the employees of the Village.

The Workplace Harassment Policy not only covers working hours, but also job—related events away from the job site and at times other than normal or assigned working hours.

Workplace harassment committed by third parties is prohibited in the policy. Third parties include, but are not limited to, constituents, visitors, news media, lobbyists and employees of other governmental agencies.

Sexual harassment has been defined in guidelines published in 29 CFR 1604.11 by the Equal Employment Opportunity Commission as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

- (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, hostile, or offensive working environment.

The policy also covers: "any inflammatory comments, jokes, printed material and/or innuendo based, in whole or in part, on race, color, religion, age, gender, disability, national origin, or sexual orientation."

Some specific examples of inappropriate or illegal behavior include:

Negative or offensive comments, jokes or suggestions about another employee’s race, color, religion, age, gender, disability, national origin, or sexual orientation.

Obscene or lewd sexual comments, jokes, suggestion or innuendoes.

Continuing certain behavior after a co-worker has objected to that behavior.

Displaying nude or sexual pictures, cartoons or calendars.

Turning work discussions into sexual topics, such as sexual practices or preferences.

Slang, names, or labels, such as “honey,” “sweetie,” “boy,” “girl,” that others find offensive.

Talking about or calling attention to an employee’s body or sexual characteristics in a negative or embarrassing way.

Laughing at, ignoring, or not taking seriously an employee who experiences harassment.

Blaming the victims of harassment for causing the problems.

Verbal: jokes, cracks, comments, suggestive or insulting sounds, implied or overt threats.

Looks, gestures, leering, ogling, rude or sexual pictures, cartoons, or calendars.

Touching, pinching, rubbing, brushing against the body, coerced sexual intercourse, assault.

TYPES OF SEXUAL HARASSMENT

TYPES	BEHAVIOR	HARASSER
Power Plays	Using one’s position of authority, either implicitly or explicitly, to coerce an employee into complying with sexual favors.	Managers Supervisors Third Parties
Physical	Unwanted touching, fondling, patting, hugging, pinching, Kissing.	Supervisor Subordinate Co-worker Third Parties
Verbal	Questions and comments	Supervisor

	about a person's sexual behavior,	Subordinate
	sexually oriented jokes,	Co-worker
	comments about a person's	Third Parties
	body, conversations filled	
	with sexual innuendo and	
	double meanings.	
Mental/non-verbal	Displaying sexually suggestive	Supervisor
	pictures or objects in the	Subordinate
	workplace	Co-worker
		Third Parties
	Leering, ogling in a sexually	Supervisor
	demeaning manner	Subordinate
		Co-worker
		Third Parties
	Gesturing and making lewd	Supervisor
	motions with one's body	Subordinate
		Co-worker
		Third Parties

Employees of the Village or persons in contact with employees of the Village who have complaints of sexual harassment are encouraged to report such incidents to:

Chairman
Village Board of Trustees
Shelton Municipal Building
219 C Street, P.O. Box 6
Shelton, NE 68876
Telephone: (308) 647—5484

Police Chief
Shelton Municipal Building
219 C Street, P.O. Box 6
Shelton, NE 68876
Telephone: (308) 647—5484

Any member of the Shelton Village Board whose names, addresses and telephone numbers will be furnished to you by contacting the Shelton Village Clerk at the

Shelton Municipal Building
219 C Street, Shelton, Nebraska.
Telephone Number: (308) 647—5484

Persons who wish to report allegations of workplace harassment also have the right, at any time, to file a complaint of workplace harassment with the

Nebraska Equal Opportunity Commission — Telephone: (402) 471—2024, and/or the Federal Equal Employment Opportunity Commission — Telephone: (800) 669—EEOC.

PERSONNEL MANUEL

RECEIPT

I have received a copy of the Personnel Manuel of the Village of Shelton which outlines the benefits and policies of the Village. I will familiarize myself with the information in this book which establishes the major personnel policies of the village and abide by these policies.

Since the information in this book is necessarily subject to change as situations warrant, it is understood that changes in policies may supersede, modify or eliminate the policies in this booklet.

It is the policy of the Village of Shelton that this Personnel Manual and the items contained, referred to, or mentioned herein, are not intended to create, nor should be construed to constitute a contract of employment between the Village and any one or all its personnel.

I understand that the Village Board and the department heads have the right to terminate my employment with or without cause, and without notice at any time.

I received a PERSONNEL MANUAL with the current revisions, the "GENERAL EMPLOYMENT POLICIES" (including Drug Policy) and the "WORKPLACE HARASSMENT POLICY".

EMPLOYEE: _____

DATE: _____