
**Town of
Santa Claus, Indiana
Employee Policy and
Procedure Manual**

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WELCOME

TO A PROUD TEAM DEDICATED TO CITIZEN SERVICE:

Your fellow employees of the Town of Santa Claus welcome you to our team. You have been chosen to receive an opportunity to become part of a proud working tradition. Your co-workers and their predecessors have established an outstanding reputation serving the citizens of Santa Claus. Indeed, our motto is “Citizen Service.” Simply put, this means our mission is to provide quality service on a consistent basis with economy and efficiency in mind. We must be ever mindful of how we spend public dollars.

Please understand you will be in the public's eye. Greater scrutiny and expectations from our citizenry is your heritage. We are confident you will serve with honor.

The Town policies and procedures have been adopted to provide guidance for all concerned. It is your responsibility to know and practice them. As you study this manual, please list any questions for review with your supervisor. A thorough understanding of these procedures will make all our working lives better.

When problems or concerns arise, employees should attempt to resolve them with his/her supervisor. Perhaps the matter can be taken care of before it becomes necessary to file a formal grievance.

We ask that you do not let little problems become big ones through neglect. If it is work related, and is bothering you, discuss the matter with your supervisor.

The Town of Santa Claus is proud of the benefit package provided to our valued employees. Your supervisor will explain these benefits and let you know at what point you will be eligible for them.

Santa Claus is an outstanding community. One of the biggest reasons we are that way is the pride and dedication of our municipal work force. It is a pleasure to welcome you to our organization as an employee, and we are confident you will soon be contributing to make Santa Claus an even better place to work and live.

Policy Administration

I. Introduction and Purpose

- A. The purpose of this Personnel Policy and Procedure Manual is to provide a consistent, systematic, and organized approach to the establishment, implementation, and administration of the personnel policies of the Town of Santa Claus (hereinafter referred to as the “Town”). This manual was written, adopted, and will be interpreted exclusively by the Town Council and the department heads, and is not subject to modification, change, or contrary interpretation by any employee or employee representative organization except as may otherwise be specifically authorized and recognized by the laws and/or Constitutions of the State of Indiana and United States.
- B. This Manual will be used to assist and guide personnel in the day-to-day direction and performance of the general workforce, the result being that a number of important and responsible goals may be achieved:
 - 1. First, by implementing uniform personnel policies that are applied in as consistent and impartial a manner as is practicable, the goal is to promote the best possible working relationships and highest morale among all Town employees. This policy manual was created for Personnel not covered by any other bargaining agreement. Furthermore, it is not the intent or purpose of this Personnel Policy Manual to supersede or overrule any State or Federal laws, rules and regulations governing the operation of the Police Department. It is, however, the intent of this Personnel Policy Manual to provide support, direction, and procedures that will enable the Town to practice fair and consistent daily personnel administration.
 - 2. Second, by providing employees with fair and equal opportunities in their recruitment and advancement, by evaluating their services on the basis of merit and fitness, and by giving consideration to their needs and desires, the goal is to provide an employment atmosphere that increases the cooperation and productivity of the employees together with the prospects for career opportunities within the Town and each office or department of Town government.
 - 3. Third, by providing dependable and courteous services to the residents of the Town, the goal is to enhance the reputation and stature of the Town's departments and offices within the community.
- C. This manual is not a contract of employment and does not guarantee employment for any specified duration.

- D. Any further questions relating to the purpose, goals, and/or interpretation of the policies contained herein should be directed to an employee's department head or to the Town Council.

II. Organization and Responsibility

- A. The Town of Santa Claus is governed by the Town Council. The Town Council is responsible for the general administration of Town business.
- B. The Town is organized into various departments, or offices, to ensure adequate expertise, specialization, and efficient functioning. These departments, or offices, function under the administrative guidance and control of the Town Council who is responsible for the day-to-day management and operation of the Town.
- C. Each employee's particular duties, obligations, and areas of responsibility are defined in his/her position description and/or by assignment or directive of any supervisor. Employees are primarily responsible to their immediate supervisor for completion of specific work assignments and the quality, quantity, and timeliness of the work performed.
- D. The rights, authorities, powers, and responsibilities of Town employees at all levels, with respect to the policies in this manual, are more clearly delineated in the specific subject areas. However, in general, the Town Council is charged with the development, promulgation, and adoption of the provisions of this manual. The various management and supervisory personnel are charged with applying, interpreting, enforcing, and generally ensuring compliance with the provisions of this manual and Department Heads may make work rules for the specific functioning of their department which do not conflict with this manual or any Federal, State or local law, rule or ordinance. It is the obligation and a requirement as a condition of employment for each individual person employed by the Town to comply in every respect with the provisions of this manual and any related procedures and work rules and to perform their assigned duties in a responsible manner creditable to the Town. As such, all Town employees are expected to become knowledgeable about this manual's contents and abide by the policies set forth herein. Any questions, concerns, or lack of understanding about a particular provision of this manual should be promptly discussed with employee supervisor or the Town Council.

III. Policy Manual Administration

To implement this Personnel Policy and Procedure Manual and to oversee its administration on a day-to-day basis, the following procedures will be taken:

- A. A copy of this Manual will be given to all current employees of the Town of Santa Claus and to all new employees following adoption and prior to commencement of their employment.
- B. The contents of this manual are subject to change without notice at the sole discretion of the Town Council. Only the Town Council will have the authority to make revisions of policies contained herein.
- C. Any changes or interpretations of the Policy and Procedure Manual shall in no way alter the employment-at-will policy or create a binding contract between the Town and any employee.
- D. Employees are encouraged to make suggestions for improvements in personnel policies and practices. Suggestions should be directed to the Town Council in writing, together with an explanation as to how such a change could benefit the Town, Department, and/or the public.
- E. Department heads are expected to review and confer to make recommendations to the Town Council concerning changes to this manual at three (3) year intervals or as may be indicated by law or change in characteristics of the Town workforce.
- F. The Town Council maintains the ultimate right to manage its employees, consistent with the policies set forth in this manual and all applicable State and Federal laws. The Council's rights include, but are not limited to, determining methods and procedures, number of employees, assignment of duties, hours of employment, compensation, hiring, disciplining, discharging, promotion, and transferring employees, and laying off employees for lack of work, lack of funds, job abolishment or any other reason.
- G. The policies of this manual supersede all previous policies of the Town of Santa Claus or any department under jurisdiction of the Town, written or unwritten, on subject matters covered or referred to herein. The Police Department procedure manual will supersede this manual in situations where that manual is written with stricter requirements. In policy areas in which the Police Department manual is silent on a topic, the Town Policy and Procedure Manual will be in effect.
- H. In the event that any section of this manual or amendment or revisions thereto is held to be unenforceable, contrary to law or otherwise restrained from its full force and effect by a court or other tribunal of competent jurisdiction, the remaining section(s) of the manual, to the extent that they remain unaffected by such declaration or restraint, shall continue in full force and effect.
- I. Any change to this policy manual will be effective only if established by ordinance duly adopted by the Town Council.

IV. Equal Employment Opportunity

It is the policy of the Town of Santa Claus that all personnel actions such as: hiring, rate of compensation, benefits, promotions, transfers, layoffs, recalls, Town-supported training, and social or recreational programs shall be administered without regard to race, color, religion, national origin, sex, age, marital status, or non-job related handicap. Therefore, all such personnel actions should be consistently administered for all employees without compromise and thus should be based on the results achieved on the job, as well as objective job relatedness in both job qualifications and performance standards.

V. Discrimination/Sexual Harassment

- A. The Town Council believes that all our employees should be able to work in an atmosphere free from all forms of employment discrimination, including sexual harassment. The Town of Santa Claus's policy is to forbid sexual harassment and any type of discrimination. This policy extends to every level of our operations. Accordingly, discrimination and sexual harassment, whether by a fellow employee, supervisor, or council member, will not be tolerated. Activities of this nature serve no legitimate purpose; they have a disruptive effect on the employee's ability to perform, and they undermine the integrity of the employment relationship.
- B. The Town Council takes allegations of discrimination and sexual harassment very seriously. Any employee who believes that he/she is a victim of discrimination or sexual harassment should immediately bring the matter to the attention of his/her supervisor, or in the case where the supervisor is the problem, contact the Town Council President or Town Attorney. All such matters will be treated confidentially, and with the utmost discretion. The Town of Santa Claus will actively investigate all discrimination and sexual harassment complaints, and if it is determined that discrimination or sexual harassment has occurred, the Town Council will take appropriate disciplinary action against the offending party, up to and including termination.
- C. Acts considered to constitute sexual harassment include, but are not limited to, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:
 - 1. Submission to such conduct is either an express or implied term or condition of employment;
 - 2. Submissions to or rejection of such conduct is used as a basis for an employment decision affecting the harassed person;

3. The purpose or the effect of such conduct substantially interferes with the affected individual's job performance or creates an intimidating, hostile, or offensive, work environment.

D. Acts considered to constitute discrimination include, but are not limited to:

1. Hiring based upon race, color, religion, national origin, sex, age, marital status, or non-job related handicaps.
2. Promotions based upon race, color, religion, national origin, sex, age, marital status, or non-job related handicaps.
3. Pay increases based upon race, color, religion, national origin, sex, age, marital status, or non-job related handicaps.

VI. Verbal Harassment

- A. Verbal abuse, as used in this policy, means to disturb or persistently irritate through repeated attacks on fellow employees and/or supervisors as to disrupt their work or reputations.
- B. The Town will actively investigate all verbal harassment complaints, and if it is determined that harassment has occurred, the Council will take appropriate disciplinary action against the offending party, up to and including termination.

VII. Physical Harassment

- A. Physical harassment means to knowingly and intentionally cause or inflict physical pain to a fellow employee. The Town will actively investigate all physical harassment complaints, and if it is determined that physical harassment has occurred, the Council will take appropriate disciplinary action against the offending party, up to and including termination.

VIII. Harassment/Discrimination Grievance Procedures

It is helpful for the victim to inform the harasser directly that the conduct is unwelcome and must stop.

If an employee desires to file a harassment or discrimination complaint against anyone in the Town the following procedures shall be followed:

- A. Any employee who believes that he/she has been harassed or discriminated against must report this information to his/her supervisor, or the Town Council President if the charge is against the supervisor as soon as possible.

If the charge is against the Town Council President, the employee must report his information to the Clerk-Treasurer as soon as possible.

- B. Upon notification, the Town Council President, or Clerk-Treasurer, as the case may be, or his/her designee will conduct a thorough investigation of the alleged incident. The investigation will consist of the following:
 - 1. A written statement from the victim, along with an interview
 - 2. Interviewing all of the witnesses to the alleged violation
 - 3. Interviewing the alleged violator and obtaining a written statement from alleged violator
- C. A written analysis of the investigation will be provided to the victim, alleged violator, and the Council.
 - 1. A Council Hearing will be conducted in executive session. Council will meet within one (1) week of the initial claim.
 - 2. The victim and the alleged violator will have the opportunity to make a statement and provide the Council with additional information if necessary.
 - 3. The Council will render a final disposition at the close of the executive session in a public meeting.
- D. The Council's decision will be carried out immediately.

IX. Americans with Disability Act (ADA)

- A. It is the policy of Town of Santa Claus that qualified individuals with disabilities are not to be excluded from participation in or benefit from the services, programs, or activities of the Town. It is the policy of the Town not to discriminate against a qualified individual with a disability in job application procedures; the hiring, advancement or discharge of employees; employee compensation, job training, and other terms, conditions and privileges of employment. It is the intent of the Town to comply with all applicable requirements of the Americans with Disabilities Act (ADA).
- B. The Town will reasonably accommodate persons with a disability on a case-by-case basis, which may include making facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules and/or equipment, or similar accommodations.
- C. Employees should contact the Town Council for assistance when an accommodation is necessary. Such employees are required to provide pertinent medical information.

- D. Accommodations may not create an undue hardship for the Town or other employees. An individual who cannot be reasonably accommodated for a job, without undue hardship, will not be selected for that position.
- E. All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, and where the threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on the appropriate leave.
- F. Further, disabled individuals cannot pose a direct threat to the safety of themselves or others. Generally, a "direct threat" means a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation. Benefits provided to disabled individuals who are qualified to perform the work must be consistent with the benefits provided to other employees. Any individual who believes he/she has received treatment inconsistent with the policies set forth above or any other requirement of ADA, may file a complaint with Town Council.

X. **Employment “At-Will”**

- A. Employment with the Town is based on the “at-will” doctrine. “At-will” employment means any individual may voluntarily leave employment or may be terminated by the Town at any time with or without cause.
- B. This policy may not be modified by any statements contained in this manual or any other employee materials, including applications, memoranda, or other documents provided to applicants and employees in connection with their employment. None of these documents whether single or combined, create an expressed or implied contract of employment for a definite period, or an express or implied contract concerning any terms or conditions of employment.
- C. Similarly, Town policies and practices with respect to any matter should not be considered as creating any contractual obligation on the Town's part or as stating in any way that termination will occur only "for cause." Statements of specific grounds for termination, general practices or policies of providing oral and/or written warnings, suspensions or other discipline are not intended to restrict the Town’s right to discipline and to terminate the employment relationship between the Town and any employee “at-will.”
- D. Completion of a probationary period or conferral of regular status does not change an employee's status as an “at-will” employee or in any way restrict the Town's right to terminate the employee or change the terms or conditions of employment.

XI. Nepotism

- A. The Town of Santa Claus selects employees based on their job qualifications. To make sure this standard is always followed and to protect the integrity of business operations, the Town has certain restrictions on when and where relatives of employees can be hired and how related employees can work together.

Members of an employee's immediate family for this section of the policy include parents, spouse, or stepparent, child or stepchild, brother, brother-in-law, sister, sister-in-law, stepbrother, stepsister, niece, nephew, aunt, uncle, daughter-in-law or son-in-law.

- B. Unless otherwise specified by State law, relatives will not be hired, promoted, or transferred to positions that:
1. Place them in direct or indirect supervisory or managerial capacity over a relative.
 2. Allows them to directly or indirectly influence salary adjustments, career progress, or other managerial activities involving a relative.
 3. Require them to audit or review the work of another relative.
- C. If a council member has a relative working for the Town, that council member shall abstain from any vote affecting that employee's pay wage, benefits, promotion, demotion, etc..
- D. There is a "grandfathering clause" for current elected officials or employees with family relationships that would otherwise be in violation of the nepotism policy unless there is a break in the office holding or in employment. Grandfathered employees may remain in their positions and they may be promoted as long as they do not report directly to the family member. Employees hired after July 1, 2012, who in later years have relatives elected that are in the direct line of supervision, will have no promotion possibilities unless the promotion is within the merit ranks for police and fire departments.
- E. State statute requires that each elected officer of the unit must annually certify in writing, subject to the penalties for perjury, that the officer has not violated the nepotism law and submit the certification to the Clerk Treasurer no later than December 31 of each year.

XII. Employer-Employee Relations

- A. The Town is committed to a mutual rewarding and direct relationship with its employees. Thus, the Town attempts to be receptive to constructive suggestions, criticisms, and questions. Supervisors are expected to conduct regularly scheduled departmental meetings to keep employees informed about items of interest and

discuss issues of concern to employees. The Town, as part of its commitment to delivering the highest level of services to our residents and guests, expects all employees:

1. To treat all residents, guests, and suppliers as customers of all Town services
 2. To represent the Town in a positive and ethical manner
 3. To perform assigned tasks in a safe and efficient manner
 4. To attend work as required and to be punctual
 5. To demonstrate a considerate, friendly, and constructive attitude toward fellow employees, supervisors, and elected officials
 6. To follow the Town and departmental policies and practices
- B. The Town Council retains the sole discretion to exercise all managerial functions, including the following rights:
1. To dismiss, assign, supervise, and discipline employees
 2. To determine and change employee work schedules to meet the needs of our residents and guests of the Town of Santa Claus
 3. To assign employees to other jobs within departments or into other departments
 4. To determine and adjust the employee number and specific qualifications of the workforce
 5. To assign duties to employees in accordance with the Town's needs and requirements and to carry out all ordinary administrative and management functions
 6. To establish, change, and abolish policies, practices, roles, and regulations as the Town works to meet the needs of its residents

XIII. Alcohol and Drug Free Workplace

It is the policy of the Town of Santa Claus to provide a safe working environment for all Town employees. It is also the Town's policy to assist employees who have a problem with drug and alcohol abuse. Our goal is to eliminate the abuse, not to eliminate the abuser. Our goal is to help, not to apprehend.

A. Purpose of The Policy

1. To establish and maintain a safe and healthful working environment for all employees
2. To ensure the reputation of the Town and its employees within the community
3. To reduce the number of accidental injuries to persons or property

4. To reduce absenteeism, tardiness and improve productivity
5. To provide rehabilitation information assistance for any employee who seeks such help
6. To comply with the United States Drug-Free Work Place Act

B. General Policy

The following is the Town's policy concerning substance abuse, which will be enforced uniformly with respect to all employees, as indicated.

1. An employee is prohibited from working if he/she has been drinking alcohol and tests a BAC of 0.02 or greater or is under the influence of illegal drugs.
2. The use, sale, possession, transfer, or purchase of illegal drugs or controlled substances on or in the Town property or while on duty or performing the Town business is prohibited and will subject the employee to discipline, including termination.
3. Any employee who commits an unlawful act involving illegal drug, alcohol or controlled substances on or off the Town premises or whose conduct discredits the Town in any way will be subject to discipline, including termination.
4. No alcoholic beverage will be brought or consumed on Town premises, any duty station or job site of the Town, or while in an "on call" status for response. Employees may be tested for drugs and/or alcohol post accident, random, or with reasonable suspicion at the discretion of the Town. Anyone with a BAC of 0.02 or greater will be subject to discipline, including termination.
5. No prescription drug will be brought onto the Town premises by anyone other than the one for whom it is prescribed. Such drugs will be used only in the manner of combination and quantity prescribed.
6. As a continuing condition of employment, each employee agrees to abide by the terms of this policy. Employees shall notify the Town no later than five (5) days after any conviction of a felony offense in a court of competent jurisdiction involving alcohol, illegal drugs, or controlled substances. Before returning to work, the employee may be required to pass a drug and alcohol test at his/her own expense.

XIV. Pre-Employment Screening

- A. All applicants for positions with the Town, as well as former employees seeking to be reinstated/rehired, will be notified of the Town's drug screening policy at the time they apply for employment.

- B. Applicants selected for employment will be required to submit to drug testing. Such examinations shall be conducted prior to commencement of employment and shall be a condition for acceptance as an employee of the Town.
- C. The prospective employee will be denied employment if he/she fails the drug screening, or refuses to submit to the drug screening.

Employment

I. Employment Status

All employees of Town of Santa Claus shall be categorized as full time, part time, & seasonal/temporary.

- A. Full Time Employee: An employee who works 2080 hours per year, on a regularly-scheduled basis or the standard full time workweek as designated by the Town Council. Full time employees are eligible for benefits after their probationary period. The Town Council has the authority to waive the probationary period for benefits.
- B. Part Time Employee: An employee who works less than full time but on a regularly scheduled basis. Part time employees are not eligible for fringe benefits.
- C. Temporary/Seasonal Employee: An employee hired for a specific and limited amount of time of less than ten months in any calendar year. Temporary/Seasonal employees are not eligible for benefits.
- D. Exempt Employee: An employee classified as Executive, Administrative, or Professional according to provisions of the Fair Labor Standards Act (FLSA), plus any elected official.
- E. Non-Exempt: An employee that does not meet the Fair Labor Standards Act (FLSA) exempt provision.

II. Job Classification

- A. All employees must provide the Clerk Treasurer and department head with their current address and phone number. Changes in this information must be reported within five (5) days of an employee changing address or phone number to allow the Clerk Treasurer to inform Payroll, insurance carriers, taxing authorities (for W-2 purposes), and any others when the information would be required.
- B. A classification plan based upon the duties and responsibilities of positions shall be maintained by the Town. The plan shall include job descriptions, consisting of job titles, position summaries, job requirements, and responsibilities.

- C. The supervisor or Town Council shall, as needed, review the duties and responsibilities of positions to recommend to the Town Council, adjustments or revisions to the classification plan.

III. Minimum Job Qualifications

- A. It is the responsibility of employees to maintain the minimum qualifications of their classifications as established by the Town Council and/or mandated by State or Federal law. The Town Council shall determine the qualifications and requirements for each classification in the Town.
- B. Employees failing to maintain the minimum qualifications of their classification, or who do not comply with State and Federal requirements may be subject to either termination of employment or a reduction of position.
- C. If a vacancy exists in a classification for which the employee is qualified, the employee may be recommended for the position by the supervisor, with final approval granted by the Town Council.
- D. An employee who is terminated pursuant to this Section may reapply for employment upon meeting the minimum requirements of the classification. An employee who is reduced in position shall receive the rate of pay of the new classification and may apply for his/her former position when a vacancy becomes available and the requirements of the position have been met. All employees are expected to make reasonable and diligent efforts to maintain the qualifications of their current classification.

IV. Vacancies and Appointments

- A. In the event the Town Council determines that a vacancy exists, a notice of such position opening shall be conspicuously posted for a period of (5) five working days on employee bulletin boards throughout the Town's facilities. The notice shall include the date of posting, as well as the date the notice expires. The department head shall do the postings.
- B. All announcements will specify the job title, nature of the job, required qualifications, and essential functions of the position, application deadline and the place to file such applications.
- C. Any employee may apply for a posted vacancy provided he/she possesses the requisite minimum qualifications and is not a probationary employee. Criteria used in evaluating an applicant's qualifications may include such considerations as evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness for the position, and length of service with the Town and the particular Town Department or office.

- D. In the event that no qualified employees apply or the Town Council determines that such position(s) should be filled from outside the Town Council, at their discretion, may dispense with the requirement of internally posting the job opening.
- E. An applicant for employment with the Town must complete an employment application, including acknowledgement that he/she is a citizen of the United States, is a legal alien, or has filed a declaration of intent to become one and a declaration that all information provided is truthful. Falsification of any statements or failure to fully answer by the applicant shall be cause for denial of employment, or termination from employment if discovered after the applicant has been hired. Evidence of a conviction of a felony which was not reported, or other conduct unbecoming a public servant of the Town or posing a threat to the legitimate business concerns of the Town or its various Departments shall also be cause for denial or termination from employment; however, prior criminal conviction(s) shall not be an automatic bar to employment.

This application must be given to the Clerk Treasurer's Office by the close of business on the last day of posting.

- F. Applicants may be subject to a background investigation.
- G. Upon determination of which applicants meet the minimum job-related qualifications, the applicant's knowledge, skill, and ability to perform the essential functions of the position may be considered. Applicants shall be required to provide any information and undergo any job-related performance tests, reference checks, background checks, or other job-related procedures necessary to demonstrate qualifications for the position sought.
- H. Applicants selected for employment will be required to submit to drug testing to determine their ability to perform the duties of the position for which they have been selected. Such examinations shall be conducted prior to commencement of employment and shall be a condition for acceptance as an employee of the Town.
- I. In the event that an applicant has a disability which affects his/her abilities to complete employment testing, a request for reasonable accommodation, made by the applicant prior to the administration of the testing, (including accessible testing sites, modified testing conditions, and accessible testing formats) will be evaluated to ensure that the application process is available to all qualified applicants.
- J. Requests for reasonable accommodations will be evaluated for applicants and employees with a handicap as required by law. Health and medical conditions shall only be a bar to employment if the employee or applicant's condition is still such that after making reasonable accommodation, he/she could not perform the substantial and material aspects of the job. In addition, the Town Council, at its own expense, may require an employee at any time to take a medical examination

conducted by a licensed physician to be selected by the Town Council if they have reason to believe the employee is no longer capable of performing the substantial and material portions of the duties and responsibilities of his/her position.

- K. In the event that the minimum requirements and qualifications of a classification are changed by external law or technological advancement, it shall be the sole responsibility of the employee to meet such new requirements within a reasonable period and maintain such qualifications. Employees failing to maintain the minimum requirements and qualifications of their classification in a reasonable amount of time may be subject to reduction in position and pay, provided a vacancy exists in a classification for which the employee is qualified or termination if no such vacancy exists. The Town has no obligation to create a vacancy for an employee failing to maintain the qualifications of his/her job.
- L. The Town Council may eliminate a prospective employee from consideration if he/she:
 - 1. Does not possess the knowledge, skill, and abilities necessary to effectively perform the duties of the vacant position.
 - 2. Has made a false statement of material fact on the application form or supplements.
 - 3. Has committed or attempted to commit a fraudulent act at any stage of the selection process.
 - 4. Is an illegal alien.
- M. An applicant may be eliminated from consideration upon other reasonable grounds relating to job requirements (i.e. inability to perform essential functions even though reasonable accommodations have been met). If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the Town Council may terminate the employee for dishonesty, incompetence, nonfeasance, or malfeasance.
- N. Continued employment by the Town is conditioned upon the employee maintaining the physical, mental, and emotional ability to perform the substantial and material portions of his/her duty(ies) and a satisfactory record of performance and discipline as determined solely and exclusively by the Town Council and/or designees.
- O. If an applicant is hired and it is subsequently discovered that any of the above disqualifying criteria apply, the Town Council may terminate the employee.
- P. Employees who accept full-time employment with the Town must reside within a 10 mile radius of the Town Hall. The residency status is required to be established within one year from the date of hire.

V. Employment Orientation

- A. An orientation program will be conducted for all newly hired employees of the Town. The primary purpose of the orientation program is to acquaint new employees with Town policies and departmental rules and procedures, the organization's structure, their position description, and to familiarize such new employees with facilities equipment, and introduce them to department personnel and supervisors.
- B. The Clerk Treasurer and Town Council designee are responsible for establishing an orientation program for new employees.
- C. This orientation program may include but is not limited to such areas as:

Clerk Treasurer's Responsibilities

Details to take care of before your first day on job:

1. Application
2. Applicants Certification Agreement
3. Copy of Social Security Card, Driver's License
4. W-4 Form (Federal Taxes)
5. WH-4 Form (State Taxes)
6. Indiana New Hire, I-9 & E-Verify
7. Emergency Form
8. Direct Deposit Form/Authorization of DD Stub
9. Benefits (if applicable) 60 Day Probationary Period
10. Complete 457 Deferred Compensation (if applicable)
11. Review & sign Town's Personnel Policy and Procedure Manual
12. Computer Policy
13. Other items deemed necessary by the Clerk-Treasurer

Supervisor's Responsibilities

1. Introduction to immediate supervisor and other dept. employees
2. Importance of attitude
3. Employee dress code and requirements
4. Reporting to work (time, place, and daily and weekly hours)
5. Employee parking area
6. Storage of personal belongings
7. Personal phone calls
8. Where to pick up check stub – who to see if a mistake is made
9. Job description and training
10. Probationary period
11. Overtime/Compensatory time
12. Who to call if absent

13. Safety in the workplace
14. What you do in case of emergency or disaster
15. First aid procedures
16. Whom to contact if you have suggestions for improvements
17. OSHA – Globally Harmonized System
18. Any other forms determined by the department head/supervisor

D. It is the responsibility of the department head to establish an orientation "check off" list covering the above areas and any other department-specific areas. The individual conducting the orientation will be required to check off each area after they have acquainted the new employee with this area and obtain the employee's signature and date indicating they have completed the orientation program, and understand all information provided in each of the above areas. This checklist will be completed and sent to the Clerk Treasurer within 7 days from the employee's first day of work. The signed and dated check-off list will be filed in the employee's personnel file in the Clerk Treasurer's Office.

VI. Probationary Period

- A. Newly hired employees of the Town shall be required to complete a sixty (60) calendar days probationary period. Such employees will be evaluated in writing on or about their completion of the sixty (60) calendar day probationary period. The evaluation will be discussed with the employees who will be requested to acknowledge his/her review in writing.
- B. At the discretion of the Town Council, the probationary period may be extended.
- C. All employment benefits in addition to wages offered to full-time employees start the first day of the calendar month following the sixty (60) day probationary period.
- D. The probationary period allows management the opportunity to closely observe and evaluate the employee's fitness and suitability for the position to which they have been hired.
- E. Only those employees who demonstrate an acceptable standard of conduct and performance during this period shall be retained in their positions.
- F. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the probationary period.

VII. Performance Evaluation

- A. Supervisors may give an annual performance review for all employees. At these reviews, the supervisor will discuss the employee's progress with the Town, past

accomplishments, performance shortcomings (if any), attendance, safety record, and overall performance on the job.

- B. The Town Council may evaluate supervisors annually.
- C. The Clerk Treasurer may evaluate his/her staff.
- D. All evaluations shall be properly documented and kept in the employee's permanent personnel file in the Clerk Treasurer's Office.

VIII. Employee File

- A. The Town maintains a confidential file for each employee, including (but not limited to) the employment application, reference responses, attendance records, and evaluation reports. A copy of any written disciplinary action shall be given to the affected employee and shall be placed in the affected employee's personnel file.
- B. Upon written request, an employee may review their personnel file. This request must be signed, dated, and given to the Clerk Treasurer.
- C. Employee medical records will be maintained in accordance with HIPPA requirements.

IX. Resignation

- A. In the event that an employee intends to resign, he/she should notify the Town Council, in writing, at least two (2) weeks in advance of the effective date in order to assure continuity of operations.

X. On the Job Training, Conferences, Professional Development

- A. It is the employee's responsibility for maintaining and upgrading job skills. Each individual administrator, supervisor, and employee bears primary responsibility for maintaining individual knowledge, skills, and abilities necessary to perform the job, and for upgrading skills necessary to meet technological change or seek promotion. The Town may facilitate those efforts and provide training from time to time.
- B. On-the-Job Training (OJT): On-the-job training prepares an employee to perform the responsibilities required of his/her position. It allows the employee to learn his/her job duties, proper procedures, and expected performance levels.
- C. Training Program Evaluation: The Town Council may periodically examine current and proposed training programs in order to insure the program's relevance to both the individual employee and organizational training needs.

- D. Town employees may obtain training/schooling leave without loss of pay for the purpose of participating in training/schooling that will increase the knowledge and efficiency in their position with the municipality with the approval of the Town Council.
- E. If possible, any expenses involved in attending such training shall be paid for in advance.

Employee Behavior/Conduct

I. Ethics/Conflict of Interest

- A. The proper operation of the Town of Santa Claus, Indiana, requires that all official representatives be effective, independent, objective, and accountable to the people they serve. To ensure these qualities are upheld, the Town has adopted this Code of Ethics and Values to promote and maintain the highest standards of personal and professional conduct in our community. All appointed officials, employees, volunteers, and others who participate in our government are required to subscribe to this Code, understand how it applies to their specific responsibilities and practice these core values in their work. Because we value the public's confidence and trust in our services and its decision-makers, our character and behaviors must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this Code.

Honest/Integrity

1. To act with moral courage
2. To make decisions for the public's best interests, even when they may not be popular
3. To not engage in any business that would be, directly or indirectly, inconsistent with the conscientious performance of our public duties
4. To make no private promises of any kind that may unduly influence our public duties
5. To accept the responsibility to: (1) expose corrupt practices and/or behaviors and, (2) where empowered to do so, protect any public employee who has exposed corrupt practices and/or behaviors from retaliation

Respect/Civility

1. To treat others as you would wish to be treated
2. To accomplish the goals and responsibilities of our individual positions, while respecting our role as a member of a team and the community at large

3. To act in a professional and responsive manner
4. To work together in a spirit of tolerance and understanding
5. To work to build consensus and accommodate diverse opinions
6. To communicate effectively by listening carefully, asking questions, and responding in a way that adds value to conversations

Accountability/Responsibility

1. To not participate in any decision where we have a conflict of interest or from which our family, business, or professional associates may personally benefit
2. To not use our positions, public property or public resources for the personal benefits of ourselves, our family or our business or professional associates
3. To never solicit or accept any favor or benefit for our family, our business, professional associates or ourselves that might be construed as influencing the performance or our public duties
4. To make full public disclosure of the nature of any conflict of interest prior to any action taken
5. To avoid disclosing or abusing the information that we gain by virtue of our position for the personal benefit of ourselves, our family or businesses or professional associates
6. To not engage in direct competition with our respective Town while we are an employee, an appointed official, or an elected official
7. To support the public's right to know the truth and encourage diverse and civil public debate in the decision-making process

Fairness/Justice

1. To promote non-discrimination in our decision-making for our respective Town and to make decisions based upon the merits of the issue at hand
 2. To recognize the function of government to serve the best interests of the citizens
 3. To use our authority to promote the efficient and effective delivery of public services
 4. To refrain from proposing services where adequate resources are not available
 5. To work to remedy the imbalance where inadequate resources adversely affect the best interest of the citizens
- B. Behavior inconsistent with the values set forth in this code may be redressed by the traditional instruments of governance including state law, ordinances, and work rules.

- C. No employee shall use his/her position with the Town for personal gain, nor shall he/she engage in any business or transaction, which is in conflict with the proper discharge of his/her duties.
- D. No employee shall engage in, accept private employment, or render services for private interests, when such employment or service is incompatible with the proper discharge of his/her official duties, or would tend to impair his/her independent judgment or action in the performance of his/her official duties.

II. Grooming/Uniforms

- A. When appropriate, a clean and neat appearance is required. (It is understood that some employees may become dirty during their work schedule. Every effort should be made to provide the community with a neat and clean appearance when possible.)
- B. The Town of Santa Claus is a place of business and staff should dress accordingly.
- C. Some employees are provided uniforms that must be worn while on duty. If not dressed in clothing provided during a work period, the employee shall be sent home to dress in work clothes.

An employee shall be off the clock and will not be paid while traveling home to change into work attire.

- D. Police Department must refer to their department SOP's pertaining to clothing and clothing allowance.
- E. All clothing allowances will be taxed according to IRS rules, and included on the employee's W-2.
- F. All employees' clothing attire must follow OSHA laws and regulations.

III. Employee Fitness for Duty

The Town has a strong commitment to provide a safe and healthy environment for its employees.

- A. All employees must be able to perform his/her job duties. Any employee deemed unfit to perform such duties will be subject to discipline, up to and including termination.
- B. Fitness for duty will be determined when reasonable suspicion exists that the employee is unfit to continue working. When an employee's appearance, behavior, speech, or body odors indicates he/she may have an illness, drug or alcohol use, or other health-related issues which could affect other employees or the employees ability to perform his/her duties he/she will be disciplined or sent home

- C. An employee is obligated to notify his/her immediate supervisor when reporting for duty or in the course of work, if the use of any substance, even if medically required, which may adversely affect his/her ability to satisfactorily perform his/her normal job.

IV. Behavior

- A. Always treat the public with respect. Employees are expected to adopt a friendly, courteous, and service-oriented attitude towards the citizens, customers, and fellow employees, and the public.
- B. Profane or vulgar language is not permitted while on duty.
- C. Personal telephone calls are permitted, but should be limited. Receiving personal telephone calls at work shall be limited as much as possible. (Please inform family/friends concerning this policy) When telephone calls are necessary, please try to limit length of the call. No personal phone calls are allowed to be charged to the Town's business numbers.
- D. Fighting, immoral acts, threats, intimidation, or similar behavior aimed at the public or other employees will not be tolerated.
- E. Visits from family and friends while on duty should be limited.
- F. While not everything can be listed, you should remember that your behavior should reflect the fact that you work for the public and that your behavior could negatively affect the people you meet.
- G. Any complaints from the public against any employee will be investigated and may result in disciplinary action.
- H. Violation of any federal, state or local laws and/or ordinances may result in disciplinary action.

V. Attendance/Late Arrival

- A. Each employee is expected to be available to work as scheduled, to be at work at the beginning of his/her assigned shift and to work until the end of the assigned shift unless prior approval to do otherwise has been granted.
- B. If an employee is unable to report to work as scheduled, will be late, or will need to leave early, he/she must report this information to his/her supervisor as soon as possible.
- C. Any employee not notifying the supervisor or not reporting to work at his/her scheduled start time will be considered to be on unauthorized leave.

- D. Late arrival on a regular basis is inexcusable and will not be tolerated. Late arrival is defined as any situation where an employee reports to work after his/her scheduled starting time.
- E. In addition, if an employee is late, that employee may be subject to appropriate disciplinary action, unless he/she offers, to the supervisor, a written reason for being late which is deemed acceptable by the employee's supervisor.
- F. Absenteeism may result in disciplinary action.
- G. If an employee is excused, in advance, from scheduled work, such absence will not count as an absence occurrence.
- H. An employee absent for three (3) consecutive workdays without notifying his/her supervisor, or with three (3) consecutive unexcused absences, will be considered a voluntary termination.

VI. Outside Employment

- A. Employment conflicts, as set forth in this policy, are when a second job impairs the employee's ability to perform the duties of his/her position.
- B. Full-time employment by the Town shall be considered the employee's primary occupation, taking precedence over all other occupations. "Outside" employment, or moonlighting, shall be a concern to the Town only if it adversely affects the job performance of the employee's Town job.
- C. Should the supervisor feel that an employee's outside employment is adversely affecting the employee's job performance, the supervisor may recommend, but may not demand, that the employee refrain from such activity. However, any conflict, policy infractions, or other specific offense which is the direct result of an employee's participation in outside employment will subject the employee to discipline or discharge, in a manner that is otherwise consistent with the policies set forth in this manual.

VII. Employee Appeal

- A. In the event that disciplinary action is taken against an employee, it normally will be for cause in a progressive manner to correct an employee's behavior, except in those cases of gross or serious misconduct.
- B. In cases of possible suspension over ten (10) days without pay, reductions in pay or position, or termination, an employee shall be notified of reason for such action and be afforded the opportunity to present evidence and witnesses on his/her behalf to the Town Council before disciplinary action. Said hearing will be before the Town Council. A third party may also represent the employee if so requested.

VIII. Grievance Procedure

A. It is inevitable that misunderstandings and differences will arise when employees of the Town are working together on a day-to-day basis. In order that employees have a formal process in which to have their problems and questions heard and appropriately resolved in a timely manner, the following grievance procedure is hereby established:

Step 1- The employee will submit an oral grievance to the employee's supervisor within five (5) working days of the action's occurrence. The supervisor shall meet with the employee and make every effort to resolve the grievance within five (5) working days of the date of the presentation of the grievance.

If the grievance is against the supervisor or department head, the employee should contact the Town Council President.

Step 2- If the grievance has not been resolved in Step 1, the written appeal, along with all pertinent correspondence to date, shall be presented to the Town Council within five (5) working days of the receipt of the reply from Step 1.

Step 3- After the written appeal, the Town Council shall conduct a hearing and they shall issue a final decision within ten (10) working days of the date of presentation of the written grievance.

- B. Failure of the employee to submit his/her appeal within the time limits specified will result in the Town considering the matter settled and closed and shall constitute a legal defense in any legal action involving the employee.
- C. The time limits in the grievance procedure may be extended only by mutual written agreement of the parties due to extenuating circumstances.
- D. A grievance shall be considered resolved if, at any point, the grievant withdraws his/her grievance in writing or fails to process the grievance within the specified time limits.

IX. Emergency Closings

The Clerk-Treasurer, affected supervisors and law enforcement will be responsible for determining the existence of and coordinating official closings of the Town Hall and other offices. Emergencies include, but are not limited to, extreme weather conditions (snow, tornado, flood, equipment failure), loss of utilities, or other emergency condition as determined by the Town.

X. Books and Records

All official books and records kept by any officer or employee shall be open to inspection by the Town Council or Clerk-Treasurer at any reasonable time. This provision may not be construed as permitting a Council member or the Clerk-Treasurer to disclose to unauthorized persons any information of record, which is declared confidential by law or ordinance. When an officer or employee leaves office, all official books and records kept by that officer or employee shall be delivered to the successor or, if no successor has yet been appointed or taken office, to the Clerk-Treasurer.

General Policies

I. Travel and Expense Reimbursement

- A. An employee may be reimbursed for mileage at the State Government mileage rate for the use of privately-owned automobiles for official business.
- B. An employee must file all receipts with the Clerk-Treasurer, and must state the origin and destination of each trip in sufficient detail to account for the mileage claimed. No reimbursements are payable for travel between home and office. Requests for reimbursement, with original itemized receipts, must be turned into the Clerk Treasurer's Office within thirty (30) days of the trip. Charges for parking are reimbursable on any day when an employee is entitled to claim reimbursement for mileage if such parking is related to the trip for which mileage is reimbursed.
- C. Travel by commercial airlines, rail service, or bus will be reimbursed for the prevailing 'tourist' or 'coach' rate when authorized and supported by original receipts.
- D. Meals will be reimbursed when supported by original receipts up to thirty-five dollars (\$35.00) per day, including gratuities. Such gratuity should be reasonable and not exceed twenty percent (20%) of the amount of the bill. When an employee is engaged in activities requiring approved travel for multiple consecutive days, the employee may be reimbursed for a total amount of up to \$35.00 per day times the total number of consecutive days of approved travel.
 1. When separate checks are not available, an employee may claim reimbursement for other employees up to the maximum amount provided for in the preceding section multiplied by the number of employees, provided that each employee is identified by name and that an original receipt is provided.
 2. Payment for meals will only be made to the individual submitting the claim.
 3. No meals will be reimbursed for meals already provided for in a registration fee.

- E. Lodging shall be reimbursed when supported by original receipts in the following manner.
 - 1. Single occupancy will be reimbursed at actual cost, not to exceed ninety dollars (\$90.00) without Town Council approval.
 - 2. Reimbursement for lodging costs shall include room costs, associated local taxes, and necessary business-related charges.
 - 3. Room service will not be reimbursed, except as a part of the employee's meal reimbursement as provided above.
- F. Personal expenses incurred in traveling are not reimbursable, including but not limited to, personal telephone calls, laundry, entertainment, in-room movies and alcoholic beverages.

II. Health/Safety

- A. In accordance with the Occupational Safety and Health Act of 1970, Santa Claus has established that, as a matter of policy, a safe and healthful workplace shall be provided for all employees. The Town Council has the ultimate responsibility and authority for compliance with the federal and state laws pertaining to Occupational Safety and Health.
- B. Each employee is to work in a safe manner, and observe the safety procedures as instructed by his/her supervisor.
- C. Any employee who has a valid prescription for a narcotic and is required to take the medication during work hours is required to inform his/her supervisor of the prescription. This employee will not be allowed to operate a Town owned vehicle or heavy equipment.
- D. Any accident hazards or unsafe conditions of equipment are to be corrected or reported to the employee's department head immediately, who will then notify the designated safety officer. The designated safety officer will be the central point of contact for OSHA/IOSHA issues. Nothing in this appointment shall reduce the responsibility or authority of department heads and/or supervisors from the effective and ongoing performance of OSHA/IOSHA.
- E. If an employee has an accident involving a Town vehicle that causes an injury requiring medical attention or property damage, the employee will be subject to an alcohol and drug test.
- F. Workers' Compensation forms will be filed for all injuries. All department heads or their designee will file their report, on behalf of the employee, within twenty four (24) hours of the accident. The degree of injury does not matter. If the employee has complications later, a properly completed form will allow the treatment to be covered by Workers' Compensation.

- G. If an employee is injured and is physically unable to complete the balance of the workday, he/she shall be paid for the remainder of that day. Further absence may require the employee to apply for Workers' Compensation benefits.
- H. The Town's compliance with applicable OSHA/IOSHA laws, standards, policies, etc. shall be monitored, and documented by the department heads of each department, as applicable.

III. Safety Data Sheet

- A. The Town will maintain and utilize appropriate safety data sheets on any products, chemicals, or substances used in the community that is required by federal law.
- B. In case where an employee may encounter said substance and medical treatment is necessary, a copy of the safety data sheet will accompany the employee to the medical facility.
- C. As of December 1, 2013, all employees are to be trained under the new guidelines known as GHS or Globally Harmonized System (a.k.a. Right-To-Understand)

IV. Blood Borne Pathogens

Several departments within the Town may have occupational exposure to blood or other potentially-infectious material.

- A. Universal precautions will be observed at the Town in order to prevent contact with blood or infectious materials. All blood and potentially infectious material will be considered infectious regardless of the perceived status of the source individual.
- B. Employees should not compress trash in waste cans, as it would be easy to be stuck by a needle or other sharp object. Employees should also not place their hand on the bottom of trash bags for support as they could be stuck by sharp objects in the bag. Employees should examine the bags before picking them up to be sure there are no sharp objects sticking out of the bag.
- C. Hand washing facilities are also available to employees who incur exposure to potentially-infectious materials. Employees should wash as soon as possible.
- D. Protective gloves should be worn whenever possible when administering first aid.
- E. When performing CPR, proper face guards must be used if available.
- F. Do not reuse gloves, face guards, or other protective equipment.

V. HIPAA Privacy

- A. The HIPAA Privacy Rule (Standards for Privacy of Individually Identifiable Health Information) provides national standards for protecting the privacy of health

information. The Privacy Rule regulates how certain entities, called covered entities, use and disclose certain individually identifiable health information, called protected health information (PHI). PHI is individually identifiable health information that is transmitted or maintained in any form or medium (e.g., electronic, paper, or oral), but excludes certain educational records and employment records.

- B. Protected Health Information Privacy Rule protects certain information that covered entities use and disclose. This information is called protected health information (PHI), which is generally individually identifiable health information that is transmitted by, or maintained in, electronic media or any other form or medium. This information must relate to 1) the past, present, or future physical or mental health, or condition of an individual; 2) provision of health care to an individual; or 3) payment for the provision of health care to an individual. If the information identifies or provides a reasonable basis to believe it can be used to identify an individual, it is considered individually identifiable health information.
- C. The Clerk-Treasurer will maintain the employee's health and medical records in accordance with the requirements of HIPAA.

VI. Tobacco Use Policy

- A. The use of any and all tobacco products (including electronic cigarettes) by any employee or non-employee is prohibited in all Town-owned buildings and motor vehicles.
- B. Declared tobacco use areas may be provided, will be marked accordingly, and must be at least eight (8) feet from any public building.
- C. Employees who indulge in the use of chewing tobacco and snuff-type tobacco products will not use such products without providing for a suitable receptacle for residue that is not offensive to co-workers.

VII. Personal Use/Services

- A. Employees are prohibited from using and loaning Town vehicles, materials, tools, equipment, and labor for personal or private use regardless of whether it is during work or non-work time.
- B. Employees may not expend labor during scheduled work hours for work not related to Town business. This prohibits any employee from performing private work for himself, another employee, or a non-employee.

VIII. Use of Town Vehicles

- A. Any employee of the Town who is required to operate a Town vehicle in the course of his/her employment shall be subject to the following conditions and restrictions:
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1. Seat belts shall be used by the driver and all passengers
 2. An employee may be reassigned or other appropriate personnel action may be taken in the event of citation, license revocation, suspension, or arrest
- B. Employees who are required to operate Town vehicles during the course of their employment must immediately report any condition that adversely affects their ability to operate such vehicle(s) and/or equipment.
1. Must be able to meet insurability standards and requirements of the Town liability insurance provider
 2. Maintain a valid operator's license
- C. Employees must not permit unauthorized drivers or passengers in the Town vehicles, unless on official business or approved by the Town Council.
- D. Reimbursement for necessary emergency road service and repairs, parking, and highway-related tolls require appropriate receipts for reimbursement.
- E. Employees shall obey all traffic laws
- F. In the event of an accident, employees must do the following:
1. Assist any injured party if possible and call 911.
 2. Do not move any vehicles unless instructed to do so by proper police authority.
 3. Write down all pertinent facts such as the other driver's name, address, telephone number, license plate number, driver's license number, social security number, and name of insurance, policy number, name, address, and telephone number of any injured party or witnesses.
 4. Do not admit any fault or make any oral or written statements but give your name, address, telephone number, etc. and;
 5. Notify the employee's supervisor and submit a written report as soon as possible.

IX. Take-Home Vehicles

- A. Employees may not use Town vehicles for personal use. (Police Officers should refer to their own SOPs on this policy). Employees may transport, parents, children, step-children, spouses, brother and/or sisters as guests on their way to or from work.
- B. Employees of the Town who are assigned a Town vehicle for duty to domicile travel are subject to Internal Revenue Service rules regarding such usage. The use of such a vehicle for commuting must be approved by the Town Council and may be considered by the IRS to be a taxable benefit. A value must be established and the total annual amount reported to the IRS on the employee's W-2 Form.

X. Solicitation and Distribution

The following policy on solicitation and distribution is hereby adopted by the Town Council as to all Town premises including but not limited to the various administrative offices, locations, and work sites.

- A. Employees of the Town are not permitted to engage in solicitation of other employees and distribution during any employees' work time whether in work or non-work areas. Employees may conduct solicitation and distribution activity in work and non-work areas but only if both employees are on non-work time and is non-coercive and consented to by the employee being solicited.
- B. Supervisors may regulate any solicitation and distribution activity by any employee or non-employee, which disrupts or interferes with the normal work of the Town on its premises or in areas under the operational control of the Town.

XI. Confidential Information

In the course of employment with the town of Santa Claus, the employee may have access to information which is confidential including, but not limited to, information about any new town projects, accounting records, personnel records, insurance records, the community, and their families. The employee shall not use, disclose, or divulge the confidential information to any third party without prior authorization.

XII. Hours of Work

- A. Department heads shall establish the standard workday, workweek, and starting and quitting times for each department, taking into account current and anticipated workloads, public service needs, and other factors. No established schedule shall be construed as a guarantee of work hours or as a restriction of the Town's right to restructure the workday or workweek.
- B. The Town is open for business Monday through Friday, 52 weeks a year unless there is a scheduled holiday. Employees should contact their supervisor for the hours of operation for their department. Employees of the Clerk Treasurer's Office shall contact the Clerk-Treasurer for hours of operation.
- C. Subject to the discretion of the department head, employees may be allowed to take one fifteen (15) minute rest break during any four (4) hour work period. Such breaks shall not interfere with the proper performance of the employee's work responsibilities, will be set by the department head, and are subject to change.
- D. Employees shall receive an unpaid lunch period.

- E. Operational needs and/or emergencies, however, may necessitate the establishment of other work hours, days, or weeks.

XIII. Computers, Internet & E-Mail

- A. Policy Statement. The of Town of Santa Claus, Indiana automation systems, including computers, fax machines, and all forms of Internet/Intranet access, is for Town business and for authorized purposes only. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, and does not result in expense to the Town. Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities, or ceasing to engage in such activities when instructed by one's supervisor. Electronic communication shall not be used to solicit or sell products or services that are unrelated to the Town's business; distract, intimidate, or harass coworkers or third parties; or disrupt the workplace.
- B. Prohibited Use. Use of Town computers, networks, and Internet access is a privilege granted by the Town and may be limited and/ or revoked at any time for inappropriate conduct carried out on such systems, including, but not limited to:
- Sending chain letters or participating in any way in the creation or transmission of unsolicited commercial e-mail ("spam") that is unrelated to legitimate Town purposes;
 - Engaging in private or personal business activities, including excessive use of electronic mail, instant messaging and chat rooms;
 - Misrepresenting oneself or the Town;
 - Using a computer account that you are not authorized to use;
 - Masking the identity of a computer or network;
 - Obtaining a password for a computer account without the consent of the account owner;
 - Using the Town's computers or networks to gain unauthorized access to any computer systems;
 - Violating the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way;
 - Violating terms of applicable software licensing agreements or copyright laws;
 - Deliberately propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Town's networks or systems or those of any other individual or entity;
 - Circumvent data protection schemes or attempting to uncover security loopholes;
 - Installing software on Town computers which is not authorized by the employee's

immediate supervisor, or the Town Council;

- Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages;
- Sending, receiving, or accessing pornographic materials;
- Using computers for partisan politics;
- Causing congestion, disruption, disablement, alteration, or impairment of the Town's networks or systems;
- Interfering with the normal operation of computers, terminals, peripherals, or networks or running or installing on any computer system or network, or giving to another user, a program intended to damage or to place excessive load on a computer system or network;
- Maintaining, organizing, or participating in non-work-related Web logs ("blogs"), Web journals, "chat rooms", or private/personal/instant messaging;
- Failing to log off any secure, controlled-access computer or other form of electronic data system to which you are assigned, if you leave such computer or system unattended;
- Using recreational games; and/ or,
- Defeating or attempting to defeat security restrictions on Town systems and applications.

Using Town automation systems to access, create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material violates the Town's anti-harassment policies and is subject to disciplinary action. Use of Town resources for illegal activity can lead to disciplinary action, up to and including dismissal and criminal prosecution. The Town will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities, e-mail use, and/ or computer use.

C. Ownership and Access of Electronic Mail, Internet Access, and Computer Files.

The Town owns the rights to all data and files in any computer, network, or other information system owned by the Town. The Town also reserves the right to monitor electronic mail messages (including personal/private/instant messaging systems) and their content, as well as any and all use of the Internet and of computer equipment used to create, view, or access e-mail and Internet content. Employees must be aware that the electronic mail messages sent and received using Town equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Town officials at any and all times. The Town has the right to inspect any and all files stored in private areas of the network or on individual computers or storage media in order to assure compliance with policy and state and federal laws. No employee may access another employee's computer,

computer files, or electronic mail messages without prior authorization from either the employee's supervisor or Town Council. The Town has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software. No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software.

- D. Confidentiality of Electronic Mail. As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and Town rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature.

It is a violation of Town policy for any employee, including system administrators and supervisors, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others.

- E. Electronic Mail Tampering. Electronic mail messages received should not be altered without the sender's permission; nor should electronic mail be altered and forwarded to another user and/ or unauthorized attachments be placed on another's electronic mail message.
- F. Personal Electronic Equipment. Employees should not bring personal computers, cameras, or other electronic devices to the workplace or connect them to Town electronic systems unless expressly permitted to do so by the Town. Any employee bringing a personal computing device or other electronic device onto Town premises thereby gives permission to the Town to inspect the personal computer at any time with personnel of the Town's choosing and to analyze any files, other data, or data storage media that may be within or connectable to the personal computer in question. Employees who do not wish such inspections to be done on their personal computers should not bring such items to work. Violation of this policy, or failure to permit an inspection of any device covered by this policy, shall result in disciplinary action, up to and possibly including immediate termination of employment. Violations of any of the policies, limitations and/ or prohibitions contained herein may result in discipline, up to and including termination of employment, and criminal and civil legal action against the employee.

XIV. Cell Phones

- A. Some employees may receive a stipend to purchase a cell phone and plan.

Employees who receive a stipend shall purchase a cell phone, with a local number, or keep their phone activated and keep the phone accessible while on duty and on call. Employees shall notify their supervisor and the Clerk-Treasurer within 48 hours of a change in their cellular telephone number.

- B. Personal calls should be limited during working hours.

XV. Handling Citizens Questions and Complaints

- A. All citizens should be treated with respect and courtesy. Employees should not engage in arguments, debates, or lengthy discussions with private citizens regarding the Town's policies, procedures, or services.
- B. Any employee who receives a complaint from a private citizen should refer that individual to his/her supervisor.

XVI. Political Activity

- A. Employees may not participate in any partisan or non-partisan political activity while on-duty or off-duty in a uniform required by, used by, or identified with any department of Town government.
- B. Employees may not use municipal vehicles for any political activities.
- C. Any municipal employee found violating any provisions of this policy is subject to discipline.

XVII. Lactation Policy

- A. Employees who are nursing are provided with reasonable paid break time to express breast milk after the birth of a child, as long as providing such break time does not unduly disrupt operations. The Town will make reasonable efforts to provide a private location for such activity. Employees will not be retaliated against for exercising their rights under this policy.

XVIII. Definitions:

- A. **At-Will Employee:** An employee may voluntarily leave employment or may be terminated by the Town at any time with or without cause

- B. **Compensatory time:** Time-off equal to 1 ½ times hours worked in excess of 40 hours in a week
- C. **Distribution:** As used in this policy includes the passing out of any type of literature, advertising, handbills, circulars, forms, or any other memorabilia
- D. **Employee:** Any person in the employ of the Town in any status
- E. **Exempt:** Employee classified as executive, administrative, or professional according to provisions of the Fair Labor Standards Act (FLSA), plus any elected official
- F. **Flex Time:** Taking time off within a forty (40) hour week to prevent overtime
- G. **Holiday Pay:** As used in this policy, pay based on eight (8) hours of straight base pay
- H. **Hourly:** Employee paid an hourly rate bi-weekly
- I. **Non-Exempt:** All employees that do not meet the (FLSA) exempt provision
- J. **Non-Work Area:** An area on or off the Town's premises not designed as a work area
- K. **Non-Work Time:** As used in this manual includes, any time during an employee's workday where the employee is completely relieved of work duties, such as break time and lunch time. Whether an employee is in paid or unpaid status during these times is immaterial to the designation of non-work time
- L. **Salaried:** Employee paid a predetermined amount of compensation bi-weekly
- M. **Solicitation:** As used in this policy includes, but is not limited to; an act which requests, urges, or seeks to induce an employee to give or obligate him/her to pay money for any cause, or for any reason or to sign any document indicating membership in any obligation, association, or group, or indicating support for or a pledge to any such organization, association, or group
- N. **Town:** The Town of Santa Claus
- O. **Work Area:** As used in this policy includes, but is not limited to, offices, work sites, locations, conference rooms, common areas, and corridors leading directly thereto, and such other areas
- P. **Work Week:** As used in this policy means the scheduled starting and quitting time each week, for each position, as determined by the Town Council
- Q. **Work Time:** As used in this policy includes, all of the time when an employee's duties require that he/she be engaged in work tasks, but does not include the employee's own time such as meal periods, scheduled breaks, and time before or after a work shift
- R. **Termination:** Upon termination of employment with the Town for any reason, employees shall return to the employee's department head any and all books and records, equipment, keys, uniforms and uniform parts, badges, identification cards and other items owned or purchased by the Town related to the employee's status as an employee of the Town.

Town of Santa Claus Employee Benefit Section

Wage and Hour Section

I. Payroll

- A. Payroll is paid bi-weekly and will be available by the end of business on payday, one week in arrears. All required deductions will be made according to the law.
 - 1. The pay period for bi-weekly employees shall begin at midnight on Saturday and end at 11:59 p.m. on the following Friday.
 - 2. All Town Council Members, Waterworks Members and Park Board Members will be paid monthly following their monthly meeting.
- B. All personnel paid bi-weekly will be required to maintain a time record.

II. Direct Deposit

- A. All employees of the Town of Santa Claus are required to have their payroll checks direct deposited. Employees shall immediately notify the Clerk-Treasurer in the event that the employee changes depository institutions, and complete all necessary documentation to effect the change with the Town.

III. Over Time

- A. Straight time will be paid to hourly employees working 40 hours or less per workweek. Work performed by hourly employees in excess of forty (40) hours in a week, will be considered overtime and will be paid at the rate of time and one-half the employee's regular rate of pay. Benefit hours (vacation, holidays, personal leave, compensatory time used, etc.) are **NOT** considered time worked for computing overtime.
- B. Any employee may be required to work in excess of the normal workday or workweek to meet operational demands. Overtime for non-exempt employees will be addressed under the guidelines set out by the FLSA (Fair Labor Standards Act) and treated accordingly.
- C. Overtime is generally discouraged and must be approved by the employee's supervisor in advance, except in unusual or emergency situations.
- D. Exempt employees are not subject to the overtime payment requirements of the FLSA due to the nature of their work. These employees are expected to have flexible working hours, which may exceed forty (40) hours in a week. These individuals shall not receive overtime pay.

- E. Holiday hours worked by non-exempt (hourly) employee's shall be paid at the rate of double time of employee's regular rate of pay.
- F. Police shall follow guidelines in Section 207 k of the FLSA with regard to compensatory time off.

IV. Flex Time

- A. The Town may utilize "flex-time" or flexible hours in order to avoid having non-exempt employees work in excess of forty (40) hours in a work week.
- B. The supervisor must approve flex-time scheduling.
- C. The supervisor should make every effort to ensure that employees utilize flex time so as not to work overtime.
- D. Flex time must be taken within a forty (40) hour pay period
- E. Flex time is paid as time for time.

Example: If an employee works twelve (12) hours in a day, then the employee may be required to take off four (4) hours on another day within that workweek, thus keeping his/her hours worked at forty (40) hours for that week.

V. Emergency Call In

- A. If a non-exempt employee is called in to work during an emergency, he/she shall be compensated for a minimum of one (1) hour.
- B. Emergency call outs during approved scheduled vacation or personal days by the department supervisor or designee shall be paid to non-exempt (hourly) employees at the rate of double time of employee's regular rate of pay.

VI. 457 Deferred Compensation Plan

All full-time employees are eligible for the Town's Section 457 Deferred Compensation Plan, with the Town matching up to 5%, as determined annually by the Town Council.

VII. Garnishments

A court-ordered legal claim against the wages of an employee by legal authority is a garnishment and shall be recognized and executed by the Town. When a garnishment is received for an employee, the Clerk Treasurer's office will notify the employee.

Holidays/ Vacations/Leaves

I. Holidays

All employees are entitled to the following federal holidays: (Subject to change yearly)

- | | |
|------------------------------|---------------------------|
| 1. New Year's Day | January 1st |
| 2. Presidents Day | Third Monday in February |
| 3. Good Friday | Friday before Easter |
| 4. Memorial Day | Last Monday in May |
| 5. Independence Day | July 4th |
| 6. Labor Day | First Monday in September |
| 7. Thanksgiving | 4th Thursday in November |
| 8. Friday after Thanksgiving | 4th Friday in November |
| 9. Christmas Eve | December 24th |
| 10. Christmas Day | December 25th |
| 11. New Year's Eve | December 31st |

- A. 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.
- B. Due to the emergency areas covered by the Town, some employees are required to work holidays.
- C. If a holiday occurs while an employee is on vacation, such holiday will not be charged against his/her vacation leave. Unless the holiday falls within a scheduled vacation, employees must work the scheduled day before and the scheduled day after a holiday in order to be paid for the holiday.
- D. An employee scheduled to return from a non-paid leave on the day after a holiday will not be paid for the holiday. An employee whose leave without pay is approved through the end of the last business day preceding a holiday is also presumed to be on leave during the holiday, and will not receive compensation for the holiday.

II. Vacation

- A. A full time employee shall be entitled to annual vacation leave with pay according to the following:
 - 1. Full time employees will receive five (5) eight (8) hour days of vacation on the first (1st) anniversary of the commencement of employment, and on January 1 of the year following such first (1st) anniversary.

2. On January 1 of each year following the second (2nd) anniversary of employment, the employee will receive a total of ten (10) eight (8) hour days of vacation.
 3. On January 1 of each year following the fifth (5th) anniversary of employment, the employee will receive a total of fifteen (15) eight (8) hour days of vacation.
- B. Vacation days must be taken in full day (8 hours) increments.
 - C. Vacation leave is credited for all continuous service in active pay status. Vacation is not earned while an employee is in a non-paid status (e.g. leave of absence without pay, disciplinary suspensions, and short-term disability leave).
 - D. Vacations are scheduled in accordance with workload requirements of the individual department or office. For this reason, it is essential that full week vacation requests be made, in writing, at least one (1) week in advance of the proposed starting date. The supervisor has the authority to approve or deny vacation requests.
 - E. Vacation days may not be carried over to the following calendar year in which it accrues without approval of the Town Council.
 - F. An employee's termination date may not be extended to include accrued or unused vacation time.
 - G. Vacation days will be paid out upon termination of employment.
 - H. Supervisors are responsible for maintaining records for accumulated vacation leave earned and used and for submitting copies to the Clerk-Treasurer.

III. Bereavement Leave

- A. Bereavement Leave must be arranged with the appropriate supervisor through a written request as soon as practical following a death in one's family. The request must be executed by the employee and state the relationship between the deceased and the employee and the length of time needed for the requested absence. Unless otherwise approved by the employee's department head, bereavement leave must be taken within one (1) week following the death of the family member, or such leave shall be forfeited.
- B. All regular, full-time employees will be granted a paid leave of up to three (3) consecutive workdays in the event of the death in the employee's immediate family. "Employee's immediate family" for purposes of this section, shall mean an employee's spouse, child, parent, and other residents of the household of an employee.
- C. All regular, full time employees will be granted two (2) consecutive days of leave in the event of the death of an grandparent, grandchild, sibling, step-child, parent-in-law, step-parent, step-grandchild, or half sibling.
- D. All regular, full time employees will be granted one (1) day of leave in the event of the death of a grandparent-in-law, aunt, uncle, niece or nephew.

- E. In the event of the death of a family member not in the immediate family, an employee should use personal time.
- F. Employees shall not be entitled to compensation in lieu of bereavement leave.
- G. In extenuating circumstances, the Town Council may approve extended bereavement leave without pay.

IV. Sick Leave

- A. New hires will receive seven (7) sick days at the end of the employee's probationary period.
- B. All full time employees will receive seven (7) sick days on each January 1.
- C. Sick leave days may be taken in not less than half day(four (4) hour) increments.
- D. The supervisor may request a physician's written certification of illness when three (3) consecutive days or more are claimed.
- E. To be eligible for sick leave benefits, all employees must have reported for work or called in reporting the leave to their supervisor. In the absence of the supervisor or department head, calls shall be directed to the Clerk Treasurer's office.
- F. The employee or someone on his/her behalf shall notify in the above order the absence of the employee as soon as possible prior to the scheduled hours of work. It is preferred that the call be made at least one hour prior to the employees starting time.
- G. Sick leave may be taken for personal and/or immediate family health-related issues.
- H. Sick days unused within a calendar year may be accumulated to a total of thirty (30) days. Employees with accumulated sick days in excess of thirty (30) days as of April 14, 2014 shall maintain such sick days until such time as such sick days are expended to reduce their accumulated sick days to be less than thirty (30).
- I. Upon termination of employment, the employee will NOT be paid for unused sick days.
- J. The Clerk Treasurer will keep an individual up-to-date record of all employees.

V. Personal Leave

- A. The Town recognizes that there are times when employees have personal matters that need to be attended to during regular working hours. Consequently, each employee will receive four (4) personal days on the first (1st) of the month following their probationary period.
- B. All regular full time employees, will receive four (4) personal days on January 1 of each year following their date of hire.

- C. A request for personal leave should be made to the supervisor in advance of intended absence. Emergency personal leave may be granted at the discretion of the supervisor.
- D. Personal leave may be taken in half day increments (4 hours).
- E. Employees shall be paid his/her regular rate of pay for personal leave.
- F. Clerk Treasurer will maintain all personal leave time records.
- G. Unused personal days will not be paid at the end of the calendar year and cannot be carried over into the following year.
- H. Unused personal days will not be paid out upon termination of employment.

VI. Court Leave

- A. If an employee is called for court jury duty or subpoenaed to testify in a court of law during any portion of the employee's regular scheduled working day, that employee shall be compensated for such time. The employee may keep the amount paid to the employee by the court or counsel for a party.
- B. The employee will be expected to report for work following jury duty, if a reasonable amount of time (two (2) hours or more) remains during his/her scheduled workday.
- C. The Town will not reimburse employees when appearing in court for criminal or civil cases, when the case is being heard in connection with the employee's personal matters unless the employee utilizes unused vacation, personal, or compensatory time.

VII. Military or Reserve Service

- A. Reserve Training: I.C. Sections 10-5-8-1, 10-5-8-2, and 36-8-5-8 require that Indiana National Guard, Defense Corps, Naval Militia, and all U.S. Armed Forces reserve component members be authorized up to fifteen (15) working days leave with pay per calendar year for training purposes.
- B. Along with requests for such leave, employees are required to submit the published order authorizing the military duty or a written statement from the appropriate military commander authorizing such duty. Employees requesting such leave will also be required to complete the necessary leave papers.
- C. Active Duty: A full time employee who is drafted or is called for active duty in the Armed Forces of the United States, the Coast Guard, Public Health Service, Civil Defense, or is drafted in the Merchant Marine Service, shall (in accordance with existing law) be entitled to reemployment after honorable discharge or discharge under honorable conditions from such service, provided the employee is physically and mentally able to do the work required and reports for work within ninety (90) days of such discharge, or within ninety (90) days after he/she is released from hospitalization continuing after discharge for a period of not more than one (1) year. He/she shall be

employed in the position or a similar position to the one held at the time of entry into the Armed Forces. All salary adjustments or position upgrades shall be granted to the employee upon reinstatement. In the event his/her former job no longer exists, he/she shall be employed in a position for which he/she is qualified at a salary comparable with the one he/she formerly received.

VIII. Family Medical Leave Act (FMLA)

- A. The Family and Medical Leave Act of 1993, enacted February 5, 1993, allows for “eligible” employees to request and, if approved, receive up to a total of twelve (12) weeks of unpaid leave. The Town will calculate leave date based upon a rolling 12-month period that is measured backward from the date an employee uses any FMLA leave. FMLA can be utilized for the following four circumstances:
1. Because of the birth of a child of the employee and in order to care for the child;
 2. Because of the placement of a child with an employee for adoption or foster care;
 3. Because a spouse, parent, or child (including biological, adopted, foster and step-children) of the employee has a “serious health condition” which requires care by the employee; or
 4. Because the employee suffers from a “serious health condition” which prevents the employee from being able to perform the functions of his/her position
- B. Service member family leave program: This specifically provides that an eligible employee may take up to 26 weeks of FMLA leave to care for a spouse, son, daughter, parent or next of kin (“nearest blood relative”) who is a covered service member.
1. The service member must have a “serious illness or injury” incurred while on active duty that may render the member unable to perform the duties of his or her office, grade, rank or rating and for which the member is:
 - a. Undergoing medical treatment, recuperation or therapy;
 - b. An outpatient; or
 - c. On a temporary disability retired list.
 2. This provision also defines several key terms including “covered service member,” “next of kin” and “serious injury or illness” as it applies to a member of the Armed Forces.
 3. The FMLA caregiver leave is available only during a single 12-month period.
- C. The employee will be required to start FMLA leave at the same time he/she begins the extended sick leave.
- D. An “eligible” employee is an employee that has been on the Town payroll for at least twelve (12) months and has worked at least 1250 work hours during the twelve (12) months preceding the request for leave.
- E. Requests are to be made in writing to the employee's Supervisor with approvals as required.

- F. In the case of leaves for the birth of a child or adoption, an employee is required to provide not less than thirty (30) days advance notice or as much advance notice as possible of the intent to take leave.
- G. Employees seeking leave for a foreseeable medical treatment for himself/herself or a family member must also give thirty- (30) days notice or as much notice as possible and, attempt to schedule the treatment so that the leave does not unduly disrupt Town operations.
- H. The Town has the right to request that the medical leave be properly certified by the health care provider and the employee is to provide such certification in a timely manner. If an employee requests a leave to care for a family member, the certification must confirm that this is necessary and contain an estimate of the amount of time involved. When intermittent medical leave is sought, the certification must recite the anticipated dates and duration of treatment.
- I. Failure to return to work on the determined return to work day will be considered as a resignation by the employee.
- J. Utilization of Accumulated Paid Leave: Employees are required to utilize accumulated paid leave for all or part of the FMLA twelve (12) week period. Unpaid FMLA shall be authorized when all eligible paid leaves have been exhausted (Sick day, vacation). Family and Medical Leave and paid leave, for conditions that qualify under FMLA, run concurrently. The entire twelve (12) week FMLA is not in addition to the paid leave, just any remaining portion after the paid leave time is subtracted.
- K. Insurance Coverage during FMLA: Employees are entitled to maintain the same health benefits during the FMLA. However, it is the employee's responsibility to make arrangements through the Clerk-Treasurer for his/her portion of the contribution of monthly premiums. Should an employee fail to return to work after his/her FMLA expires; the Town may recover from the employee, the Town's share of health insurance premiums paid during the period of unpaid FMLA. Insurance premiums may not be recovered if the employee fails to return to work due to the continuation, recurrence, or onset of a serious health condition or circumstances beyond the employee's control.

Insurance Coverage

I. Group Health / Life Insurance

- A. Full time employees may be eligible for Group Health, Dental, and Vision Insurance, as well as the Town's Flex Plan and Gap Insurance. Employees wanting to add dependents to the Group Health Insurance must pay the difference in the premium from single and family plans.

- B. Full time employees who are at least sixty-five (65) years old, and not covered by the Town's health insurance plan will be reimbursed for the cost of Medicare and Medicare supplements.

The reimbursement amount will not exceed the percentage that the Town pays for coverage for other employees.

- C. Please refer to individual plans and policies for details.

II. Workers' Compensation

Workers' Compensation Insurance provides coverage for work-related injuries and illnesses as required under the Workers' Compensation laws of the State of Indiana. Workers' Compensation Insurance covers all authorized expenses related to the treatment of a work-related illness or injury and provides "lost time benefits" when an employee must be absent from work on a Workers' Compensation Disability Leave.

A. Reporting A Work Related Injury Or Illness

1. Any illness or injury related to an employee's work assignment must be reported to the Clerk Treasurer so that the necessary forms can be completed and sent with the employee prior to evaluation and treatment, if possible. The Town will inform an injured employee of its approved medical facility at the time of injury.
2. The supervisor or injured employee must notify the Clerk Treasurer as soon as possible so that all claims and compensation can be administered properly and in a timely manner.

B. Compensation and Benefits for an absence resulting from a work-related injury or illness and a Workers' Compensation Disability Leave.

1. 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/she must use any accrued time.
2. 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.

C. Insurance Coverage: Group health insurance coverage and other insurance benefits 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/her regular portion of the premium on a timely basis. Employees must arrange with the Clerk-Treasurer's Office to pay their portion of this insurance coverage.

Acknowledgment of Receipt

I have received a copy of the Town of Santa Claus's Policy and Procedure Manual and understand that it is my responsibility to become familiar with the contents as it outlines my benefits and the Town's policies and procedures.

I understand that the policies, rules, and benefits described in it are subject to change at the discretion of the Town at any time.

I understand that this manual supersedes all other previous manuals for the Town of Santa Claus.

I further understand that my employment is terminable "at will," either by myself, or the Town of Santa Claus, regardless of the length of my employment or the granting of benefits of any kind.

I understand that no contract of employment other than "at will" has been expressed or implied, and that no circumstances arising out of my employment will alter my "at will" employment relationship unless expressed in writing, with the understanding specifically set forth and signed by myself and the Town Council.

Should I have any questions regarding these policies and procedures, I understand that I am encouraged to talk them over with my supervisor, department head or the Town Council.

Employee Printed Name: _____

Employee Signature: _____

Witness: _____

Date: _____