

Contents

100 INTRODUCTION	4
101 WELCOME MESSAGE.....	4
103 DEFINITIONS.....	4
104 THE PURPOSE OF THIS EMPLOYEE HANDBOOK.....	5
105 CHANGES OR MODIFICATIONS	5
200 EMPLOYEE CLASSIFICATIONS	6
201 FULL-TIME EMPLOYEES.....	6
202 PART-TIME EMPLOYEES.....	6
203 TEMPORARY EMPLOYEES	6
204 SEASONAL EMPLOYEES	6
205 FLSA EXEMPT EMPLOYEES	6
206 FLSA NON-EXEMPT EMPLOYEES	7
300 THE CIVIL SERVICE SYSTEM.....	7
301 THE UNCLASSIFIED AND CLASSIFIED SERVICES	7
302 CIVIL SERVICE APPOINTMENTS.....	8
303 EXAMINATIONS AND PROMOTIONS	8
304 VETERANS CREDITS	8
400 EMPLOYMENT MATTERS	8
401 OATH OF OFFICE	9
402 PROCEDURE FOR FILLING VACANCIES	9
403 PROBATIONARY PERIOD.....	10
404 PERFORMANCE APPRAISALS.....	10
405 CORRECTIVE ACTION AND DISCIPLINE.....	11
406 CIVIL SERVICE LAW SECTION 75	14
407 CODE OF ETHICS (CHAPTER 13 OF THE VILLAGE CODE)	16
408 PERSONNEL FILES.....	18
409 SEPARATION FROM EMPLOYMENT	19
500 OPERATIONAL POLICIES.....	19
501 DEPARTMENTAL HOURS.....	19
502 MEAL BREAKS AND BREAKS FOR NURSING MOTHERS	19
503 EMERGENCY SITUATIONS	20

504 TIME RECORDS	21
505 BONDING	21
506 EXPENSE REIMBURSEMENT.....	22
507 VEHICLE USAGE	22
508 DRIVER'S LICENSE / INSURANCE REQUIREMENTS	23
509 SUPPLIES, TOOLS AND EQUIPMENT, AND FUEL USAGE.....	24
510 TELEPHONE / CELL PHONE USAGE.....	24
511 COMPUTER SYSTEMS AND INTERNET / E-MAIL SERVICE.....	25
512 PERSONAL APPEARANCE.....	28
513 SOLICITATIONS/DISTRIBUTIONS	28
514 VISITORS	28
515 PURCHASING.....	29
516 MAINTENANCE OF WORK AREA.....	29
517 PERSONAL PROPERTY	30
518 VILLAGE PROPERTY.....	30
519 UNAUTHORIZED WORK.....	31
520 OUTSIDE EMPLOYMENT.....	31
600 ABSENCE POLICIES.....	32
601 ATTENDANCE.....	32
602 JURY DUTY LEAVE	33
603 WITNESS AT HEARINGS OR TRIALS	33
604 BEREAVEMENT LEAVE.....	33
605 MILITARY LEAVE AND MILITARY LEAVE OF ABSENCE	34
606 VOLUNTEER FIREFIGHTERS / EMERGENCY RESPONDERS	34
607 FAMILY AND MEDICAL LEAVE ACT	35
608 FAMILY AND MEDICAL LEAVE POLICY	36
609 OTHER UNPAID LEAVE OF ABSENCE.....	40
610 LEAVE FOR CANCER SCREENING	41
611 LEAVE FOR BLOOD DONATIONS	41
700 COMPENSATION	42
701 WAGE AND SALARY	42
702 PAY PERIOD AND CHECK DISTRIBUTION.....	43
703 PAYROLL DEDUCTIONS	43
800 EMPLOYEE BENEFITS	43
801 HOLIDAYS	43
802 VACATION LEAVE	44

803 SICK LEAVE	45
804 PERSONAL LEAVE.....	46
805 DISCLOSURE OF INSURANCE BENEFITS	46
806 MEDICAL INSURANCE	47
807 MEDICAL INSURANCE FOR RETIREES	48
808 DENTAL PLANS.....	49
809 CONTINUATION OF HEALTH INSURANCE BENEFITS (COBRA).....	50
810 SHORT-TERM DISABILITY BENEFITS.....	51
811 WORKERS' COMPENSATION BENEFITS	52
812 UNEMPLOYMENT BENEFITS	52
813 SOCIAL SECURITY	52
814 THE NEW YORK STATE EMPLOYEES' RETIREMENT SYSTEM	53
900 COMPLIANCE POLICIES.....	53
902 DIVERSITY AND FAIR TREATMENT	54
903 THE AMERICANS WITH DISABILITIES ACT	55
904 SEXUAL HARASSMENT.....	56
905 VIOLENCE IN THE WORKPLACE.....	64
906 DRUG-FREE WORKPLACE / DRUG FREE AWARENESS PROGRAM....	65
907 CONTROLLED SUBSTANCE AND ALCOHOL TESTING	67
908 SMOKING.....	67
1000 SAFETY	68
1001 WORKPLACE SAFETY	68
1002 HAZARD COMMUNICATION PROGRAM	69
1100 COMMUNICATION PROCEDURES.....	70
1101 BULLETIN BOARD.....	70
1102 ADVERSE COMMUNICATIONS.....	71
1103 SUGGESTIONS	71
1104 PUBLIC RELATIONS	71
1200 DISPUTE RESOLUTION.....	71
1201 DISPUTE RESOLUTION PROCEDURE	71

100 INTRODUCTION

101 WELCOME MESSAGE

We would like to welcome you and congratulate you on your appointment to a position with the Village of Schuylerville. As a part of our team, you take on an extremely important role, that of serving the members of our community. Together, our mission is to provide cost effective services that conform to the highest standards of quality.

This Employee Handbook is designed to familiarize you with your employment and to help ensure government compliance, foster positive employee relationships, and contribute to the overall success of the Village in delivering services to the public effectively and efficiently.

Please keep in mind that this is only an overview of the Village's policies and procedures, employee benefits, and the Civil Service System. Specific questions concerning employment matters should be addressed to your Supervisor.

We trust that you will find service with the Village of Schuylerville rewarding both personally and professionally.

103 DEFINITIONS

Village of Schuylerville — For purposes of this Employee Handbook, the Village of Schuylerville may be referred to as the "Village".

Mayor — For purposes of this Employee Handbook, "Mayor" will mean Mayor of the Village of Schuylerville. When referenced in this Employee Handbook, Mayor shall also mean an individual acting with the Mayor's properly designated authority.

Board of Trustees — For purposes of this Employee Handbook, "Board of Trustees" will mean the Board of Trustees of the Village of Schuylerville.

Elected Official — For the purposes of this Employee Handbook, "Elected Official" will mean and refer to any of the following elected officials of the Village of Schuylerville:

- Mayor
- Trustee of the Village Board

Supervisor — For purposes of this Employee Handbook, "Supervisor" will mean the person in charge of any department, agency, bureau, unit, or subdivision of the Village of Schuylerville. This definition will be applicable in the event such person is serving in an acting, temporary, or

provisional status in the position of Supervisor. This term shall also include the Mayor, where an individual otherwise designated as Supervisor or any other individual must report to the Mayor.

Supervisor — For purposes of this Employee Handbook, "supervisor" will mean the individual so designated by the Mayor to direct and inspect the performance of employees.

Employee — For the purposes of this Employee Handbook, "employee" will mean a person employed by the Village, including, but not limited to, an appointed official, an appointed member of a board or commission, Supervisor, managerial employee, confidential employee, supervisory employee, provisional employee, probationary employee, temporary employee, seasonal employee, trainee, or student intern, but not an independent contractor.

Civil Service Law — For purposes of this Employee Handbook, "Civil Service Law" shall mean the New York State Civil Service Law and shall include the Saratoga County Civil Service Rules.

104 THE PURPOSE OF THIS EMPLOYEE HANDBOOK

Statement of Purpose- The purpose of this Employee Handbook is to communicate the Village's personnel policies and practices to all employees and Elected Officials. It is extremely important that each employee understand the policies that relate to rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits. This Employee Handbook is not a contract of employment, express or implied, and should not be construed as such. That is, employment can be terminated at any time at the will of either the employer or the employee, subject only to such procedural requirements as may be specified pursuant to New York State Civil Service Law, Village Law, or any other applicable law, rule, or regulation. The provisions and policies contained in this Employee Handbook are intended to supersede any and all prior manuals, guidelines or related policies issued by the Village of Schuylerville.

Unless otherwise required by law, the provisions of this Employee Handbook are for Village use only and do not apply in any criminal or civil proceeding. The Employee Handbook provisions shall not be construed as a creation of higher legal standard of safety or care. Notwithstanding the above, a violation of a Handbook provision may form the basis for administrative action by the Village and any subsequent judicial proceeding.

Previous Personnel Policies- Unless otherwise specified, this Employee Handbook supersedes and replaces any previous personnel policies issued by the Village concerning all policies contained herein.

Questions- Any questions regarding any topic covered in this Employee Handbook should be directed to the appropriate Supervisor.

105 CHANGES OR MODIFICATIONS

Rights of the Board of Trustees -The Board of Trustees reserves the right to interpret, change, modify, or eliminate any provision contained in this Employee Handbook.

Governmental Actions- This Employee Handbook is subject to alteration by resolutions of the Board of Trustees, changes in Village and/or departmental rules, or changes in federal, state or local statutes, rules, or regulations. (This is not meant to be a comprehensive list).

Statutes, Laws and Ordinances- In the event a federal or state statute or a Village Law or ordinance should conflict with any provision contained in this Employee Handbook, then such statute law or ordinance will prevail.

200 EMPLOYEE CLASSIFICATIONS

For purposes of this Employee Handbook, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this Employee Handbook. The meaning and use of these terms or similar terms may be different in the context of Civil Service Rules.

201 FULL-TIME EMPLOYEES

For purposes of this Employee Handbook, the term "full-time employee" will mean an employee who is regularly scheduled to work a minimum of thirty hours per week.

202 PART-TIME EMPLOYEES

For purposes of this Employee Handbook, the term "part-time employee" will mean an employee who is scheduled on a regular and on-going basis to work less than thirty hours per week.

203 TEMPORARY EMPLOYEES

For purposes of this Employee Handbook, the term "temporary employee" will mean an employee who is employed on an interim or sporadic basis, or who is employed to work on a special, emergency, or on-call basis for a specified period, consistent with the Civil Service Law as applicable.

204 SEASONAL EMPLOYEES

For purposes of this Employee Handbook, the term "seasonal employee" will mean an employee who is employed to work for a given season.

205 FLSA EXEMPT EMPLOYEES

For purposes of this Employee Handbook, "FLSA exempt employee" will mean a covered employee who qualifies for an exemption from the minimum wage and overtime provisions of the Fair Labor Standards Act.

206 FLSA NON-EXEMPT EMPLOYEES

For purposes of this Employee Handbook, the term "FLSA non-exempt employee" will mean a covered employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

300 THE CIVIL SERVICE SYSTEM

The following is intended as a guide. The Civil Service Law and the Saratoga County Civil Service Rules shall govern regarding the jurisdictional classification of positions and the appointment and promotion of personnel.

301 THE UNCLASSIFIED AND CLASSIFIED SERVICES

Unclassified Service — In accordance with Civil Service Law and for purposes of this Employee Handbook, the term "Unclassified Service" will include all individuals who are Elected Officials and/or members of boards or commissions.

Classified Service — In accordance with Civil Service Law and for purposes of this Employee Handbook, the term "Classified Service" as defined by the Civil Service Law and the Saratoga County Civil Service Rules will include all Village employees who are subject to the Saratoga County Civil Service Rules. The Classified Service is divided into four jurisdictional classes:

Exempt-those positions other than unskilled labor positions, for which competitive or noncompetitive examinations or other qualifications requirements are not practicable (Civil Service Law, Section 41)

Competitive-The competitive class consists of all offices and employments in the classified service that are not in the exempt, non-competitive or labor class. Positions in the competitive class are not listed in the rules or regulations. No action is required to place a position in the competitive class. Every position in the classified service is automatically in the competitive class unless and until it is specifically classified in another jurisdictional class.

Non-Competitive- those positions not in the exempt class or the labor class for which it is not practicable to determine merit and fitness by competitive examination, but rather by a review of training and experience.

Labor – Labor class titles are listed in the Regulations of the Civil Commission. Positions in the labor class involve unskilled labor, however qualifying tests may be required for appointment to labor class positions CSL 43

302 CIVIL SERVICE APPOINTMENTS

Competitive Class — In accordance with Civil Service Law, the following types of appointments may be made to positions in the Competitive Class:

Permanent — an appointment to a vacant position in the Competitive Class from an eligible list established as a result of examination, following successful completion of a probationary term;

Provisional — an appointment to a vacant position in the Competitive Class when there is not an appropriate eligible list. A provisional appointee must take an examination whenever it is scheduled. Thereafter, a permanent appointment will be made on the basis of the eligible list resulting from the examination; or

Temporary — an appointment to a position in the Competitive Class for reasons including, but not limited to: emergency work projects; planned termination of the position after a limited time; to replace an employee who is on a leave of absence; to fill a position funded through a temporary grant; or to fill a position vacated by the promotion of another employee until the employee who has been promoted receives permanent status.

303 EXAMINATIONS AND PROMOTIONS

Examinations — In accordance with Civil Service Law, in the event there is a vacancy in a new or existing position in the Competitive Class which the Village intends to maintain, the Village will fill the vacancy by selection from the eligible list certified by the Saratoga County Personnel Department of persons who have taken the appropriate Civil Service examination. The Saratoga County Personnel Department will test and rank each candidate according to the individual's performance on the examination. In accordance with Civil Service Law Section 61, the Village will select one of the top three available candidates on the list to fill the position.

304 VETERAN'S CREDITS

Summary- An employee who is a veteran as defined by the Civil Service Law may be eligible to apply for veterans' credits on a Civil Service examination. An employee who is a veteran should contact the Saratoga County Personnel Department.

400 EMPLOYMENT MATTERS

401 OATH OF OFFICE

Requirement — Each Public Officer as defined in the Public Officers Law must take the Oath of Office in accordance with Village Law Section 4-402(h) and Public Officers Law Section 10, which must be administered prior to commencing the duties of the office. Each official who is re-elected or re-appointed to a subsequent term must take the Oath of Office for each term.

Filing of Oath — The Oath of Office is filed in the Clerk/Treasurer's Office within thirty calendar days of commencement of the term of office. A Village Justice must also file an oath of office with the County Clerk and the Office of Court Administration.

402 PROCEDURE FOR FILLING VACANCIES

Statement of Compliance- The Village of Schuylerville complies with all applicable federal state and local laws, rules, and regulations throughout the employee selection process, including, but not limited to, the Public Officers Law, Village Law, Civil Service Law, Title V, Human Rights Law, and the Americans with Disabilities Act, and is an Equal Opportunity employer.

Notification of Vacancies - In the event there is a vacancy in a new or existing position which the Village intends to maintain, the vacancy may be advertised and/or posted and qualified individuals interviewed. The Village reserves the right to fill a position either internally or with an external candidate.

Employment Applications - The Village relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Village's exclusion of the individual from further consideration for employment or disqualification (and may include termination) if the conduct is discovered after employment commences.

Residency Preference - Qualified applicants who are - (1) Village of Schuylerville residents, then (2) Saratoga County residents — will be given priority consideration over qualified nonresidents.

Employment Reference and Background Checks- To ensure that individuals who join the Village are well qualified and have a strong potential to be productive and successful, it is the policy of the Village to check the employment references of final applicants. Applicants will be required to complete a hold harmless statement for the Village to conduct appropriate background checks.

Pre-employment Medical Examinations — Prior to beginning employment with the Village, a candidate who has been made a conditional offer of employment will be required to undergo

a medical examination by a physician selected by the Village. This examination may include testing for controlled substance use.

403 PROBATIONARY PERIOD

The following Civil Service probationary provisions shall apply.

Purpose of Probationary Period - The probationary period is for an employee to become familiar with the specific duties and responsibilities of the employee's new position. The probationary period also provides the Supervisor with an opportunity to evaluate the employee's job performance and potential for development in the position during which time evaluations will be performed quarterly.

Length of Probationary Period (Competitive Class) - Except as otherwise provided in the Saratoga County Civil Service Rules, an employee appointed from an open-competitive list must serve a probationary period of not less than eight weeks nor more than fifty-two weeks. The length of the probationary period may be extended in accordance with the Saratoga County Civil Service Rules.

Length of Probationary Period (Other Classes) - Except as otherwise provided in the Saratoga County Civil Service Rules, an employee's original appointment to a position in the exempt, non-competitive, or labor class shall be for a probationary period of not less than eight nor more than fifty-two weeks. The length of the probationary period may be extended in accordance with the Saratoga County Civil Service Rules.

Successful Completion of Probationary Period - An employee's appointment will become permanent upon written notice that the probationary period has been successfully completed following the minimum period of service required. Or, the employee's appointment will become permanent upon the retention of the employee after completion of the maximum period of service required. Except as otherwise provided by law, completion of the probationary period does not necessarily confer rights or privileges in the position.

Failure to Successfully Complete Probationary Period - In the event the employee's performance or conduct is not satisfactory, the Village may dismiss the employee from employment at any time after the completion of the minimum probationary period and before completion of the maximum probationary period. If the performance or conduct of an employee serving a probationary period who has been promoted or transferred from a permanent appointment (as defined by civil service regulations) is not satisfactory, the employee shall be returned to the employee's former permanent position prior to the end of the probationary period.

404 PERFORMANCE APPRAISALS

Statement of Purpose -The purpose of a performance appraisal is to evaluate employee performance. The performance appraisal will take into consideration criteria that properly reflects the employee's performance including, but not limited to, the employee's work quality, job knowledge, initiative, attendance, teamwork, conduct, and communication skills. The employee's performance appraisal may be used as a factor in pay raises or disciplinary action. Pay raises will be considered as part of the budget process.

Appraisal Meeting - Evaluations will be done by the employee's supervisor, and/or the Mayor and/or a Village Trustee(s), as appropriate. The evaluator will meet with the employee to review the employee's performance appraisal report

Deficiencies - Should deficiencies be recorded in the performance of the employee, the employee will receive written recommendations for improvement, which will be placed in the employee's personnel file.

Employee Comments - An employee's written comments, if any, will be included with the performance appraisal report, which will be placed in the employee's personnel file.

405 CORRECTIVE ACTION AND DISCIPLINE

Policy Statement - It is the policy of the Village of Schuylerville that certain rules and regulations regarding employee behavior are necessary for the benefit and safety of all employees, the efficient operation of the Village, and the delivery of services to residents of the Village. Any conduct that interferes with operations or that discredits the Village will not be tolerated. Each employee must conduct oneself in a positive manner so as to promote the best interests of the Village. Corrective action is necessary when an employee has demonstrated performance deficiencies, or has violated a policy, rule, regulation, or procedure. Corrective action may include counseling or initiating formal disciplinary action against an employee. Any corrective action, verbal or otherwise, will be documented and a record will be placed in the employee's personnel file. The documentation will include justification for a suspension or termination, and the process upon which the suspension or termination was decided.

Communication - Open and candid communications with all employees is an important aspect of the Village of Schuylerville's on-going employee relations. When a rule, policy, or procedure is violated, the employee's Supervisor, or other designated supervisor, will review the specific nature of the violation with the employee. The employee's input is extremely important to ensure that all of the facts have been considered.

Counseling - Counseling employees, as opposed to initiating formal disciplinary action, may be the appropriate first step in addressing performance deficiencies or misconduct. The purpose of counseling is to inform the employee of such deficiencies or misconduct, discourage its recurrence, and inform the employee of the consequences if the behavior is repeated. When performance deficiencies are the issue, the performance standards of the job should be reviewed, along with specific examples of how the employee is not meeting those standards. Where appropriate, goals for improvement may be established, along with a timeframe for achieving them. The counseling will be documented in writing and the employee will be required to acknowledge receipt by signing the memorandum. Any employee who fails to

follow a supervisor's directive to sign the counseling memorandum will be subject to disciplinary action, up to and including termination of employment.

Discipline - The purpose of disciplinary action is to impose penalties for performance deficiencies or misconduct. In normal circumstances, the Village endorses a policy of progressive discipline which includes, but may not be limited to, documented verbal reprimand, letters of reprimand, suspension without pay, or termination of employment, depending on the circumstances. The Village retains the right to discipline employees without engaging in progressive discipline or prior counseling if the situation so warrants and retains the right to discipline employees in any manner it sees fit.

Investigations - Where appropriate, an investigation will be conducted by the proper supervisor or other designated individual in order to gather all pertinent information and to ensure that all the facts are considered. The investigation may include, among other things, interviews with the employee and any witnesses or other involved parties, and review of documents and materials. Employees who are participants in an investigation are not allowed to disclose the content or particulars of the investigation unless otherwise authorized. All employees who are called upon to participate in an investigation are required to fully cooperate in the process and respond truthfully to all questions posed. Failure to do so will subject the employee to appropriate corrective action. The Village reserves the right to suspend an employee while an investigation is conducted.

Procedures - Employees covered by Civil Service Law Section 75 shall be disciplined in accordance with the procedures contained therein. (Refer to Section 406 of this Employee Handbook).

Prohibited Conduct - Any employee who, after investigation, is found to have committed any of the actions listed below will be subject to corrective action, up to and including termination of employment. This list is illustrative only and is not intended to limit the Village's right to impose discipline in other appropriate cases.

- Harassing (including sexual harassment), intimidating, coercing, threatening, assaulting, or creating a hostile environment against another employee, Elected Official, resident of the Village, supplier, visitor, or any other person, whether on or off Village premises.
- Possession of any weapon or dangerous instrument (including knives with over a three inch blade, firearms, and explosives) on Village property or in Village vehicles, except for those employees who are required as a condition of employment to bear a weapon.
- Possession, use, or being under the influence of alcohol or controlled substances during hours of work or while on Village property or in Village vehicles.
- Willful or deliberate abuse, destruction, defacement, or misuse of Village property or the property of another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.

- Theft or unauthorized possession, use or removal of Village property or the property of another employee, elected official, resident of the village, supplier, visitor or any other person.
- Falsification or alteration of any records or reports including, but not limited to employment applications, time records, work records, medical reports, absence reports, work-related injury reports, and claims for benefits provided by the Village.
- Preparation or manipulation of another employee's time record.
- Acts of sabotage, including the work of another employee.
- Making false statements about another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Gross insubordination or willful refusal to comply with the lawful order or instruction of a Supervisor.
- Violation and/or disregard of safety rules or safety practices, including failure to wear assigned safety clothing or equipment in such a way that jeopardizes the safety of the employee, another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Unauthorized expenditure of Village funds.
- Illegal gambling while on duty.
- Willful violation of Village's rules, policies, and procedures.
- Willful refusal to comply with the lawful order or instruction of a Supervisor.
- Willful work slowdown, work stoppage, or interfering with or restricting the performance of another employee or in any other way interfering with Village operations.
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities.
- Careless or negligent use or operation of equipment, including vehicles and machinery.
- Unauthorized absences or repeated failure to give proper notice.
- Excessive tardiness and/or absences except those absences covered by state and/or federal statutes.

- Leaving work area without permission, as defined by the Supervisor.
- Failure to adhere to the personal appearance/dress code policy.
- Sleeping on the job, unless authorized by a Supervisor.
- Conducting personal activity during paid work time without the express permission of the Supervisor.
- Disruptive, loud, and or boisterous behavior or horseplay in the workplace.
- Abusive language in the workplace, including racial slurs and epithets.
- Posting, removing, or defacing of notices, signs, or other written material without prior approval.
- Repeated violations of Village policies, procedures or prohibited conduct.

This list is not intended to be comprehensive or to limit the Village's right to impose discipline in other appropriate cases.

406 CIVIL SERVICE LAW SECTION 75

Summary - New York State Civil Service Law Section 75 establishes disciplinary procedures for covered employees. Section 75 affords a covered employee the opportunity for a hearing when charges of incompetence or misconduct have been made against the employee by the Village.

Covered Employees - In accordance with Civil Service Law, the following employees are generally covered under Section 75:

- A newly hired employee who has not completed the minimum probationary period as determined by civil service rules.
- An employee holding a position by permanent appointment in the Competitive Class of the classified Civil Service;
- An employee holding a position in the Non-Competitive Class who has been employed for at least five years of continuous uninterrupted service in the noncompetitive class, except when such an employee holds a position designated as confidential or policy influencing. Even though the employee has completed the required probationary period and has received permanent appointment or employment in the non-competitive class, the employee is not covered under Section 75 until the employee has completed five years of continuous service in the non-competitive class;

- An employee holding a position by permanent appointment or employment in the Exempt, Competitive, Non-Competitive, or Labor Class who is a qualified veteran as defined by the Civil Service Law. or exempt volunteer firefighter, as defined by the General Municipal Law, except when such an employee holds the position of private secretary, cashier, or deputy of any official or department Specifically, the employee must have been honorably discharged or released under honorable circumstances from the armed forces of the United States having served therein as such member in time of war as defined in Section 85 of the New York State Civil Service Law, or the employee must be an exempt volunteer firefighter as defined in the General Municipal Law.

Disciplinary Procedure - The following disciplinary procedure shall apply to employees covered by Civil Service Law Section 75:

Notice of Discipline - An employee subject to discipline will be provided with a written Notice of Discipline (NOD) which will contain all charges and specifications.

Employee Answer - The employee will have eight calendar days to respond to the charges. The employee's response must be in writing.

Disciplinary Hearing - Unless there is a stipulation of settlement between the Village and the employee the Appointing Authority will designate a hearing officer in accordance with Civil Service Law Section 75. The designation must be in writing. The hearing officer will set the time and place for the hearing. The hearing officer will make a record of the hearing which will be submitted to the Appointing Authority, with the hearing officer's recommendations, for review and decision.

Right to Representation - The employee may have representation by counsel at the hearing and may summon witnesses on the employee's behalf.

Suspension Without Pay Pending Determination of Charges - Pending the hearing and determination of charges, the employee may be suspended without pay for a period not to exceed thirty calendar days.

Penalties - In the event the employee is found to be guilty of the charges, the penalty may consist of one of the following:

- Reprimand
- Fine not to exceed one hundred dollars, which will be deducted from the employee's pay;
- Suspension without pay not to exceed two months;
- Demotion in grade and title; or
- Termination from Village employment.

Finding of Not Guilty - In the event the employee is found to be not guilty, the employee will be restored to the employee's position with full pay for the period of suspension less the amount of any unemployment insurance benefits that the employee may have received during such period.

Limitations - Notwithstanding any other provision of law, no removal or disciplinary proceeding will be commenced more than eighteen months after the occurrence of the alleged incompetence or misconduct complained of and described in the charges. Such limitation will not apply where the incompetence or misconduct complained of and described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

Filing Requirements - In the event the employee is found to be guilty, a copy of the charges, the employee's written answer, a transcript of the hearing, and the determination will be filed in the office of the department in which the employee is employed. A copy will also be filed with the Saratoga County Personnel Department.

407 CODE OF ETHICS (CHAPTER 13 OF THE VILLAGE CODE)

Policy Statement-Pursuant to the provisions of Section 806 of the General Municipal Law the Board of Trustees of the Village of Schuylerville, New York, recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this Code to promulgate these rules of ethical conduct for officers and employees of the Village of Schuylerville, New York. These rules shall serve as a guide for official conduct of the officers and employees of the Schuylerville, New York. The rules of ethical conduct of this chapter, as adopted, shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other special law pertaining to ethical conduct and interest in contracts of municipal officers and employees.

Definitions - As used in this chapter, the following terms shall have the meanings indicated:

Interest - A pecuniary or material benefit accruing to an officer or employee unless the context otherwise requires.

Municipal Officer or Employee - An officer or employee of the Village of Schuylerville, New York, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person will be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a Chief Engineer or Assistant Chief Engineer.

Standards of Conduct - Every officer or employee of the Village of Schuylerville, New York, shall be subject to and must abide by the following standards of conduct:

Gifts – He or She shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$20 or more, whether in the form of services, loan, travel, entertainment, hospitality, thing or promise or any other form., under circumstances under which it could

reasonably be inferred that such gift was intended to influence them, or could reasonably be expected to influence them, in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

Confidential information - He or she shall not disclose confidential information acquired in the course of official duties or use such information to further his or her personal interest.

Representation before one's own agency - He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or of any municipal agency over which he has jurisdiction or to which he or she has the power to appoint any member, officer or employee.

Representation before any agency for a contingent fee - He or she shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of the Village, whereby his or her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision will not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

Disclosure of interest in legislation - To the extent that he or she knows thereof, a member of the Board of Trustees and any officer or employee of the Village of Schuylerville, New York, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees on any legislation before the Board of Trustees shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such legislation.

Investments in conflict with official duties – He or she shall not invest or hold any investment, directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with his official duties.

Private employment - He or she shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his or her official duties.

Future employment - He or she shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Schuylerville, New York, in relation to any case, proceeding or application in which he or she personally participated during the period of his or her service or employment or which was under his or her active consideration.

Timely Filing of Claims — Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Schuylerville, New York, or any agency thereof on behalf of her or himself or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution of Code of Ethics — Each officer and employee upon election or appointment shall be furnished a copy of this Code of Ethics before entering upon the duties of his or her

office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code nor the enforcement of the provisions thereof.

Penalties for Offenses — In addition to any penalty contained in any other provision of law, any person who knowingly violates any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

408 PERSONNEL FILES

Policy Statement—It is the policy of the Village to balance its need to obtain, use, and retain employment information with a concern for each employee's privacy. To this end, the village will endeavor to maintain only that personnel information necessary for the conduct of the village's business or required by federal, state or local law. Personnel records will be maintained for current and past employees in order to document employment related decisions and comply with government record keeping and reporting requirements.

Content -- The personnel records maintained by the Village include, but are not limited to, Employment Applications, Report of Personnel Change Forms; copies of job- required licenses and certificates, federal and state withholding tax forms, Retirement Enrollment/Waiver Forms, Health Insurance Enrollment/Waiver Forms, performance appraisals, grievance or dispute resolution notices, counseling memoranda, notices of discipline and probationary reports.

Location of Files — All original personnel records for current employees will be kept in the Village Clerk's office and will be maintained and controlled by the Village Clerk.

Immigration (I-9) Forms — All immigration (I-9) Forms will be kept in a separate file apart from the employee's personnel file.

Medical Records - All employee medical records will be kept in a separate file apart from the employee's personnel file in the Village Clerk's office and will be maintained and controlled by the Village Clerk. For security purposes, these files will be locked at all times.

Substance Testing Records All employee substance testing records will be kept in a separate file apart from the employee's personnel file in the Clerk's office and will be maintained and controlled by the Village Clerk. For security purposes, these files will remain locked at all times.

Change in Status - An employee must immediately notify the Village Clerk of a change of name, address, telephone number, marital status, number and age of dependents, beneficiary designations, and individuals to notify in case of emergency.

Review of Personnel Files Access to personnel files is limited to the Mayor, the Village Clerk and Village Trustees. A current employee may review the contents of the employee's own personnel file by submitting a written request to the Village Clerk and will be scheduled at a mutually convenient time. An authorized official must be present when the employee inspects the file. An employee may not copy, remove, or place any material in the employee's personnel file without the approval of the Clerk.

409 SEPARATION FROM EMPLOYMENT

Notice of Resignation (Employees) - An employee who intends to resign from employment must submit a written resignation to the employee's Supervisor at least two weeks before the date of resignation is to be effective. All resignations shall be filed in the Village Office.

Notice of Resignation (Village Officers) - A Village Officer (as defined by Public Officers Law) must resign by delivering a written notice to the Village Clerk. If no effective date is specified, the office becomes vacant immediately upon delivery of the notice to the Village Clerk. If a Village Officer wishes to resign at some future date, the Village Officer may specify a resignation date. However, if the resignation date is more than thirty days after delivery of the notice to the Village Clerk, the resignation will become effective thirty days after such delivery.

Exit Interviews - Exit interviews may be conducted by the Mayor (or designee), a Trustee liaison, and the Supervisor. The exit interview provides an opportunity to discuss a number of items, including employee benefits, COBRA eligibility, changing of computer passwords, and return of Village property. During the exit interview, employees are encouraged to give suggestions, concerns and constructive recommendations.

Final Paycheck - Employees receive their final paycheck on the next regularly scheduled payday.

500 OPERATIONAL POLICIES

501 DEPARTMENTAL HOURS

Normal Hours of Operation - An employee's Supervisor will establish the employee's work schedule, which may differ from the normal hours of operation depending upon the particular needs and requirements of the department. The Board of Trustees reserves the right to approve all employee work schedules, except where otherwise prohibited by applicable State or Village Law.

Overtime - A Supervisor may require an employee to work additional hours beyond the employee's normal work day and work week. An employee must receive prior approval from the employee's Supervisor before working additional hours. An employee who, after investigation, is found to have refused to work additional hours as directed will be subject to appropriate disciplinary action.

502 MEAL BREAKS AND BREAKS FOR NURSING MOTHERS

Meal Breaks — An employee who works more than six hours in a given day will receive an unpaid, duty-free meal break. The meal breaks for DPW personnel, the Village Clerk and the Village Clerk/ Treasurer will be one-half hour. The meal breaks for any other employee who works more than six hours in a given day will be one-half hour.

Scheduling of Meal Breaks — Scheduling of meal breaks must be approved by the Supervisor in accordance with the needs and requirements of the department. Meal breaks must normally be taken in the middle of the employee's workday. Unless otherwise directed by the Supervisor, an employee may leave the work-site during the meal break.

Breaks for Nursing Mothers to Express Breast Milk — Employees who are nursing mothers shall be allowed to use a reasonable break (generally between twenty to thirty minutes) in addition to the employee's meal and rest breaks to express milk for a nursing child. The Village will provide this break at least once every three hours if requested by the employee. This provision applies to nursing mothers for up to three years following childbirth. The Village will make a reasonable effort to provide a room or location other than the restroom or toilet stall, within walking distance to the employee's work space, or other location in close proximity to work so that nursing mothers can express in private. An employee wishing to avail herself of this break is required to give the Village advance notice, preferably prior to the employee's return to work following the birth of her child, to allow the Village an opportunity to establish a location and to schedule leave time for multiple employees, if needed.

503 EMERGENCY SITUATIONS

Closing Procedures - In the event that extraordinary weather conditions or other emergencies develop prior to the beginning of the work day, the Mayor may authorize the closing of non-emergency operations, or, if extraordinary weather conditions or other emergencies develop during a work day, the Mayor may direct that certain employees who perform non-essential services leave work.

Payment of Wages - Pay for employees paid on a salary basis will not be affected by an emergency closing. Pay for employees paid on an hourly basis will be in accordance with the provisions below:

- During Work - An employee who is directed by the Mayor to leave work due to an emergency closing will be paid for the remainder of the employee's normal work day.
- Prior to Reporting to Work - An employee who is directed by the Mayor not to report to work due to an emergency closing will be paid four hours of time for that work day.

Inclement Weather — Employees are expected to report to work and remain at work during inclement weather conditions, unless otherwise notified by the Village. Employees should use their own discretion in determining whether they can commute safely to work due to inclement weather. When the Mayor has not officially shut down operations, an employee who does not report to work or requests to arrive at work late or leave work early due to inclement weather must obtain prior authorization from his or her Supervisor prior to doing so. The employee must use paid vacation or personal leave, if available, or take the time off

without pay. If an FLSA-exempt employee has no paid leave benefits available, the employee will only be docked if a full work day is taken.

504 TIME RECORDS

Policy Statement - All employees are required to complete an individual time record showing the daily hours worked and any paid or unpaid leave time taken.

Procedures - An employee required to complete a time record must comply with the following procedures:

- Only official time sheets are acceptable.
- All time worked, including the beginning and ending time, must be recorded.
- All paid and unpaid leaves of absence must be recorded.
- Employees must complete their own time record.
- The time record must be verified and signed by the Supervisor.
- Time records must be submitted to the Village Clerk no later than 10:00 a.m. each Monday.

Correction of Errors - An employee must immediately bring errors in time records to the attention of the employee's Supervisor who will investigate the matter and make and initial the correction once the error has been verified.

Unauthorized "Flex-Time" - Unless prior approval has been obtained from the Supervisor, arriving early or leaving late for the employee's own convenience is not to be included in working time, provided that the employee performed no pre-approved authorized duties for the Village during such intervals.

Falsification of time records - An employee who, after investigation, is found to have falsified or altered a time record for another employee, will be subject to disciplinary action, up to and including termination of employment. In extenuating circumstances, where an employee is not able to complete the employee's own time record, the Supervisor may complete the time record on behalf of the employee.

505 BONDING

Insurance -The Village will provide bonding insurance for an employee who is required to act in a fiduciary capacity.

506 EXPENSE REIMBURSEMENT

Policy Statement - Upon proper authorization of the Board of Trustees, an employee or Elected Official will be reimbursed for expenses associated with carrying out Village business, including, but not limited to, meals, lodging, mileage, parking, highway tolls, training and membership fees. A voucher with all required documentation and corresponding receipts must be submitted to the Village Clerk in order for the reimbursement to be processed.

Mileage - An employee who is directed by the appropriate Supervisor to use the employee's own vehicle to conduct Village business will be reimbursed at the mileage rate set by the state government. Whenever possible, car pools should be utilized to minimize mileage expenses.

Education and Training - Upon proper authorization of the Board of Trustees, an employee will be reimbursed for training courses that are directly related to the employee's present job. Employees must first seek written approval from their Supervisor before the request is presented to the Board of Trustees.

Required Membership Fees - Upon proper written authorization of the Board of Trustees, an employee required to hold membership in a professional organization as part of the employee's job will be reimbursed for any required dues and/or fees.

507 VEHICLE USAGE

Policy Statement All vehicles and related equipment of the Village of Schuylerville are owned and maintained for the purpose of conducting official business of the Village. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest.

Standards — For the purpose of compliance with this policy, the following standards must be met at all times:

- Village vehicles and related equipment must remain under the general administrative jurisdiction and direction of the Supervisor to which it is assigned.
- Village vehicles must be assigned to specific Village officials and employees for specific purposes and tasks, said vehicles may not be used for any unauthorized purpose nor to conduct personal, private, or non-Village related business.
- Village vehicles must always be operated in a safe and responsible manner and in compliance with all applicable motor vehicle and traffic laws in effect. Employees are

responsible for any driving infractions or fines that result from their operation of Village vehicles and must report them to their Supervisor.

Any accident involving a Village vehicle, regardless of severity, must be reported immediately to the appropriate Supervisor. The Supervisor must file an accident report with the Village Clerk's Office within twenty-four hours. Accident reporting procedures must include:

- The report given to the police will stand as the official Village documentation of the accident, and a copy of that report must be submitted to the Village Clerk within twenty-four hours.
- The operator of the vehicle must not make any statement other than to the police, Mayor or designated village representative.
- The operator of the vehicle must submit to mandatory controlled substance and alcohol testing in compliance with OTETA (Omnibus Transportation Employee Testing) guidelines.

The use of a cell phone when driving on Village business must be compliant with all applicable laws and/or regulations.

Village vehicles may not be used to transport persons who are not officials or employees of the Village of Schuylerville, nor material not related to the conduct of official Village business, without direct authorization by the appropriate Supervisor or the Board of Trustees.

Village vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation; and all keys maintained under controlled and authorized jurisdiction of the appropriate Supervisor.

No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on Village vehicles at any time, except those of a limited community service nature which have been authorized by the Board of Trustees

508 DRIVER'S LICENSE / INSURANCE REQUIREMENTS

Requirement — An employee who is required to drive either a Village-owned vehicle or the employee's own personal vehicle to conduct business on behalf of the Village, must possess at the time of hire, and must maintain throughout employment, a valid New York State driver's license. Proof of such license must be on file with the Village. If a personal vehicle is used to conduct business on behalf of the Village, the employee is responsible for ensuring liability insurance coverage meeting NYS requirements is appropriately maintained. The Village Clerk will ensure that all driver's licenses remain intact for all employees who drive on village business.

Commercial Drivers — An employee who operates a vehicle which requires a Commercial Driver's License (CDL), must maintain such license throughout employment. Proof of such license must be on file with the Village. In accordance with the Federal Commercial Motor

Vehicle Safety Act of 1986, a commercial driver must notify the Village within thirty days of a conviction of any traffic violation (except parking), no matter where or what type of vehicle the employee was driving.

Loss of Driver's License-An employee who is required to possess a driver's license or CDL license in order to perform certain job duties and responsibilities must immediately notify the appropriate Supervisor in the event the license is suspended or revoked. The loss or suspension of the driver's license or CDL license may affect the employee's employment with the village.

509 SUPPLIES, TOOLS AND EQUIPMENT, AND FUEL USAGE

Supplies - All Village owned supplies must be used efficiently and not wasted. An employee may not use any Village supplies including, but not limited to, postage, paper, or office supplies for personal use.

Tools and Equipment-The employee must repair or replace any Village-owned tool or piece of equipment lost or damaged by the employee as a result of negligence or intentional misuse. An employee may not use any Village-owned tool or piece of equipment for personal use, including, DPW tools such as saws, rakes, etc. An employee may not use Village facilities, Village-owned tools or equipment to work on vehicles or trailers not owned by the Village. Violations of this policy will result in disciplinary action, up to and including termination of employment.

Fuel - An employee may not use gasoline, fuel oil, or motor oil purchased by the Village for personal use.

510 TELEPHONE / CELL PHONE USAGE

Guidelines — Telephone and cell phone usage must adhere to the following guidelines:

- An employee must answer promptly and speak in a clear, friendly and courteous tone;
- If the call is not for the employee who answers, the employee must transfer the caller to the correct party or take a message recording all pertinent information;
- If the call must be placed on hold, the employee who answered the call must return to the line frequently to confirm that the call is being transferred;
- Collect calls may not be accepted without the approval of the Supervisor or supervisor;

- An employee may make or receive personal telephone calls; however, such calls should be limited in duration and frequency and must not interfere with the performance of the employee's job duties;

The use of Village issued cell phones is monitored to ensure no excessive or inappropriate use occurs.

- Cell phones may not be used for personal purposes during work hours, including text messaging, unless the employee is on an authorized break or has permission from a supervisor,
- No music, movies, or all other uses of cell phones will be allowed during working hours.
- The use of a cell phone while driving on Village business must be in compliance with all applicable laws

511 COMPUTER SYSTEMS AND INTERNET / E-MAIL SERVICE

Policy Statement - The purpose of this policy is to provide guidance for the use of Village owned computer systems and Internet / E-mail service.

Computer Systems

Property — All computer systems, hardware, software, and files are the property of the Village of Schuylerville. This includes the messages created, transmitted, and stored on such systems and equipment.

Usage — All computer systems, hardware, and software provided to an employee are provided for the purpose of aiding that employee in the performance of the employee's job functions. All hardware and software used is to be supplied by the Village of Schuylerville. No unauthorized or unlicensed hardware or software may be used or installed on any Village-owned computer. Any hardware or software necessary to perform job duties should be requested of the employee's Supervisor.

Village's Right to Monitor Computer Systems and Equipment — There is no guarantee of privacy when using Village-owned computer systems and equipment. The Village reserves the right to enter, search, and monitor employee communications equipment and files, with or without advance notice, at any time in the normal course of business. Supervisors have the authority to inspect the contents of any computer equipment, data/files, or electronic mail ("E-mail") of their subordinates in the normal course of their supervisory responsibilities. In addition, the data/files of Supervisors may be inspected by the Mayor in the normal course of duty. This applies to all information, messages, and files that are created, transmitted, downloaded, received, stored, or deleted on such systems, including items that are password protected. Additionally, the Village has the authority to monitor and record each website, chat room, and newsgroup visited on the Internet, and every e-mail message and file transfer into and out of the Village's network. The Village may also monitor each employee's Internet activity and usage

patterns to ensure that the Village's resources are being utilized for appropriate business purposes.

Prohibited Uses — In addition to the guidelines set forth above, the following uses of Village-owned computers and equipment are prohibited. This list is meant to be illustrative, and not exhaustive.

- Any illegal activity;
- Threats or harassment;
- Slander or defamation;
- Transferring of obscene or suggestive messages or graphical images;
- Any unauthorized commercial activity;
- Accessing or attempting to access the data/files of another person, unless otherwise authorized as necessary in the course of performing Village business;
- Using or aiding in the unauthorized use of another person's password;
- Harming or destroying data/files (other than editing or deleting information in the normal course of one's job duties);
- Use of non-business software;
- Use of entertainment software, such as games and puzzles;
- Installation or use of any hardware or software not authorized by the Village;
- Installation or use of Village-owned hardware or software for any use that is not Village related business;
- Installation of any unauthorized or unlicensed hardware or software;
- Installation of any software containing viruses.

Internet / Electronic Mail Requirements

Eligibility Internet E-mail service may be provided to employees who can demonstrate a work-related reason to have access. Approval must be given by the employee's Supervisor or supervisor.

Proper Usage — In addition to the prohibitions set forth in the above paragraphs, any activities prohibited for any other general computer user are also prohibited with respect to Internet / E-mail service usage. Employees are expected to communicate in a manner that will reflect positively on both themselves and the Village of Schuylerville. Additionally, it is the responsibility of the employee to adhere to the following guidelines:

- E-mail must be used in a professional manner.
- Messages must not be threatening, insulting, obscene, abusive, or derogatory.
- Messages must not include content that constitutes sexual harassment.
- Chain letters are illegal and must not be transmitted through E-Mail.
- Employees are responsible for saving any E-mail that they want to keep permanently.
- Messages must not involve personal sales or solicitation or be associated with any for profit outside business activity.
- Messages must not involve personal not-for-profit solicitations.
- Messages must not potentially embarrass the Village of Schuylerville.
- Internet must not be used for the propagation of computer viruses.
- Internet must not be used for personal recreational activities (e.g. online games).
- Participation in non-business Internet chat groups or instant messaging is prohibited.
- As a security precaution, a workstation must not be left signed onto E-mail or the Internet and unattended for a long period of time (or overnight). Each employee must log off the network when not in use and power down at the end of the day.
- Employee Internet / E-mail usage may be subject to filtering and may be monitored.
- Employees should be aware that deletion of any E-mail message or file does not truly eliminate that message or file from the system. All E-mail messages are stored on a central back-up system in the normal course of data management. All e-mail correspondence must be retained for a minimum period of one year.

Reliability - Users should be aware that because the internet is a collection of computer networks with no single central authority over information consistency, data is subject to inaccuracies. The Village is not responsible for loss or damage to a user's data or for the reliability of information that is obtained via the Internet service. Also, this information must be used in accordance with applicable copyright laws.

Reporting of Violations - Anyone with information as to a violation of this policy is to report said information to the employee's Supervisor. Once the employee's Supervisor is informed of the violation a formal process, consistent with this Employee Handbook and/or applicable law, will begin.

512 PERSONAL APPEARANCE

Policy Statement - It is the policy of the Village that each employee's dress, grooming and personal hygiene should be appropriate to the work situation.

Standards - An employee must maintain a personal appearance in a manner that reflects a good image to the public. Acceptable personal appearance is an ongoing requirement of employment with the Village. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted. Employees should not wear suggestive attire, athletic clothing, tank tops, sleeveless shirts, novelty buttons, and any other items of attire that do not present a businesslike appearance.

Safety Clothing and Equipment - An employee may be required to wear safety clothing and equipment as directed by the Supervisor. If such is the case, the employee must comply with all safety requirements.

Uniforms - DPW employees are required to wear uniforms. The Village will reimburse each DPW employee for the purchase of work-related clothing (includes work shirts, pants, sweatshirts, steel toe boots, outerwear such as hats, gloves, and jackets, insulated overalls, thermal wear, and any other approved items), up to a maximum dollar amount annually as established by the Village Board.

513 SOLICITATIONS/DISTRIBUTIONS

Policy Statement - It is the policy of the Village to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

During Working Hours - An employee may not distribute literature or solicit other employees during working hours without approval from the appropriate Supervisor.

During Meal Breaks - With permission from the Supervisor, an employee may distribute literature and solicit other employees during meal breaks provided it does not interfere with the normal operations of the department, reduce employee efficiency, annoy fellow employees, or pose a threat to the Village's security

514 VISITORS

Policy Statement - It is the policy of the Village not to allow personal visitors during working hours, except for emergency situations. Visitors are allowed for brief visits during an employee's meal break as long as such visit does not interfere with Village operations or interrupt other employees who are still working.

515 PURCHASING

Policy Statement —The Village has established an official procurement policy that must be followed without exception. No employee shall make purchases for the Village, or use the Village's name to make purchases, unless so authorized by the Board of Trustees and in adherence to the procedures set forth in the procurement policy.

516 MAINTENANCE OF WORK AREA

Policy Statement - It is the policy of the Village that work areas must be kept safe, clean and orderly at all times.

Employee Responsibility - Employees are responsible for maintaining their work area in a safe and orderly fashion. As such, each employee should, at a minimum, do the following:

- Place coats, boots, umbrellas and other items of clothing in designated areas so that work areas are not unnecessarily cluttered;
- Consume food or beverages only in designated areas so that work areas are kept free of food and related litter;
- Report any existing or potential workplace hazards and safety violations to the Supervisor;
- Abide by the smoking restrictions established by Village policy and outlined in this Employee Handbook;
- Clean and store all tools and equipment and properly store any items, papers or confidential information in a manner prescribed by the Supervisor.

Supervisory Responsibility — Supervisors are responsible for having their employees maintain their work areas according to the requirements of this policy. Each supervisor should:

- Make sure that aisles, floors and walls are free from debris and other unnecessary items;
- Monitor the facilities and equipment and issue maintenance requests where appropriate;

- Arrange for the removal of any items from the workplace that are not needed for the flow of business or the enhancement of employee comfort;
- Abide by tobacco restrictions established by the village.
- Ensure the proper disposal of all trash and waste.

517 PERSONAL PROPERTY

Policy Statement - It is the policy of the Village to ask each employee to refrain from bringing unnecessary or inappropriate personal property to work. The Village recognizes that an employee may need to bring certain items to work. However, employees should take care to ensure that personal property brought to the workplace does not disrupt work or pose a safety risk to other employees.

Personal Liability - An employee is expected to exercise reasonable care to safeguard personal items brought to work. The Village will not repair, replace, or reimburse an employee for the damage or loss of the employee's personal property. An employee bringing personal property to the workplace does so at one's own risk.

Security Inspections - Desks, lockers and other storage devices may be provided for the convenience of employees but remain the sole property of the Village. Accordingly, such storage devices, as well as any articles found within them, can be inspected by any agent or representative of the Village at any time, with or without notice. The inspection may be made in the presence of the employee. The Village is not responsible for loss or damage to personal property placed in such storage devices.

518 VILLAGE PROPERTY

Employee Responsibility - An employee will be responsible for any item issued by the Village which is in the employee's possession and/or control, such as, but not limited to the following:

- Equipment, including Protective Equipment
- Identification Badges
- Keys
- Books or other Reference Materials, including this Employee Handbook
- Uniforms, including outerwear such as insulated clothing, raingear, etc., which were paid for by the Village through the reimbursement procedure

Return of Property - All Village property must be returned to the Village before the employee's last day of work, and before the employee's final paycheck is issued.

519 UNAUTHORIZED WORK

Policy Statement — An employee may not perform work for any entity other than the Village during the employee's authorized work hours or claim that Village work was done when such is not the case.

520 OUTSIDE EMPLOYMENT

Policy Statement It is the policy of the Village that an employee may engage in outside work as long as such outside work does not interfere with the employee's performance standards, pose an actual or potential conflict of interest, or compromise the interests of the Village.

Guidelines - The following guidelines have been established for an employee who engages in outside work.

- An employee will be judged by the same performance standards and will be subject to the Village's scheduling demands, regardless of any existing outside work requirements;
- If the Village determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the Village as they are modified from time to time, the employee may be required to terminate the outside employment if the employee wishes to remain employed by the Village;
- No Village equipment, supplies, or other material may be used by an employee on other than Village work for monetary gain;
- Outside employment that does or may constitute a conflict of interest is prohibited. An employee may not receive any income or material gain from individuals outside of the Village for materials produced or services rendered while performing the employee's Village job;
- A Village employee who engages in outside work must notify the person for whom the work is being performed that such work is being done on the employee's own time and that the employee is not representing the Village while performing such work.

Employee Responsibility A Village employee who wishes to engage in outside work is responsible for ensuring that the above guidelines are maintained. Questions should be directed to the Supervisor.

600 ABSENCE POLICIES

601 ATTENDANCE

Tardiness - An employee must be ready and able to work at the time the employee is scheduled to begin work. This includes proper and weather appropriate attire. In the event an employee is unable to report to work at the scheduled time, the employee must personally notify the employee's Supervisor prior to the employee's scheduled starting time. The reason for tardiness and the expected time of arrival must be given. Leaving a message on an answering device is permitted only if it is not otherwise possible to contact the Supervisor, and then only as a last resort.

Unscheduled Absences - An employee who is unable to report to work must personally notify the employee's Supervisor at least two hours after the employee's scheduled starting time. The employee must speak with their Supervisor, indicating the reason for the absence and when the employee expects to return to work. Asking another person to call in on the employee's behalf is not permitted. Leaving a message on an answering device is permitted only if it is not otherwise possible to contact the Supervisor. Notification requirements may be waived in cases of emergency, and then only as a last resort.

Scheduled Absences - Requests for scheduled time off, such as the use of vacation leave and personal leave, must be submitted in writing on the proper Village supplied form and approved by the Supervisor and validated by the village clerk in advance. All requests for time off are subject to approval by the employee's Supervisor on a case-by-case basis. Refer to Section 802, Vacation Leave, and Section 804, Personal Leave, for further details.

Unexcused Absences - Notification of an absence to an employee's Supervisor does not automatically mean the absence is authorized. Any time off from work that is without approval of an employee's Supervisor is considered an unexcused absence. An unexcused absence is without pay and may result in disciplinary action, up to and including termination,

Daily Notification - In the event an employee is unable to report to work, the employee must notify the employee's Supervisor each day of the absence and state the reason for the absence. In the event the absence was pre-authorized, this requirement will be waived.

Early Departure - In the event an employee must leave work during the workday, the employee must seek permission from the employee's Supervisor prior to leaving.

Leaving the Premises - An employee must obtain prior approval from the employee's Supervisor to leave an assigned worksite during working hours due to a non-work-related reason. An employee who leaves an assigned worksite during the workday due to business reasons must notify the employee's supervisor in accordance with department policy.

Documentation of Absences - An employee who has frequent absences may be required to provide documentation of the reason for any future absences.

Return to Work Clearance - An employee who has been absent for three or more consecutive workdays due to an injury may be required to submit medical verification of fitness for duty prior to returning to work.

602 JURY DUTY LEAVE

Jury Leave - In the event a full-time employee is required to perform jury duty on a day the employee is scheduled to work, the employee will receive paid jury duty leave. Such leave will not be subtracted from any of the employee's leave credits. A part-time, temporary or seasonal employee shall receive paid jury duty leave if the employee is scheduled to work for the Village on the day the jury duty is served. An employee is obligated to notify the Commissioner of Jurors that the Village is paying the employees full pay during jury duty. An employee can collect and keep any mileage expense reimbursement that may be issued by the court system for performing jury duty.

Notification of Jury Duty - When an employee receives notice to report for jury duty, the employee must immediately submit a copy of the notice to the employee's Department Head.

Return to Duty - In the event the employee is released from jury duty on a given day and there are two or more hours remaining in the employee's scheduled workday, the employee must report to work. The employee will be allotted time to return home and prepare for work,

Accrual of Benefits - The Village will continue to provide health insurance benefits for an eligible employee during the jury leave, Vacation leave, sick leave and holiday benefits will continue to accrue during jury duty leave.

603 WITNESS AT HEARINGS OR TRIALS

Employees will receive their regular base pay for time off if required to testify in a hearing or trial, provided the employee is scheduled to work on that day. The employee must return promptly to work following the appearance as a witness. This policy does not apply to matters in which the employee is the plaintiff in the action.

604 BEREAVEMENT LEAVE

Eligibility - In the event of a death of a full-time or part-time employee's immediate family member, the employee may take a paid leave for up to three consecutive days from the employee's regularly scheduled work. Bereavement leave days must be taken consecutively and will normally correspond with the funeral service. Such leave will not be subtracted from any of the employee's leave credits. A temporary or seasonal employee is not eligible for paid

bereavement leave but may be allowed to take time off without pay, provided the employee has prior approval from the Supervisor.

Definition of Immediate Family - For purpose of bereavement leave, "immediate family member", will mean the following:

Spouse	Child/ Step Child
Parent/ Parent in Law	Sibling
Sister / Brother-in-Law	Grandchild
Grandparent / Grandparent-in-Law	Aunt / Uncle
Niece / Nephew	Significant Other

Extended Bereavement Leave — With authorization from the employee's Supervisor, an employee may use vacation leave credits and/or personal leave credits to extend a bereavement leave. Unpaid leave may be approved at the discretion of the Mayor.

605 MILITARY LEAVE AND MILITARY LEAVE OF ABSENCE

Military Leave (New York State Law) — This section refers only to a paid leave for military service under New York State Law and does not affect an employee's entitlement to leave needed for military service under federal statute. The Village of Schuylerville recognizes the importance of the Military Reserve and National Guard and will permit any employee the use of military leave to perform ordered military duty or required training. The Village will grant such leave with pay for up to twenty-two workdays or thirty calendar days in a calendar year, whichever is greater. Such military leave beyond the twenty-two workdays or thirty calendar days in a calendar year will be unpaid, however accumulated vacation leave may, at the employee's option, be used at any time during the leave. In accordance with applicable New York State law, the employee may keep all pay received for military service.

Military Leave of Absence (Federal Law) --An unpaid leave of absence for a period of up to the federal statutory limits will be granted to an employee to serve in any of the Armed Forces of the United States. The employee's accumulated vacation leave may, at the employee's option, be used at any time during such leave of absence.

606 VOLUNTEER FIREFIGHTERS / EMERGENCY RESPONDERS

Policy - In the event an employee is called upon to perform volunteer duties as a firefighter or emergency responder on a day the employee is scheduled to work, the employee will receive

paid leave to perform such duties. Such leave will not be subtracted from any of the employee's leave credits. Time spent by the employee performing such duties, including driving to and from the scene, will not be included as time worked for purposes of computing overtime, if voluntary documentation is required.

Documentation Requirements — The employee must account for all time spent responding to emergency calls on the employee's time sheet, including the time the employee left and returned to the worksite. The employee is required to return to the worksite upon completion of the emergency call, unless such call ends after the end of the employee's scheduled work shift.

Responding to Calls During Paid Leave — if the employee is on a paid leave from the Village, (vacation, holiday, sick, personal, etc.) and the employee responds to a call the employee will not receive additional compensation from the Village and the employee's appropriate leave time will still be charged

607 FAMILY AND MEDICAL LEAVE ACT

Statement of Compliance - The Village of Schuylerville complies with the provisions of the Family and Medical Leave Act (FMLA). The Village of Schuylerville currently does not employ fifty or more employees who work twenty or more calendar workweeks per year. Therefore, Village employees are not presently eligible for leave under FMLA. If, at some point, the Village of Schuylerville should employ fifty or more employees for twenty or more calendar workweeks in the current or preceding year, eligible employees will be afforded leave in compliance with FMLA.

Summary - FMLA entitles an eligible employee to a maximum of twelve workweeks (defined by the employee's normal workweek) of job-protected, unpaid leave in any twelve-month period for certain family and medical reasons. The twelve-month period is a rolling period measured backward from the date an employee uses any FMLA leave. At the conclusion of a leave of absence under the FMLA, the employee will be restored to the position the employee held when the leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided the employee returns to work immediately following such leave.

Eligibility —To be eligible for an unpaid leave under FMLA, an employee must meet the following requirements:

- The employee must have worked for the Village for at least twelve months before the leave request (these need not be consecutive);
- The employee must have worked for the Village for at least 1,250 hours during the previous twelve months prior to the date the leave commences; and
- The employee must work at or report to a worksite which has fifty or more employees or is within seventy-five miles of worksites that taken together have a total of fifty or more employees.

Eligible employees will be afforded leave under FMLA under the following circumstances:

- Upon the birth of the employee's child and to care for the newborn child;
- Upon the placement of a child with the employee for adoption or foster care and to care for the newly placed child;
- To care for the employee's spouse, domestic partner, son, daughter or parent who has a serious health condition; and
- Because of the employee's own serious health condition which makes the employee unable to perform one or more of the essential functions of his or her job.

- **Return to Work** - At the conclusion of the leave, the employee, provided that the employee returns to work immediately following such leave, will be restored to the position he or she held when the leave began or an equivalent position with equivalent benefits, pay and working conditions.

608 FAMILY AND MEDICAL LEAVE POLICY

Policy Statement - It is the policy of the Village of Schuylerville to grant a full-time employee a leave of absence without pay for a period of up to twelve weeks, under certain circumstances. If and when any employee meets the eligibility requirements under the Family and Medical Leave Act the provisions of that Act will then take precedence over this policy.

Granting of Leave of Absence - The granting and duration of each leave of absence will be determined by the Board of Trustees in conjunction with applicable federal and state laws, including Civil Service Law Sections 71, 72 and 73, as applicable, and the Saratoga County Civil Service Rules.

Types of Leave — The following types of leaves of absence will be considered:

Sick Leave of Absence — Employees who are unable to work because of a serious health condition or disability may be granted a sick leave of absence. This type of leave covers disabilities caused by pregnancy, childbirth, or other related medical conditions. The Village requires certification of an employee's need for sick leave, both before the leave begins and on a periodic basis thereafter, by the employee's health care provider. In addition to leave provided under this policy, employees may be eligible for a leave of absence pursuant to Civil Service Law Section 71. Section 71 provides that covered employees shall be entitled to a leave of absence for at least one cumulative year (unless found to be permanently disabled) when disabled due to an occupational injury or disease as defined in the Workers' Compensation Law. This leave runs concurrently with the designated Family and Medical Leave. Employee should consult with their Supervisor for further details regarding this provision.

Parental Leave of Absence - Female employees, when not disabled by pregnancy or childbirth (see above), and male employees may be granted a parental leave of absence to care for a child upon birth or upon placement for adoption or foster care.

Family Care Leave of Absence — Employees may be granted a family care leave of absence for the purpose of caring for a child, spouse or parent who has a serious health condition. The Village requires certification of the family members serious health condition, both before the leave begins and on a periodic basis (reviewed every two weeks) by the family member's health care provider.

Eligibility - To be eligible, an employee must meet the following requirements:

The employee must have completed at least one year of full-time, continuous service during the previous twelve months prior to the date leave commences.

Spouses who both work for the Village of Schuylerville are allowed a combined maximum of twelve workweeks of leave for the birth or care of a newborn child, adoption or foster care of a child and to care for such newly placed child, or the serious health condition of a child, spouse or parent, during any twelve-month period.

Definitions — For the purpose of this policy, the following definitions will apply:

Serious Health Condition will mean and refer to an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility, or any subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider, including, but not limited to:

- A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity that also involves continuing treatment by a health care provider;
- A period of incapacity due to pregnancy or prenatal care;
- A period of incapacity or treatment for such incapacity due to a chronic serious health condition;
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or
- A period of absence to receive multiple treatments, including any period of recovery, by a health care provider, or by a provider of health care services under orders of or on referral by a health care provider, for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

Health Care Provider will mean and refer to a Doctor of Medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices; or any other person defined in the FMLA regulations capable of providing health care services.

Family Member will mean and refer to:

Spouse - husband or wife as defined or recognized under State law for purpose of marriage, or an employee's significant other;

Parent - biological parent or an individual who stands or stood in loco parentis to an employee when the employee was a son or daughter as defined directly below. This term does not include an employee's parents, "in law".

Child - biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age eighteen, or age eighteen or older and "incapable of self-care because of a mental or physical disability". Persons who are "in loco parentis" include those with day-to-day responsibilities to care for and financially support a leave.

Notification Requirements - The employee and Supervisor must complete the Leave of Absence Request Form and forward the completed form to the Village Clerk for review. The failure of an employee to give thirty days' notice of foreseeable leave with no reasonable excuse for the delay may result in the delay of the employee taking the leave until thirty days from the date of notice. When the need for leave is unforeseeable, verbal notice to the employer will be sufficient.

Status Reports - The employee must periodically update the Supervisor as to the employee's status and intent to return to work.

Medical Certification - The employee must produce a medical certification issued by a health care provider which supports the need for a leave under this policy. When required, the employee must provide a copy before the leave begins, or if the leave was unforeseeable, fifteen calendar days from the date the certification was requested. Failure to submit medical certification may jeopardize the employee's eligibility for an unpaid leave of absence and/or the ability to return to work. The medical certification must include:

- The date the medical condition began
- The probable duration of the medical condition
- Pertinent medical facts
- An assertion that the employee is unable to perform the employee's essential job functions or that the employee is needed to care for a family member for a specified period of time

The Village of Schuylerville reserves the right to request a second opinion by another health care provider. The Village will pay for the second opinion. In the event a conflict occurs between the first and second opinion, the Village may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Village and the employee. This third opinion will be final and binding.

Leave for the Birth, Adoption or Foster Care Placement of a Child — Leave for the birth of a child or the placement of a child for adoption or foster care must be taken within twelve months from the date of the birth or placement.

Certification for Adoption/Foster Care — An employee must produce proper certification from the appropriate agency for an unpaid leave for the adoption or foster care of a child.

Employment Restrictions During Leave of Absence — While on an approved unpaid leave, the employee may not be employed by another employer during the same hours that the employee was normally scheduled to work for the village of Schuylerville.

Benefits During a Leave of Absence - For the purpose of this policy, the following will apply:

Use of Accrued Paid Leave Credits — An employee taking leave for the birth, adoption or foster placement of a child or to care for a spouse, child or parent with a serious health condition must first use all vacation leave credits, which will be included in the maximum twelve weeks of leave. The substitution of paid leave for unpaid leave for these types of leave does not extend the twelve-week period.

For leaves taken due to the employee's own serious health condition, the employee must first use all sick leave and vacation leave credits, which will be included in the maximum twelve weeks of leave. However, in the event that the paid leave credits available are greater than the maximum twelve-week period, an employee may use paid leave credits to extend the leave of absence beyond the twelve-week period, up to a maximum of one year. If, after the completion of the one-year leave of absence, the employee is medically unable to return to work (as determined by a health care provider) and the employee has leave credits remaining, the Board of Trustees may authorize an extension of the employee's leave of absence until such benefits are exhausted. However, job reinstatement beyond the one-year leave of absence is not automatic and will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the Saratoga County Civil Service Rules.

Accrual of Paid Leave Credits — An employee will continue to accrue vacation and sick leave and receive holiday pay during the portion of the leave that is paid. Paid leave is defined as leave during which the employee continues to use accumulated paid vacation and sick leave. After all such paid leave is exhausted, the remaining leave of absence is unpaid. An employee will not earn paid vacation or sick leave or receive holiday pay for any holidays that may occur during an unpaid leave of absence.

Medical Insurance — During the period of authorized FMLA designated leave, up to a maximum of twelve weeks, an employee's eligibility status for medical insurance coverage will not change. All employee contributions (if any) must be paid on a timely basis in order to maintain the continuous coverage of benefits. Contributions will be at the same level as if the employee was working. Coverage will cease if payments are not made within a thirty-calendar day grace period of the due date. Premium payments or policy coverage are subject to change. In the event the employee fails to return to work after the authorized leave of absence period has expired, provisions of COBRA (see Section 810) will apply. In addition, the Village may recover the premium that it paid for maintaining the coverage during any period of the unpaid leave except for the following circumstances:

- The continuation, recurrence, or onset of a serious health condition of the employee or the employee's eligible family member with proper medical certification; or,
- Circumstances beyond the employee's control, such as: parent chooses to stay home with a newborn child who has a serious health condition; employee's spouse is

unexpectedly transferred to a job location more than 75 miles from the employee's work-site; the employee is laid off while on leave.

Return to Work — The following conditions for returning to work will apply:

- **Job Restoration** — At the conclusion of the leave of absence (except for leaves beyond a one-year period) the employee, provided that the employee returns to work immediately following such leave will be restored to the position the employee held when the leave began, or an equivalent position with equivalent benefits, pay and working conditions. For an authorized leave of absence beyond the one-year period, job restoration will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the Saratoga County Civil Service Rules.
- **Medical Statement--** Before resuming employment, an employee must submit a statement from the employee's health care provider indicating that the employee is able to return to work either with or without restrictions. Failure to return to work when required may be considered a voluntary termination.
- **Early Return** --An employee who intends to return to work earlier than anticipated must notify the Supervisor at least five business days prior to the date the employee is able to return. The Supervisor shall in turn notify the Village Clerk.
- **Extension of Unpaid Leave of Absence** — An employee who wants an extension of the leave previously requested must notify the employee's Supervisor at least two business days from the date the change occurred which necessitates the change in leave time. The Board of Trustees reserves the right to approve all leave extensions.

609 OTHER UNPAID LEAVES OF ABSENCE

Policy Statement — At the recommendation of the Mayor, and subject to the approval of the Village Board, unpaid leaves of absence (other than under the Family and Medical Leave Policy) may be granted to an employee in cases of demonstrated hardship.

Request for Unpaid Leave — The employee must submit a request and the reasons for the leave, in writing, to the Mayor at least thirty calendar days prior to planned commencement of the requested leave. Shorter notification may be permitted in cases of emergency. The Village Board has sole discretion in approving such leave.

Conditions of Leave — The Village Board will specify the duration of an unpaid leave of absence and may impose such other terms, conditions and restrictions on the employee as deemed appropriate.

Continuation of Benefits — An employee on an approved unpaid leave of absence may continue to be eligible for medical insurance coverage in accordance with COBRA

Disability benefits and accruals for leave benefits shall be suspended.

Return to Work — An employee who fails to return from an unpaid leave of absence at the scheduled expiration date without giving proper notice or receiving proper authorization shall be conclusively presumed to have voluntarily resigned from employment.

Change in Status — If the reason for the unpaid leave of absence changes, the employee

610 LEAVE FOR CANCER SCREENING

Policy- The Village complies with New York State Civil Service Law which entitles all Village employees to paid leave to undertake screening for breast cancer (under S159-b) and prostate cancer (under S159-c). This leave will not be charged against any available sick, vacation, personal, or other leave accruals. This does not preclude an employee's option to use other available paid leave for this same purpose.

Allowance- An employee will be allowed four hours of paid leave per year for the purpose of undergoing a screening procedure for breast cancer, and four hours of paid leave per year for the purpose of undergoing a screening procedure for prostate cancer (male employees only). Such paid leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to the leave those hours are not carried forward to the next year. The allowed leave time may include the travel time to and from the appointment and any subsequent follow up consultation visits. In addition, the allowed leave may be staggered throughout the year until the maximum allowance has been reached.

Scheduling- An employee must receive prior approval from the employee's Supervisor to take leave for this purpose. The request for leave should be submitted to the Supervisor in writing a minimum of two days in advance. The Supervisor will have total discretion in the approval of this leave but will not unreasonably deny such request.

Documentation Requirements — If an employee applies for paid leave for a cancer screening procedure under this policy, documentation must be provided to the Supervisor from the health care provider verifying that the absence from the workplace was for cancer screening. If an employee uses any other available leave for a cancer screening procedure, the provisions of the applicable leave policy (e.g. sick, personal, vacation) will apply; there is no requirement in such a case to provide specific documentation regarding cancer screening.

611 LEAVE FOR BLOOD DONATIONS

Policy —The Village complies with New York State Labor Law Section S202-j which entitles Village employees who work an average of twenty hours or more per week to a leave of absence for the purpose of making a blood donation, this leave of absence will not be charged against any available sick, vacation, personal, compensatory or other leave accruals. The leave allowed under this policy is unpaid, however, this does not preclude an employee's option to use available paid leave for this same purpose.

Allowance — An eligible employee will be allowed a leave of absence of up to three hours two times per year under this policy. Such leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to this leave, those hours are not carried forward to the next year. The allowed leave may include the travel time to and from the appointment.

702 PAY PERIOD AND CHECK DISTRIBUTION

Payroll Period - The payroll period extends from Monday to Sunday. An employee's paycheck will be based on the amount earned during the preceding payroll period.

Payday - Normally, employees are paid on a weekly basis. Paychecks will be issued each Wednesday. In the event the payday is a designated holiday, paychecks will be distributed on the previous workday. Certain employees may be paid on a different schedule as established by the Board of Trustees.

Distribution - The Village Clerk is responsible for distribution of paychecks.

703 PAYROLL DEDUCTIONS

Statutory Deductions - The required portion of an employee's pay for federal and state taxes, and any other deduction required by law, will be deducted from the employee's paycheck. Such deductions will be noted on the paycheck.

Voluntary Deductions - Payroll deductions provided through the Village's payroll system will be made from an employee's paycheck when authorized by the employee. Such deductions will be noted on the paycheck.

800 EMPLOYEE BENEFITS

801 HOLIDAYS

Designated Holidays - The Village of Schuylerville will observe the following holidays:

1 . New Year's Day	7. Columbus Day
2. Martin Luther King Day	8. Veterans' Day
3. Presidents' Day	9. Thanksgiving Day
4. Memorial Day	10 Day after Thanksgiving
5. Independence Day	11. Christmas Day
6. Labor Day	12. Day after Christmas

Eligibility - A full-time employee is eligible for holiday pay at the employee's regular rate of pay. A part-time, temporary, or seasonal employee is not eligible for holiday pay.

Holiday Observance - In the event a designated holiday occurs on a Saturday, the holiday will be observed on the preceding Friday. In the event a designated holiday occurs on a Sunday, the holiday will be observed on the following Monday.

802 VACATION LEAVE

Eligibility - A full-time employee is eligible for paid vacation policy. A part-time, temporary, or seasonal employee is not eligible for paid vacation leave, but may be allowed to take time off without pay, provided the employee has prior approval from the Supervisor.

New Employee - A newly hired employee will not be credited with vacation leave credits prior to completing six months of continuous employment, at which time a full-time employee will be credited with six days of paid vacation leave. Thereafter, the employee will be credited with one day of sick leave per month until reaching the full ten days or until June 1, when they will receive the full allowance of 10 days.

Allowance;

VACATION SCHEDULE	
After Completion of:	Annual Vacation Leave Earned:
1 to 5 years continuous service	10 days
5 to 9 years continuous service	15 days
10 or more years continuous service	20 days

Continuous Service - Continuous Service shall mean uninterrupted service. An authorized leave of absence without pay for a period of less than three months, or a resignation followed by reinstatement within three months following such resignation, shall not constitute an interruption of continuous service. However, the duration of the absence from work without pay will be excluded from the computation of length of continuous service.

Scheduling - An employee must receive prior approval from the employee's Supervisor to take vacation leave. Vacation leave credits may not be used in increments of less than one hour. The Supervisor will have total discretion in the approval of vacation leave.

Carry-Over - With prior approval from the Board of Trustees, an employee may carry-over a maximum of five days of vacation leave from one year to the next. The employee must request Board approval no later than April 1 in order to allow time for the request to be considered

Holiday During Scheduled Vacation - In the event a designated holiday occurs on an employee's normal workday and the employee is on paid vacation, the employee will receive

holiday pay for the day and the employee's vacation leave credits will not be charged for that day.

Separation of Employment - An employee who separates from employment with the Village for any reason will not be entitled to use accrued vacation time,

803 SICK LEAVE

Eligibility - A full-time employee is eligible for paid sick policy. A part-time, temporary, or seasonal employee is not eligible for paid sick leave.

Allowance - A full-time employee will be credited with twelve days paid sick leave each June 1

New Employee - A newly hired employee will not be credited with sick leave credits prior to completing six months of continuous employment, at which time a full-time employee will be credited with six days of paid sick leave. Thereafter, the employee will be credited with one day of sick leave per month until reaching the subsequent June 1.

Accrual During Leaves of Absence - An employee will be credited with sick leave credits while on a paid leave of absence, but not while on an unpaid leave of absence.

Notification of Sick Leave - In the event an employee must take sick leave, the employee must notify the Supervisor prior to the employee's scheduled reporting time, the notification must be made personally to the Supervisor, unless the Supervisor authorizes the use of an answering device for this purpose. Unless an extended sick leave absence has been authorized, the employee must notify the employee's Supervisor each day of the absence. These procedures must be followed to receive paid sick leave.

Proper Use of Sick Leave Sick leave - is provided to protect an employee against financial hardship during an illness, injury, or medical procedure. An employee may use sick leave credits for a personal illness, injury, or medical procedure that inhibits the employee's work. Sick leave credits may not be used in increments of less than one hour. An employee may take sick leave only after it has been credited.

Family Sick Leave - An employee may use sick leave credits for family illness or injury if the employee must provide direct care to an immediate family member. For the purpose of family sick leave, "immediate family member" will mean the employees spouse, parent, unmarried child living at home, or a blood relative residing in the employee's household.

Medical Verification - The Village may require medical verification of an employee's absence if the Village perceives the employee is abusing sick leave, or has used an excess amount of sick leave, or when an employee is absent for more than one consecutive workday due to an illness or injury. If an employee is on an authorized leave of absence, the provisions of the Family and Medical Leave Policy in this Employee Handbook shall apply.

Abuse of Sick Leave - An employee who, after investigation, is found to have abused the use of sick leave or falsifies supporting documentation, will be subject to disciplinary action.

Accumulation - Sick leave may be accumulated to a maximum of 165 days. Extreme cases will be evaluated individually.

Separation of Employment - An employee whose employment with the Village is terminated for any reason, including retirement, will receive payment for unused sick leave.

804 PERSONAL LEAVE

Eligibility - A full-time employee is eligible for paid personal leave. A part-time, temporary, or seasonal employee is not eligible for paid personal leave.

Allowance - A full-time employee will be credited with five days of paid personal leave on an annual basis. The employee will be credited on June 1 of each year. An employee may take personal leave only after it has been credited.

New Employee - A new employee will be credited with a pro-rata amount personal leave after the completion of six months of continuous service. If completion of six months of service occurs in the months of June, July, August, or September, the employee will be credited with three days of personal leave. If completion of six months of service occurs in the months of October, November, December, or January the employee will be credited with two days of personal leave. If completion of six months of service occurs in the months of February, March, April, or May, the employee will be credited with one day of personal leave. Thereafter the employee will be credited with three days each June 1.

Proper Use of Personal Leave - An employee may use personal leave credits to conduct personal business which cannot be conducted outside of normal working hours, nonemergency medical and dental appointments and for personal emergencies. In no event may personal leave credits be used on the scheduled workday immediately prior to or following a holiday or vacation; in lieu of sick leave or other leaves of absences, except to extend bereavement leave. Personal leave credits may not be used in increments of less than one hour.

Scheduling - An employee must receive prior approval from the employee's Supervisor to take personal leave. The Supervisor will have total discretion in the approval of personal leave.

Accumulation - An employee may not accumulate personal leave credits. Any personal leave credits remaining unused as of May 31 will be converted sick leave and will be added to the employee's accumulated sick leave.

Separation of Employment - An employee whose employment with the Village is terminated for any reason, including retirement, will not receive cash payment for unused personal leave.

805 DISCLOSURE OF INSURANCE BENEFITS

Summary - The following is a brief description of the insurance benefits offered by the Village to eligible employees. Eligibility for benefits is dependent upon a variety of factors, including employment classification and length of service, the description of the benefits provided is only an overview. The plan documents or specific government regulation provide a full description of the specific benefit.

Plan Administrator - The Village Clerk serves as the Administrator of the Village's benefits plans. The Administrator is responsible for all communications and disclosures concerning Village benefits and is available to answer questions concerning the benefit plans. A description of each of the plans may be obtained from the Village Clerk.

Plan Documents - Benefits are administered according to applicable government regulation, benefit plan documents insurance carrier master policy or Village policy. Should there be a discrepancy between the information presented in this Employee Handbook and the benefit plan document, the Board of Trustees has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms. The Board of Trustees is responsible for compliance with all applicable laws and regulations. The Board of Trustees may, at its discretion, change carriers and/or offer alternative insurance plans.

Changes in Benefits - Any benefit offered by the Village to employees or Elected Officials is subject to change by resolution of the Board of Trustees.

Waiver of Benefits - An employee who is eligible to participate in any of the available insurance plans but who elects not to participate must sign an appropriate waiver of enrollment form.

Enrollment Information - The Village Clerk will provide the employee with the enrollment forms and assist with the administrative and operational aspects of the various insurance plans. Enrollment in a benefit plan is not automatic. Employees must complete the appropriate enrollment forms and applicable payroll deduction authorizations in order to receive benefits.

Changes in Status - Employees whose status changes from full-time to part-time are notified of the changes to their Village benefits, This notification contains all legally mandated information regarding applicable benefits, including COBRA health insurance continuation, An employee must immediately notify the Village Clerk in the event that the employee has a change in marital or family status that may affect coverage, such as marriage, divorce, legal separation, death of a spouse or dependent, acquiring or losing a dependent or changes in address.

Beneficiary - Under some of the Village's benefit plans, each employee must designate a beneficiary for the employee's death benefits. This designation must be made in writing and on the form provided by the plan Administrator.

806 MEDICAL INSURANCE

Eligibility - The Village currently offers medical insurance coverage to each full-time employee, part-time employee, Elected Official, and their eligible family members. A temporary or seasonal employee is not eligible for medical insurance coverage.

When Coverage Begins - Coverage will begin on the first day of the month following the employee's first day of employment, or for Elected Officials, the first day of office, provided all eligibility requirements of the insurance plan are met.

Premium Payment (Full-Time Employees) - The Village will pay the full premium for individual or family medical insurance coverage, as the case may be, for each eligible fulltime

employee who was hired prior to July 1, 2005. The Village will pay 80% of the premium for individual or family medical insurance coverage, as the case may be, for those employees hired on or after July 1, 2005.

Premium Payment (Part-Time Employees) - The Village will pay the 50% of the premium for individual or family medical insurance coverage, as the case may be, for each eligible part-time employee regularly scheduled to work a minimum of twenty hours per week. A part-time employee who is regularly scheduled to work less than twenty hours per week must pay the full cost of the premium, should such employee choose to participate in the medical insurance plan offered by the Village.

Premium Payment (Elected Officials) - An Elected Official who chooses to participate in the medical insurance plan offered by the Village must pay the full cost of the premium. The payment must be received by the 15th of the month preceding the month of coverage, or the coverage will be subject to cancellation.

Pre-Tax Insurance Premiums (Section 125) - Any employee contribution towards the medical insurance premium will be paid with pre-tax dollars. Deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net wages.

Changes in Premium Contributions - The amount of the insurance premium an employee or Elected Official is required to contribute is subject to change by resolution of the Board of Trustees. The Board of Trustees will provide a two-month written notice of such change.

807 MEDICAL INSURANCE FOR RETIREES

Coverage - The Village currently offers medical insurance coverage to an eligible employee who retires from the Village. Coverage is also available for eligible dependents (includes spouse) if they were covered under the Village's medical insurance plan at the employee's date of retirement. In the event the retiree predeceases the dependents, the dependents may continue medical insurance coverage provided they pay the full cost of the premium. Coverage of a dependent at the time of divorce or legal separation is in accordance with plan documents and COBRA requirements.

Eligibility - To be eligible for coverage, the retiree must meet each of these requirements: 1) have at least fifteen years of continuous service with the Village, or ten years if hired prior to the adoption of this handbook, either as a full-time employee or as a part-time employee regularly scheduled to work a minimum of twenty hours per week; for those hired prior to the adoption of this handbook they must have worked at least ten years 2) have retired directly from the Village; and, 4) have been granted a retirement benefit from the New York State Employees' Retirement System. These eligibility requirements are subject to change by resolution Of the Board of Trustees,

Plan - The Village will make available the same medical insurance plans offered to then current employees, The Board of Trustees may, at its discretion, change the plans at any time, including, but not limited to, type of coverage, retiree contributions, and type of carrier. Coverage under a medical insurance plan made available through the Village will continue until the retiree or eligible spouse, as the case may be, meets the eligibility criteria for Medicare coverage, at which time primary coverage will be provided by Medicare. At that time, the

retiree and eligible spouse may be required to change medical insurance plans in order to maintain supplemental coverage,

Premium Payment - The Village will contribute a variable amount towards medical insurance coverage for retirees, depending upon the length of service completed:

Full-time Employees:

- The Village will pay 100% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes twenty-five years of continuous service with the Village or twenty years if hired prior to the adoption of this handbook, for the spouse of the retiree the village will pay 85% of the premium for medical insurance and 80% of the family medical insurance
- The Village will pay 80% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes twenty years of continuous service with the Village or fifteen years if hired prior to the adoption of this handbook, 70% for the spouse of the retiree and 70% for family health insurance coverage for the retiree.
- The Village will pay 50% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes fifteen years of continuous service with the Village or ten years if hired prior to the adoption of this handbook 50% for a spouse of the retiree and 50% for a family plan for the retiree

Part-time Employees:

- The Village will pay 25% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes twenty-five years of continuous service with the Village.
- The Village will pay 20% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes twenty years of continuous service with the Village.
- The Village will pay 15% of the premium for individual medical insurance coverage, as the case may be, for each eligible retiree who completes fifteen years of continuous service with the Village.

Changes in Premium Contributions - The amount of the insurance premium a retiree or retiree's spouse is required to contribute is subject to change by resolution of the Board of Trustees. The Board of Trustees will provide a two-month written notice of such change.

808 DENTAL PLANS

Eligibility - The Village currently offers a dental plan to each full-time employee, part-time employee, and Elected Official. A temporary or seasonal employee is not eligible for this plan.

When Coverage Begins - Coverage will begin on the first day of the month following the employee's first day of employment, or for Elected Officials, the first day of office, provided all eligibility requirements of the insurance plan are met.

Premium Payment (Full-Time Employees) - The Village will pay 50% of the premium for an individual or family dental plan.

Premium Payment (Part-Time Employees) - The Village will pay 25% of the premium for an individual or family dental plan for each eligible part-time employee regularly scheduled to work a minimum of twenty hours per week. A part-time employee who is regularly scheduled to work less than twenty hours per week must pay the full cost of the premium should such employee choose to participate in the dental plan offered by the Village.

Premium Payment (Elected Officials) - An Elected Official who chooses to participate in a dental plan offered by the Village must pay the full cost of such coverage.

Pre-Tax Insurance Premiums (Section 125) - Any employee contribution towards the dental plan premium will be paid with pre-tax dollars. Deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net wages.

Changes in Premium Contributions - The amount of the insurance premium an employee or Elected Official is required to contribute is subject to change by resolution of the Board of Trustees. The Board of Trustees will provide a two-month written notice of such change.

809 CONTINUATION OF HEALTH INSURANCE BENEFITS (COBRA)

Summary - The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) offers "qualified beneficiaries," the right to continue existing health insurance coverage, completely at their own expense, under certain qualifying conditions. All required premiums and administrative fees must be paid in a timely manner in order for coverage to continue.

NYS Continuation Coverage - For purposes of this policy, references to COBRA will be considered to incorporate the requirements for "Continuation Coverage" set forth in NYS Insurance Law, which provides enhancements over and above the provisions of COBRA.

Eligibility - An individual is a "qualified beneficiary" if the individual is covered under a group health plan on the day before a qualifying event as either a covered employee or Elected Official, the spouse of a covered employee or Elected Official, or a dependent child of a covered employee or Elected Official. A child who is either born to or who is placed for adoption with the covered employee or Elected Official during a period of COBRA coverage is also a "qualified beneficiary" entitled to COBRA coverage.

Qualifying Events - If a qualified beneficiary loses coverage under a group health plan as a result of a "qualifying event," the qualified beneficiary is entitled by COBRA to the continuation of group health insurance coverage at the qualified beneficiary's own expense and for a limited time as described below. The COBRA requirements do not put any limit on the number of times a qualified beneficiary may be entitled to COBRA continuation coverage.

Period of Coverage - COBRA coverage is in effect for a period of up to thirty-six months, following any qualifying event.

Limitations - In the event an employee or Elected Official becomes covered by Medicare, but no loss of coverage results for the employee or Elected Official or the covered dependents, and a subsequent qualifying event occurs, the duration of coverage for all qualified beneficiaries will be thirty-six months from the date of the termination or reduction in hours. A qualified beneficiary may be covered under multiple qualifying events, but in no case will coverage be continued for more than thirty-six months.

Change in Beneficiary Status - An employee or Elected Official must notify the Village within sixty calendar days of a legal separation or divorce or when a dependent is no longer eligible for insurance due to the age limitations or educational status requirements established by the insurance plan. The Village will not be responsible for any loss of coverage resulting from failure by the employee or Elected Official to give notification of such an event.

Enrollment Information – The Village Clerk will provide the employee or Elected Official with the enrollment forms and assist with the administrative and operational aspects of COBRA. Enrollment is not automatic. The employee or Elected Official must complete the necessary enrollment forms and return all COBRA forms to the Village Clerk within the time indicated. If the required forms or premium payments are not received at the time specified, medical insurance coverage will cease.

810 SHORT-TERM DISABILITY BENEFITS

Eligibility - A full-time employee is provided with short-term disability coverage in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid short-term disability coverage. This benefit is to supplement loss of time from work due to a qualified non-job-related illness or injury.

When Coverage Begins - Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Disability Payments - Disability payments will be in accordance with the terms of the policy. The duration of disability benefits is dependent upon a physician's certification and consistent with the terms of the policy. There may be a waiting period before an employee can become eligible for disability payments. Full details regarding the policy currently in effect are available from the Village Clerk.

Premium Payment - Employees contribute a small amount, as specified by the Board of Trustees, towards short-term disability coverage. The remaining portion is paid by the Village.

Reporting of Illness or Injury - The employee must submit a written report of the illness or injury on the proper application form to the employee's Supervisor and the Village Clerk within twenty-four hours of the occurrence. The Village Clerk will provide the employee with the necessary forms. Proper medical certification will be required and must be submitted with the application form.

Use of Sick Leave Credits - An employee may draw from the employee's sick leave credits in conjunction with disability payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage - The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave Policy in this Employee Handbook.

811 WORKERS' COMPENSATION BENEFITS

Coverage - The Village will make available Workers' Compensation benefits, including payment of medical costs and replacement of lost wages up to the regulated maximum, to each eligible employee who suffers an accidental injury arising out of and in the course of employment, as determined by the Workers' Compensation Board. Eligibility for coverage is determined by applicable Workers' Compensation regulations.

When Coverage Begins - Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Premium Payment - The Village will pay the full premium for Workers' Compensation coverage for each eligible employee.

Reporting of Injury - The employee must report any accidental injury arising out of and in the course of employment to the Supervisor immediately after the occurrence of the injury. The Supervisor will notify the Village Clerk who will complete and submit the required forms.

Use of Sick Leave Credits - An employee may draw from the employee's sick leave credits in conjunction with Workers' Compensation payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage - The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave policy in this Employee Handbook.

812 UNEMPLOYMENT BENEFITS

Coverage - The Village will make available unemployment benefits to each employee ruled eligible for benefits under New York State labor law.

813 SOCIAL SECURITY

Summary - Social Security benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions, as determined by the Federal Social Security Administration Office. Employee contributions to Social Security (FICA) are matched by the Village.

814 THE NEW YORK STATE EMPLOYEES' RETIREMENT SYSTEM

Summary - The Village will make available the New York State Employees' Retirement System pension plan to each eligible employee and Elected Official. An employee or Elected Official is eligible for service retirement benefits after five years of creditable public sector service. In the event an employee or Elected Official leaves after five years of service but prior to retirement age, such employee or Elected Official may receive a benefit at retirement age related to those years as a public sector employee or Elected Official.

Mandatory Membership - A full-time employee who began employment with the State of New York or with a participating employer, on or after July 27, 1976, must join the Retirement System. An employee who is appointed to a permanent, full-time position on a probationary basis must join the Retirement System on the effective date of the probationary appointment. Employment is considered full-time unless:

- The employee works less than thirty hours per week, or less than the standard number of hours for full-time employment as established by the employer for this position; or
- The annual compensation for the position is less than the State's minimum wage multiplied by 2,000 hours; or
- Duration of employment for less than one year or employment on less than a 12 month per year basis; or
- The position is either provisional or temporary under Civil Service Law.

Optional Membership - An employee or Elected Official who is not mandated to join may join the Retirement System. Such employee or Elected Official will be informed, in writing, that the employee or Elected Official may join the Retirement System and will acknowledge receipt of such notice by signing a copy thereof and returning it to the Village Clerk. If the employee or Elected Official elects to join the Retirement System, the employee or Elected Official must complete the application form and return it to the Village Clerk.

Waiver of Enrollment - An employee who is not mandated to join the Retirement System, and who chooses not to join, must complete a waiver of enrollment form.

900 COMPLIANCE POLICIES

901 EQUAL EMPLOYMENT OPPORTUNITY

Policy Statement - The Village of Schuylerville is an Equal Opportunity Employer. The Village does not discriminate on the basis of race, religion, color, sex, age, national origin, disability, marital status, pregnancy, application to or present membership in the uniformed services, or veteran status, arrest/criminal record, genetic predisposition or carrier status, or sexual orientation. Discrimination based on any of the above is strictly prohibited. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, compensation, promotion, transfer, training, leave of absence, and termination.

Notification of Policy Violations - An employee should immediately report any perceived violation of this policy to the employee's Supervisor. In the event the employee is unable to discuss this matter with the Supervisor, the complaint should be reported in writing to the Mayor or any member of the Board of Trustees. All complaints of discrimination will be investigated discreetly and promptly. An employee who reports discrimination will not suffer adverse employment consequences as a result of making the complaint.

Application of Policy - This policy is for Village use only and does not apply in any criminal or Civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

902 DIVERSITY AND FAIR TREATMENT

Policy Statement - The Village of Schuylerville recognizes the uniqueness of each of its employees and the varying cultures, backgrounds, and experiences they bring to the workplace. It is the policy of the Village to promote a productive work environment in which all employees are treated with fairness, respect, and dignity. The Village will not tolerate harassment or discrimination of any kind in the workplace.

Employee Responsibilities - All employees are expected to treat coworkers, vendors, suppliers, Village residents, and any other non-employees that the employee comes in contact with on the job with fairness, dignity, and respect. The Village prohibits any form of discrimination, harassment, or other offensive behavior targeted towards an individual based on race, religion, color, sex, age, national origin, marital status, pregnancy, veteran status, arrest/criminal record, disability, genetic predisposition or carrier status, sexual orientation, or any other reason.

Notification of Policy Violations - An employee should immediately report any kind of harassment, discrimination or offensive behavior in the workplace to the employee's

Supervisor - In the event the employee is unable to discuss this matter with the Supervisor, the complaint should be reported, in writing, to the Mayor or any member of the Board of Trustees. All complaints will be investigated discreetly and promptly. An employee who reports harassment or discrimination in the workplace will not suffer adverse employment consequences as a result of making the complaint.

Disciplinary Action - Any employee who violates this policy will be subject to disciplinary action, up to and including termination, as provided by Village operating procedures. Any vendor, supplier, visitor, customers or other non-employee who violates

this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

903 THE AMERICANS WITH DISABILITIES ACT

Policy Statement - It is the policy of the Village of Schuylerville to comply fully with the provisions and spirit of the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer sponsored activities, including recreational or social programs, will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit discrimination based on a person's relationship or association with a disabled individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

Reasonable Accommodation - Reasonable accommodation is available to all qualified employees and applicants with disabilities, unless it imposes an undue hardship on the Village and/or operations of a program. The Village may require medical documentation or other information necessary to verify the existence of the disability and the need for accommodation.

Pre-Employment Inquiries - Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position and not any disabling condition. Preemployment physical exams will only be requested when in compliance with the law. The Village of Schuylerville intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

Notification of Policy Violations - An employee should immediately report any perceived violation of this policy to the employee's Supervisor. In the event the employee is unable to discuss this matter with the Supervisor, the complaint should be reported in writing to the Mayor or any member of the Board of Trustees. All complaints of discrimination will be investigated discreetly and promptly. An employee who reports discrimination will not suffer adverse employment consequences as a result of making the complaint. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

Application of Policy - This policy is for Village use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

904 SEXUAL HARASSMENT

The Village of Schuylerville is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of the Village of Schuylerville's commitment to a discrimination free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Village of Schuylerville.

Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

Policy:

1. The Village of Schuylerville's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of status with The Village of Schuylerville. In the remainder of this document, the term, "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The Village of Schuylerville will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of The Village of Schuylerville who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the village clerk. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

¹ While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject The Village of Schuylerville to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The Village of Schuylerville will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The Village of Schuylerville will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. The Village of Schuylerville will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe or become aware of, to the village clerk.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

Definition

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;

- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.

- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work; ○ Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. The Village of Schuylerville cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or nonemployee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Village Clerk. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the village clerk.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the village clerk.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation

will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Village of Schuylerville will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the village clerk will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

1. A list of all documents reviewed, along with a detailed summary of relevant documents
 2. A list of names of those interviewed, along with a detailed summary of their statements;
 3. A timeline of events;
 4. A summary of prior relevant incidents, reported or unreported; and
 5. The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
 - Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
 - Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by The Village of Schuylerville but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at The Village of Schuylerville, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to The Village of Schuylerville does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-6694000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

905 VIOLENCE IN THE WORKPLACE

Workplace Violence Prevention Policy Statement

The Village of Schuylerville is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of New York State Labor Law Art. 2 527-b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law includes a workplace evaluation that is designed to identify the risks of workplace violence to which our employees could be exposed.

Authorized Employee Representative(s) will, at a minimum, be involved in:

1. evaluating the physical environment;
2. developing the Workplace Violence Prevention Program; and
3. reviewing workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any, and reviewing the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. All personnel are responsible for notifying the Village Clerk of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

906 DRUG-FREE WORKPLACE / DRUG FREE AWARENESS PROGRAM

Policy Statement - it is the policy of the Village of Schuylerville that the unlawful manufacture, distribution, dispensation, possession, or use of an illegal controlled substance as defined in the Federal Drug-Free Workplace Act, is prohibited on the job or at the workplace.

Coverage - The Village of Schuylerville's Drug-Free Workplace Policy pertains to all individuals who are employed by the Village of Schuylerville.

Compliance with Federal Drug-Free Workplace Act - The Federal Drug-Free Workplace Act of 1988 is applicable to all recipients of Federal grants. In order to receive federal funds, the Village must certify to the granting Federal agency that it will provide a drug-free workplace in accordance with the legislation. As a recipient of Federal grants, the Village hereby complies with the requirements of the Drug-Free Workplace Act by adopting this policy and drug-free awareness program:

Prohibited Conduct - No employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage, illegal drugs, or any other intoxicating substance, nor be under the influence of such, while on duty, at any job site or workplace, or in a Village vehicle a vehicle leased for Village business, or a privately owned vehicle being used for Village business. An employee who, after investigation, is found to have violated this prohibition may be referred for counseling or rehabilitation and satisfactory treatment and will be subject to criminal, civil and disciplinary penalties up to and including termination of employment. Any work-related accident or injury involving a Village vehicle, equipment, and/or property where it can be demonstrated that the use of alcohol, illegal drugs, or any other intoxicants may have been a contributing factor will result in disciplinary action which may include penalties up to and including termination of employment.

Use of Prescription and Over-the-Counter Drugs - Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and maintained in their original containers. Employees in public safety or safety sensitive positions must inform their supervisors of any prescription or legal nonprescription, i.e., over-

the-counter drugs they are currently taking that could in any way affect or impair the employee's ability to perform the job safely. The legal use of prescribed and over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the job safely and if it does not affect the safety or well being of other individuals in the workplace.

Non-Discrimination Policy - The Village of Schuylerville will not discriminate against an applicant or employee because of past substance abuse, provided it can be demonstrated that the applicant/employee has received appropriate treatment and tests negative for controlled substance use. It is the current use of alcohol and controlled substances that will not be tolerated in the workplace.

Employee Assistance - It is the policy of the Village to work with an employee suffering from substance abuse so that the employee will receive assistance necessary to overcome dependency. An employee seeking such assistance is encouraged to contact the employee's Supervisor to discuss the situation before problems begin to surface in the workplace. Any disclosures made by an employee will be treated as strictly confidential to the greatest extent practicable. The employee's decision to seek assistance will not be used as the basis for disciplinary action nor used against the employee in any disciplinary proceeding.

Employee Responsibilities - As a condition of the Village receiving Federal grant monies, each employee must abide by this policy and notify the employee's Supervisor of any criminal drug statute conviction for a violation occurring in the workplace within five calendar days of the conviction.

Village Responsibilities - The Village will notify the granting federal agency within ten days after receiving notice from an employee of such a conviction or otherwise receiving actual notice of such conviction. In addition, within thirty calendar days of receiving notice of a conviction, the Village will take disciplinary action against the employee and/or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program pursuant to Sections 702 and 703 of the Drug-Free Workplace Act.

Drug-Free Awareness Program - It is the policy of the Village of Schuylerville to maintain a drug-free workplace. In accordance with that policy, the Village is providing the following drugfree awareness information to raise employee awareness of the dangers associated with drug abuse in the workplace.

Dangers of Drug Abuse In The Workplace

Employees with chemical dependence problems have a major negative impact on productivity, staff morale, and labor/management relations. Their hidden illness is responsible for:

1. Declining Performance

- poor concentration
- confusion in following directions
- noticeable change in the quality of work
- inability to meet deadlines
- errors in judgment affecting the health and safety of others
- customer complaints and injuries

2. Increased Costs

- five times the average sick and accident benefits
- higher job turnover, replacement and training costs
- greater workers' compensation and health insurance payments
- 3 to 5 times more on-the-job accidents
- unemployment claims

3. Absenteeism and Tardiness

- double the normal rate
- repeatedly being late for work and often leaving early
- extended lunch hours
- frequent illness and accidents both on and off the job

4. Damaged Relationships

- emotional outbursts, over-reaction to criticism, mood swings, complaints from coworkers, associates and the public, often leading to damaged relations

907 CONTROLLED SUBSTANCE AND ALCOHOL TESTING

Statement of Compliance - The Board of Trustees has adopted a Controlled Substance and Alcohol Testing Policy that is in compliance with the "Omnibus Transportation Employee Testing Act of 1991" (OTETA). The purpose of this policy is to reduce accidents resulting from an employee's use of controlled substances and alcohol, thus reducing fatalities, injuries and property damage.

Covered Employees - The Village's Controlled Substance and Alcohol Testing Policy applies to all covered drivers as defined by the federal regulations, which includes all employees who drive commercial motor vehicles (as defined in Sec. 382.107 of the OTETA) requiring a commercial driver's license to operate.

Acknowledgment Form - A covered employee will receive a written copy of the Controlled Substance and Alcohol Testing Policy and must sign an Employee Acknowledgment Form. This form will be placed in the employee's personnel file.

Reasonable Suspicion Testing - An employee who is not subject to OTETA testing may be required to undergo a test to determine if the employee is under the influence of a controlled substance or alcohol while on duty.

Disciplinary Action - Any employee who is determined to have engaged in prohibited conduct under the testing programs or as set forth in this Employee Handbook will be subject to disciplinary action, up to and including termination of employment.

908 SMOKING

Policy Statement - In accordance with the NYS Clean Indoor Air Act, it is the policy of the Village to prohibit smoking in the workplace, which includes all Village buildings and all Village vehicles.

1000 SAFETY

1001 WORKPLACE SAFETY

Policy Statement - Prevention of injury and illness in the workplace requires the cooperation of all employees in all safety and health matters. It is the policy of the Village to reduce the number of workplace injuries and illnesses to an absolute minimum. Accidents can be prevented through use of reasonable precautions and the practice of safe working habits.

Employee Responsibility - In an effort to protect all employees and to safeguard equipment and property, before an employee begins a given task, it is the employee's responsibility to understand the correct operation and possible hazards involved, safety procedures, and necessary safety equipment required to perform the job. Failure to adhere to the Village's safety program may result in disciplinary action, up to and including termination of employment.

Safety Program - The Village's safety program includes, but is not limited to, the following:

- Providing mechanical and physical safeguards to the maximum extent possible;
- Controlling health hazards and complying with the safety and health standards for every job;
- Training all employees in safety and health practices;
- Providing necessary personal protective equipment and instructions for its use and care;
- Developing and enforcing safety and health rules and requiring that employees cooperate with these rules as a condition of employment;
- Investigating, promptly and thoroughly, every accident to find the cause and correct the problem to prevent future occurrences;
- Providing First Aid kits and fire extinguishers throughout buildings and facilities.

Accident Plan - In the event of an accident, an employee must immediately stop work and take the following steps:

- Eliminate the immediate cause of the accident;
- Provide aid to the injured person and summon for assistance;

Call the Supervisor immediately

If the accident appears serious, call 911; and

Take steps to prevent additional accidents.

Accident Reporting Procedures - In the event an accident occurs in the workplace or in the course of employment, the following procedures will apply:

- When an accident occurs, which results either in the loss of an employee's work time, or in the provision of medical care to an employee, the employee must immediately notify the Supervisor who will in turn notify the Village Clerk. The Village Clerk will complete an Employers Report of Injury Form (C-2) and submit it according to operating procedures.
- When an accident occurs, which does not result in the loss of an employee's work time, or in the provision of medical care to the employee, the employee must immediately notify the Supervisor who will in turn notify the Village Clerk. The Village Clerk must complete a Supervisor's Report of Incident Form.
- The Village Clerk must keep a log of the injury or illness for five years following the end of the calendar year to which it relates. A copy of this log, which includes totals and information for the year, must be posted in each department or areas where notices to employees are customarily posted.

1002 HAZARD COMMUNICATION PROGRAM

Statement of Compliance - The Village of Schuylerville is committed to providing a safe and healthy work environment and complies with all Federal, State and local laws regarding hazard recognition, accident prevention, and working conditions. The Village considers Hazard Communication and the prevention of workplace injuries and illnesses to be of prime importance.

Guidelines - The following guidelines for the identification of chemical hazards and the preparation and proper use of containers, labels, placards, and other types of warning devices must be adhered to:

Chemical Inventory — The Village must maintain an inventory of all known chemicals in use. An employee may obtain the chemical inventory from the employee's supervisor.

Container Labels — All chemicals on a work-site must be stored in the original or approved containers with the proper label attached. The Supervisor must ensure that each container is labeled with the identity of the hazardous chemical contained and any appropriate hazard warnings. The Village will rely on manufacturer applied labels whenever possible. A container

that is not labeled or on which the manufacturer's label has been removed, must be properly labeled. A container not properly labeled must be given to the Supervisor for labeling or proper disposal.

Dispensing Chemicals — An employee may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical leftover must be returned to the original container or to the Supervisor for proper handling. No unmarked containers of any size are to be left in the work area unattended.

Material Safety Data Sheets (MSDS) - An employee working with a Hazardous Chemical shall obtain a copy of the Material Safety Data Sheet (MSDS) and a standard chemical reference from the employee's Supervisor.

Employee Training - An employee must be trained to work safely with hazardous chemicals. This training program must cover the following areas:

- Methods used to detect the release of hazardous chemicals in the workplace;
- Physical and health hazards of chemicals and the measures used to protect employees;
- Safe work practices;
- Emergency responses to the exposure of hazardous chemicals;
- Proper use of personal protective equipment; and
- Hazard Communication Standards, including labeling and warning systems, and an explanation of the use of Material Safety Data Sheets.

Personal Protective Equipment (PPE) — Depending on job duties, an employee must routinely wear protective devices, such as gloves and safety glasses, as directed by the supervisor. An employee who is required to wear special safety equipment as directed by the supervisor must comply with the supervisor's request.

Emergency Response Any incident of overexposure or spill of a hazardous chemical/substance must immediately be reported to the employee's supervisor. The supervisor must insure that proper emergency response actions are taken.

Hazards of Non-Routine Tasks — The Supervisor must inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemicals. Review of safe work procedures and use of required PPE must be conducted prior to the start of these tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

1100 COMMUNICATION PROCEDURES

1101 BULLETIN BOARD

Summary Bulletin boards are located throughout Village buildings for communicating information to employees. An employee should check the bulletin boards frequently to keep informed on changes in employment matters and other items of interest.

Posting of Material — All material to be posted on bulletin boards, including memos and announcements, must have the prior approval of the appropriate Supervisor.

1102 ADVERSE COMMUNICATIONS

Written Communication — An employee who receives a memo, fax message, letter, telegram, legal notice, e-mail, summons, or other form of communication of a negative nature must immediately forward the document to the appropriate Supervisor.

Verbal Communication — An employee who receives a verbal complaint from a Village resident of unfair treatment or expressions of anger or dissatisfaction must immediately notify the appropriate Supervisor, who will in turn immediately notify the Mayor and the Board of Trustees.

1103 SUGGESTIONS

Policy Statement -- Giving and receiving feedback is encouraged in order to promote a positive, productive, and cooperative atmosphere. Employees should notify their supervisor or Supervisor of any suggestions which may be valuable to the Village's productivity and success. All suggestions will be carefully reviewed and implemented if feasible.

1104 PUBLIC RELATIONS

Policy Statement — The courteous, professional treatment of members of the public by all employees helps to build confidence among the taxpayers we serve. We ask that all employees make every effort to represent the Village in a polite and professional manner.

1200 DISPUTE RESOLUTION

1201 DISPUTE RESOLUTION PROCEDURE

Policy Statement - The Board of Trustees has established a set of procedures to provide for the orderly resolution of differences at the earliest possible stage and to promote a harmonious

and cooperative relationship between employees, Supervisors and members of the Board of Trustees which will enhance the overall operation of the Village. The Village will attempt to resolve all work-related complaints that are appropriate for handling under this policy.

Definition of Dispute - For the purpose of this Employee Handbook, a "dispute" will mean a claimed violation, misinterpretation or inequitable application of any of the provisions of this Employee Handbook. In addition, the term "dispute" shall not apply to any matter as to which the Village is without authority to act. A few examples of matters that may be considered appropriate disputes under this policy include:

- A belief that Village policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee;
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
- Alleged discrimination because of race, color, sex, age, religion, sexual orientation, national origin, marital status, disability; or any other protected class; and
- Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, salary, or seniority.

Step One - An employee who claims to have a dispute may present the dispute to the employee's Supervisor. The dispute must be submitted, in writing, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge. The dispute will specify the date of submission, the name of the aggrieved employee, the date the dispute arose, the nature of the dispute, the provision of the Employee Handbook that was allegedly violated and a statement of facts, times, dates, and the remedy sought

Within seven working days after receiving the dispute, the employee's Supervisor will meet with the employee to discuss and attempt to resolve the matter.

Step Two - In the event the informal dispute is not resolved at Step One, or the employee reasonably believes that the employee cannot present the dispute to the employee's Supervisor, the employee may submit the matter to the Mayor. The dispute must be submitted, in writing, within seven working days from receiving the Step One response, or when the response should have been received or if Step One is not utilized for the above reason, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge.

Within seven working days after receiving the dispute, the Mayor and two Trustees will meet with the employee to discuss and attempt to resolve the matter. Within seven working days from the meeting, the Mayor will issue a written response.

Step Three - In the event the employee is not satisfied with the response at Step Two, the employee may submit the matter to the full Board of Trustees by filing a Request for Hearing with the Village Clerk. The Request for Hearing must be submitted, in writing, within seven working days from receiving the Step Two response, or when the response should have been received. The Request for Hearing will include a written statement of the dispute as outlined in Step One of this Procedure.

The Board of Trustees will set the time and place for the hearing. All decisions rendered by the Board of Trustees will be final and binding.

Time Limits - The employee must adhere to the time limits set forth in this dispute procedure. In the event the employee does not advance the dispute to the next step within the established time limit, the dispute will be considered withdrawn and no further appeal will be accepted. The time limits may be extended by mutual agreement provided the extension is in writing, dated and signed by the employee and the person who is to receive the dispute,

Final Decisions - Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are stated as official Village policy.

Proper Use of Dispute Resolution Procedure Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises a dispute in bad faith or solely for the purposes of delay or harassment, or repeatedly raises meritless disputes, Implementation of the dispute procedure by an employee does not limit the right of the Village to proceed with any disciplinary action that is not in retaliation for the use of this procedure.

Refusal to Proceed with Dispute - The Board of Trustees may, at its discretion, refuse to proceed with any dispute it determines is improper or baseless under this policy.

1300 EMPLOYEE ACKNOWLEDGEMENT FORM

Detach and place in employees' personnel file.

VILLAGE OF SCHUYLERVILLE EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy of the Village of Schuylerville Employee Handbook outlining the rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits of the Village of Schuylerville. I further acknowledge that I have read, or will read, the contents of the Employee Handbook and will contact my Supervisor, the Village Clerk or the Mayor if I have any questions.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Board of Trustees of the Village of Schuylerville reserves the right to interpret, change or modify any section of the Employee Handbook at any time.

I agree to abide by the personnel policies, procedures, rules and regulations outlined in the Employee Handbook

I understand that the Employee Handbook and the changes contained herein are intended to supersede all prior manuals and guidelines issued by the Village of Schuylerville.

Employee name (please print)

Supervisor Name (please print)

Employee Signature

Supervisor Signature