



Town of Clarksville

EMPLOYEE HANDBOOK

ISSUE DATE: 01/01/2020



WELCOME!

It is our privilege to welcome you to the Town of Clarksville and we wish you every success as an employee of our Town. Clarksville is an outstanding Town, due in part to the dedication of our municipal's workforce. We believe that each employee contributes directly to the Town of Clarksville's growth and success, and that our employees and residents are our most important assets.

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

We hope that your employment experience here in the Town of Clarksville will be challenging, enjoyable, and rewarding.

Sincerely,

Clarksville Town Council

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INTRODUCTION

040 Introductory Statements

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

Contractual employees are those who are members of the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F. or the Indiana Fraternal Order of Police Labor Council, Incorporated. Non-contractual employees are non-union civilian employees of the Town of Clarksville.

Supervisory responsibilities defined in this employee handbook will often be designated as "Department Heads, the Human Resources Director, the Clerk-Treasurer, and the Town Manager" since these are the primary supervisory positions with responsibility for employees who report to them. This designation does not imply that employees should bypass the normal organizational structure by contacting the Town Manager instead of their immediate Supervisor, or their Department Head.

These work guidelines have been designed to acquaint employees with the Town of Clarksville and provide them with information about working conditions, employee benefits, and some of the policies affecting their employment. Since employees may reside in either Indiana or Kentucky, where Kentucky employment laws differ from Indiana, it is noted within each policy.

Employees are responsible for reading, understanding, and complying with all provisions of the handbook. It describes many of their responsibilities as an employee and outlines the programs developed by the Town of Clarksville to benefit employees. One of management's objectives is to provide a work environment that is conducive to both personal and professional growth.

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

EMPLOYMENT

101 Nature of Employment

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

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Town of Clarksville and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at the Town of Clarksville's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Town Council. The policies in this handbook will cover all Town of Clarksville employees, including those covered by separate contractual agreements with the Fire Department and the Police Department. In the event of a conflict of policies, the contractual agreements for those departments will prevail as will the Police Department Standard Operating Procedures (SOPs) and the Fire Department General Orders.

102 Employee Relations

The Town of Clarksville believes that the work conditions, wages, and benefits that are offered to its employees are competitive with those offered by other employers. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their immediate Supervisor or their Department Head. The chain of supervision should only be bypassed when the issue is the Supervisor, or the Department Head, and the employee strongly believes the matter should be taken straight to the Human Resources Director, and/or the Town Manager.

When employees deal openly and directly with their immediate Supervisor, the Department Head, the Human Resources Director, and the Town Manager, the work environment can be excellent, communications can be clear, and attitudes can be positive. The Town of Clarksville believes that it amply demonstrates its commitment to employees by responding effectively to employee concerns.

The Human Resources Director, or the Town Manager will make determinations as to changes or alterations in salary, leave or other special circumstances.

103 Equal Employment Opportunity

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town of Clarksville will be based on merit, qualifications, and abilities. The Town of Clarksville does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex (pregnancy, gender identity, and sexual orientation), national origin, age (40 and over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, limited English proficiency (as determined by the Town of Clarksville), or any other characteristic protected by federal, state and local laws. (NOTE: For employees who reside in Kentucky, the Kentucky Civil Rights Act includes status as a smoker or nonsmoker as a protected class. Also protected are the political views of all employees.) The Town of Clarksville will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

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

104 Ethical Workplace

Town employees will maintain the highest ethical standards in the conduct of the Town of Clarksville affairs. Intent of this policy is that each employee will conduct the Town's business with integrity and comply with all applicable laws in a manner that excludes considerations of personal advantage or gain.

The following is a summary of the Town of Clarksville's policy with respect to potential conflicts of interest and certain other matters.

Employees should avoid any situation that involves or may involve a conflict between their personal interest and the interest of the Town of Clarksville. As in all other facets of their duties, employees dealing with customers, suppliers, contractors, competitors or any person doing or seeking to do business with the Town are to act in the best interest of the Town of Clarksville. Each employee shall make prompt and full disclosure in writing to the Human Resources Director of any potential situation that may involve a conflict of interest. Such conflicts include:

- Ownership by employee or by a member of their family of a significant interest in any outside enterprise which does or seeks to do business with the Town of Clarksville.
- Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with the Town of Clarksville.
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the Town of Clarksville.

Any violation of this policy will subject the employee to disciplinary action, up to and including termination of employment. Any Town of Clarksville employee having knowledge of any violation of the policy shall promptly report such violation to the Human Resources Director. When questions arise concerning any aspect of this policy, employees should contact the Human Resources Director.

105 Nepotism in the Workplace

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment may be carried over into day-to-day working relationships. Accordingly, the Town of Clarksville follows IC 36-1-20.2 and IC 36-1-21 with regards to nepotism.

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

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

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

Individuals who are relatives may not be employed by the Town of Clarksville in a position that results in one relative being in the direct line of supervision of the other relative. This applies to an individual who is employed by the Town of Clarksville on the date that the employee's relative begins serving a term of

an elected office of the Town of Clarksville and is not exempt from the application under exemptions of the policy. This policy does not abrogate or affect an employment contract with the Town of Clarksville that an individual is party to and is in effect on the date the employee's relative begins serving a term of an elected office of the Town of Clarksville.

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

Employees may contact the Human Resources Department for additional information on this policy.

106 Employee Medical Examinations

To help ensure that employees are able to perform their duties safely, medical examinations may be required in certain job categories. After an offer has been made to an applicant entering a designated job category, a medical examination may be performed at the Town of Clarksville's expense by a health professional of the Town of Clarksville's choice. (NOTE: For employees who reside in Kentucky, Kentucky state law states that employees have the right to choose the physician, with notice to the employer. If the employer is contracting with a managed health care system, they may limit selection to a list of providers.) The offer of employment and assignment to duties is contingent upon the satisfactory completion of the exam and a satisfactory or negative drug test.

Medical examinations may be required for current employees in certain job categories. Such examinations will be scheduled at reasonable times and intervals and performed at the Town of Clarksville's expense. Town of Clarksville employees who have been off work due to illness or injury may be required to present a fitness for duty statement signed by a Physician. Any questions regarding this policy may be addressed to the Human Resources Department.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially in accordance with the Health Insurance Portability and Accountability Act (HIPAA). Refer to Policy #214 – Medical Information Privacy for additional information.

107 Immigration Law Compliance

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

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

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

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

108 Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Town of Clarksville wishes to operate. The purpose of these guidelines is to provide general direction so that employees may seek additional clarification on issues related to the subject of acceptable standards of operation. Employees should contact the Human Resources Director, the Clerk-Treasurer, or the Town Manager for additional information or questions about conflicts of interest.

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

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a dependent as a result of the Town of Clarksville's business dealings. Such conflicts include:

- Ownership by an employee or by a member of their family of a significant interest in any outside enterprise which does or seeks to do business with the Town of Clarksville.
- Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with the Town of Clarksville.
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the Town of Clarksville.

For purposes of this policy, a relative is defined as a spouse, parent or stepparent, child or stepchild (including an adopted child or step-child), a brother, sister, stepbrother, stepsister (including a brother or sister by half-blood), a niece or nephew, aunt or uncle, daughter-in-law or son-in-law. "Elected official" refers to the Clerk-Treasurer, the Town Council, or any other elected Town of Clarksville official.

The Town of Clarksville may enter into a contract or renew a contract for the procurement of goods and services or a contract for public works with an individual who is a relative of an elected official or a business entity that is wholly or partially owned by a relative of an elected official. The Town of Clarksville may also enter into a contract or renew a contract with an individual or business entity if all of the following are satisfied: the elected official files with the Town of Clarksville a full disclosure, which must be in writing, describe the contract or purchase to be made, describe the relationship that the elected official has to the individual or business entity that contracts or purchases, be affirmed under penalty of perjury, be submitted to the Town Council and be accepted by the Town Council in a public meeting prior to final action on the contract or purchase and be filed, not later than 15-days after final action on the

contract or purchase with the State Board of Accounts and the Clerk of the circuit court in the county where the Town of Clarksville takes final action on the contract or purchase. The appropriate agency of the Town of Clarksville must make a certified statement that the contract amount or purchase price was the lowest amount or price bid or make a certified statement of the reasons why the vendor or contractor was selected. In addition, the Town of Clarksville must satisfy all other requirements under IC 5-22 or IC 36-1-12. The elected official complies with the disclosure provision of IC 35-40-1-14, if applicable. This does not affect the initial term of a contract in existence at the time the term of office of the elected official of the Town of Clarksville begins.

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

Town of Clarksville employees are covered by and should refer to the INDOT Code of Ethics and Conflict of Interest Policy, a copy of which is attached to this employee handbook. The policies that apply to INDOT employees apply to Town of Clarksville employees. Questions about this policy should be directed to the Human Resources Director and/or Town Attorney.

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

Employees may contact the Human Resources Director for additional information on this policy.

110 Outside Employment

Employees may hold outside jobs as long as they meet the performance standards of their job with the Town of Clarksville. Before acceptance of an outside job, the employee must first notify their Department Head and complete the request for outside employment form to ensure there will be no conflicts with their employment with the Town of Clarksville. Department Heads must notify the Town Manager before acceptance of an outside job. Employees will be judged by the same performance standards and will be subject to the Town of Clarksville's scheduling demands, regardless of any existing outside work requirements.

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

Outside employment that constitutes a conflict of interest is ill-advised. Employees who have additional employment outside the Town of Clarksville should inform their Department Head, the Clerk-Treasurer, or the Town Manager, as well as the Human Resources Department regarding the employment in case it is necessary to prepare a Conflict of Interest disclosure. Employees may not receive any income or material gain from individuals outside the Town of Clarksville for materials produced or services rendered while performing their jobs unless an annual disclosure is made to the Town Council and approval is given. Refer to Policy #108 - Conflicts of Interest for additional information.

112 Non-Disclosure

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

- Computer processes
- Computer programs and codes
- Confidential information not available for public access pursuant to Indiana law
- Facilities security
- Financial information
- Marketing strategies
- New materials research
- Pending projects and proposals
- Performance evaluations
- Proprietary production processes
- Proprietary vendor information
- Research and development strategies
- Resident preferences
- Scientific data
- Scientific formulae
- Scientific prototypes
- Technological data
- Technological prototypes
- Utility locations
- Vendor lists

During the course of their employment and at all times subsequent to their employment, employees should hold in strictest and total confidence all information obtained during the course of their work that may be considered confidential. Without prior written authorization by the Town of Clarksville, employees shall at no time disclose, divulge, assign, transfer, convey, or communicate to any other person, firm, corporation, or entity other than the Town any confidential information, nor shall an employee permit any other person or entity to use confidential information in competition with the Town that they obtained in the course of their work.

Upon termination of employment with the Town of Clarksville or at any other time upon a written request, an employee shall deliver promptly to the Town of Clarksville all originals and all copies, including photocopies, facsimiles, and computer or other means of electronic storage whether now known or hereafter discovered, of all manuals, letters, notes, notebooks, reports, computer programs and flow charts, and similar items, memoranda, lists of residents, Town-owned equipment, such as laptop computers, cell phones, cameras, keys, and all other materials and copies thereof relating in any way to confidential information or the business of the Town of Clarksville. Employees will not make or retain any copies of the foregoing and will so represent to the Town of Clarksville upon their termination of employment.

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who fail to comply with this non-disclosure and confidentiality policy will be subject to disciplinary action, up to and including termination of

employment and legal action, even if they do not actually benefit from the disclosed information.

114 Disability Accommodations

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

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, and benefits and training.

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

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

Employees who feel they need a reasonable accommodation should present a written request for assistance to their Department Head, the Clerk-Treasurer, or the Town Manager. Employees with questions or seeking additional information on the ADAAA are encouraged to contact the Human Resources Director. Employees may raise questions or complaints about the ADAAA compliance without fear of reprisal.

115 Lactation Accommodations

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

Employees may contact the Human Resources Director for additional information about lactation accommodations.

116 Job Postings

The Town of Clarksville is committed to selecting and placing the best qualified individuals in open positions consistent with its dedication to equal employment opportunity. The Town of Clarksville also

recognizes that the development and growth of its employees is critical to the success of the Town of Clarksville and thus encourages promotion and reassignment of qualified employees to new or vacant positions.

Department Heads, or the Town Manager will notify the Human Resources Department of all job opportunities within the Town of Clarksville. Job openings will be conspicuously posted on employee bulletin boards throughout the Town of Clarksville's facilities. All announcements will specify the job title, nature of the job, required qualifications and essential functions of the position, application deadline, and the place to submit such applications.

Employees are encouraged to apply for positions for which they are qualified. Qualified employees will be interviewed and given consideration, however, there is no guarantee that an internal applicant will be selected to fill a position. There is no obligation that internal applicants who do not meet the minimum qualifications for the position must be interviewed. It is expected that employees will not be recruited or solicited from other departments, however, Department Heads may not retaliate against an employee who applies for a position in another department.

Criteria used in evaluating an applicant's qualifications may include such considerations as evaluations, aptitude, attendance records, education, training, prior work experience history, physical and mental fitness for the position, and length of service with the Town of Clarksville and the particular Town of Clarksville department or office.

The Human Resources Director is responsible for receiving and reviewing all job posting applications. For current employees applying for a job within another department, the hiring Department Head has the authority to review personnel records and talk with the current Department Head regarding the employee's performance and attendance prior to the initial interview. The Clerk-Treasurer is responsible for interviewing and hiring for the Clerk-Treasurer's Office, and the Judge is responsible for interviewing and hiring for the Town Court. The Town Manager has the sole authority to approve all recommendations for the hiring of either external candidates or internal employees to fill vacant jobs within the Town of Clarksville.

Employees may contact the Human Resources Department for additional information on the job posting process.

EMPLOYMENT STATUS & RECORDS

201 Employment Categories

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

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

fashion for partial day absences, except when permitted by law, such as unpaid intermittent FMLA leave. Any deductions from an exempt employee's salary will be in compliance with acceptable parameters for such deductions.

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

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

Complaint Procedure

Employees who believe their pay has been improperly reduced should immediately contact their Department Head.

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

An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by the Human Resources Director in consultation with the Town Attorney.

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

REGULAR FULL-TIME employees are those who are not in a temporary or introductory status and who are regularly scheduled to work a full-time schedule of 30-hours or more per week. Employees in this category may be eligible for the Town of Clarksville's benefits package, subject to the terms, conditions, and limitations of each benefit program. Refer to each benefit policy for eligibility requirements.

REGULAR PART-TIME employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than the 30-hour per week work schedule. Employees in this category are not eligible for the Town of Clarksville's benefits package, except for leave time specifically authorized for part-time Police Department Safety Division personnel.

INTRODUCTORY employees are those Police Department and Fire Department employees whose performance is being evaluated to determine whether further employment is appropriate. The introductory period is one-year from the date of employment.

TEMPORARY/SEASONAL employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits, they are ineligible for any of the Town of Clarksville's other benefit programs unless they have worked for one full year of continuous full-time service, at which time they will be moved to either a regular full-time, or regular part-time status.

202 Access to Personnel Files

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

Personnel files are the property of the Town of Clarksville and access to the information they contain is restricted. Generally, only Department Heads and management personnel of the Town of Clarksville who have a legitimate reason to review information in a file are allowed to do so. Elected officials may only receive information from a personnel file in an executive session held to receive information about the employee's alleged misconduct and to discuss, before a determination is made, the employee's status as an employee.

Employees may always review their personnel file. Employees who wish to review their own file should contact the Human Resources Director. With reasonable advance notice, employees may review their own personnel file in the Town of Clarksville offices and in the presence of the Human Resources Director, or their designee. No one is permitted to copy any information in their personnel files without the express permission of the Human Resources Director and/or the Town Manager.

Kentucky state law permits employees who reside in Kentucky to examine and copy their personnel files upon written request. Employees also may comment in writing on any item in the file and have their comments added to the file.

203 Employment Reference Checks

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

204 Personnel Data Changes

It is the responsibility of each employee to promptly notify the Department Head, the Benefits Coordinator, the Human Resources Department, and the Clerk-Treasurer's Office of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times.

208 Falsification of Employment Applications

The Town of Clarksville relies upon the accuracy of information contained in the employment

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

209 Performance Evaluations

The intent of a performance evaluation is to determine whether an employee is performing at an acceptable level and may be used as an instrument to correct employee deficiencies in performance. The Town of Clarksville generally requires Department Heads, and the Town Manager to conduct a periodic review of the performance of their employees. In this formal setting, employees will have an opportunity to express their evaluation of their performance, and their desire with respect to future assignments. In turn, they will be provided with feedback on performance and have the opportunity to discuss goals for the future. Performance evaluations will be conducted on forms provided by the Human Resources Department.

Formal review sessions are not intended to replace the day-to-day communications between supervisors and employees where supervisors are able to quickly correct any variance from the standard of performance expected on a day-to-day basis.

210 Job Descriptions

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

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

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

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. Employees may contact their Department Head, the Human Resources Director, or the Town Manager if they have any questions or concerns about their job description. Job descriptions will be kept in employee personnel files in the Human Resources Department, once approved by the Department Head, or the Town Manager.

212 Salary Administration

The Town of Clarksville seeks to maintain pay scales and benefits which are competitive with similar positions at other public-sector organizations in the area. The Town Council determines compensation. Every effort is made to pay employees fairly in accordance with job responsibilities, experience, skills

and productivity.

Employees may contact the Human Resources Director, or the Clerk-Treasurer's Office if they have questions concerning salary ordinances.

214 Medical Information Privacy

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

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

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

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

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

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

Disclosure to Employer or Operating Company - The Benefit Plans may disclose an employee's protected health information to the Town of Clarksville, or to a company acting on the behalf of the Town of Clarksville, so that it may monitor, audit, and otherwise administer the employee health benefit plan in which employees participate. The Town of Clarksville and its operating companies are not permitted to use protected health information for any purpose other than administration of an employee's medical, dental, and vision insurance benefits. The Benefit Plans will not disclose protected health information to the Town of Clarksville for the purposes of employment-related actions or decisions, or in connection with any other benefit or employee benefit plan. The Benefit Plans will identify employees who are authorized to receive and use protected health information.

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

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

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

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

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

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

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

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

Government Functions - The Benefit Plans may disclose an employee's protected health information to

various departments of the government such as the U.S. Military, or the U.S. Department of State.

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

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

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

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

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

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

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

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

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

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

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

216 Social Security Number Policy

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

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

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

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

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

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

employee makes a written request to stop the use of their Social Security number.

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

Employees who have questions about this policy or who feel that their Social Security number has been used inappropriately should contact the Human Resources Department, or the Clerk-Treasurer's Office.

EMPLOYEE BENEFIT PROGRAMS

301 Employee Benefits

Eligible employees at the Town of Clarksville are provided a wide range of benefits. A number of the programs cover all employees in the manner prescribed by law.

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

The following benefit programs are available to eligible employees:

- Benefits Continuation (COBRA)
- Bereavement Leave
- Clothing and Uniform Allowances
- Employee Assistance Program (EAP)
- Family and Medical Leave (FMLA)
- Health Insurance
- Holidays
- Jury Duty
- Group Life and AD&D Insurance
- Long-Term Disability Insurance
- Military Family Leave
- Military Leave
- Other Paid Time Off
- Personal Days
- Retirement: Indiana Public Retirement System (INPRS)
- Retirement: Indiana Public Retirement System (INPRS) 1977 Fund
- Retirement: 457(b) Pension Plans (Hoosier S.T.A.R.T. and One America)
- Short-Term Disability Insurance
- Sick Leave Benefits
- Time Off to Vote
- Training Leave and Licensures and Certifications
- Vacation Benefits
- Workers' Compensation Insurance
- Witness Duty

Most of the benefit programs require contributions from the employee, but some are fully paid by the Town of Clarksville. Employees who are under suspension shall receive no benefits except as required by law.

303 Vacation Benefits

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

- Regular full-time employees

Employees will receive the following number of vacation days on their anniversary date of hire.

Length of Employment	Vacation Benefits Available
One-year	Five-days
Two-years	Ten-days
Five-years	15-days
Ten-years	20-days
20-years	25-days
30-years	30-days

Once employees enter an eligible employment classification, they begin to earn paid vacation benefits according to the schedule.

Vacation benefits may be used in one-hour increments. To take vacation, employees should request advance approval from their Department Head, or the Town Manager. Requests will be reviewed based on a number of factors, including business needs, staffing requirements and will be approved on a first come, first serve basis. For this reason, it is encouraged that vacation requests be made at least two-weeks in advance of the proposed starting date. Department Heads, and the Town Manager have the authority to approve or deny vacation requests.

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

Unused vacation benefits may not be carried over or accumulated from anniversary year to anniversary year. In the event that available vacation is not used by the end of the anniversary year, employees will forfeit the unused time. If unforeseen circumstances occurred during the anniversary year not allowing an employee to utilize their vacation benefits and the Department Head was aware of the circumstances, the Department Head may approve an extension. Any employee needing an extension must complete an approval form indicating the time needed, signed by the Department Head and then submitted to the Human Resources Department who will forward it to the Payroll Department. Vacation benefits may not be borrowed from the next anniversary year.

During any calendar year and with the approval of the Town Council, non-contractual employees will be allowed to sell ten unused vacation days back to the Town of Clarksville at the employee's rate of pay.

Vacation benefit information for non-contractual police and fire employees is available in the Police Department's Standard Operating Procedure's (SOPs) and the Fire Department's General Orders. Contractual Police Department employees and Fire Department employees may be compensated for vacation benefits in accordance with the contracts set forth between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

304 Personal Days

The Town of Clarksville provides paid personal days to all eligible employees. Eligible employee classification(s) are:

- Regular full-time employees

All non-contractual employees will receive two personal days annually, except civilian employees of the Police Department employed prior to 08/20/2019, who are entitled to five personal days annually. Civilian employees of the Police Department hired after 08/20/2019 will receive two days.

Contractual Police Department employees and Fire Department employees may be compensated for personal days in accordance with the contracts set forth between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

Personal days are based on an anniversary date of hire. Unused personal days may not be carried over or accumulated from anniversary year to anniversary year. Personal days may not be borrowed from the next anniversary year. Department Heads may develop a separate departmental policy on how personal days are used, subject to the review and approval of the Human Resources Director.

Personal days are paid at the employee's base pay rate at the time of the personal day. They do not include overtime, or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

305 Holidays

The Town of Clarksville may grant holiday time off to employees on the holidays listed below:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January) *
- Good Friday (Friday before Easter) *
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving Day (fourth Thursday in November)
- Day After Thanksgiving (fourth Friday in November) *
- Christmas Eve (December 24) *
- Christmas Day (December 25)
- New Year's Eve (December 31) *

The Department of Public Works will observe the five asterisked (*) holidays above as floating holidays.

Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular full-time employees

Contractual Police Department employees and Fire Department employees may be compensated for holidays in accordance with the contracts set forth between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at their time and one-half rate for the hours worked on the holiday. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

A recognized holiday that falls on a Saturday may be observed on the preceding Friday. A recognized holiday that falls on a Sunday may be observed on the following Monday. If a recognized holiday falls during an eligible employee's vacation absence, holiday pay will be provided instead of the vacation benefit that would otherwise have applied.

The holiday schedule may be amended by the Town Council, as appropriate.

306 Workers' Compensation Insurance

The Town of Clarksville provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable federal and state legal requirements, workers' compensation insurance may provide benefits after a short waiting period or, if the employee is hospitalized, immediately.

An employee who sustains work-related injuries or illnesses must seek medical attention and immediately report the accident or injury to their Department Head. No matter how minor an on-the-job injury may appear, a report must be prepared in writing, signed by the Department Head and submitted to the Benefits Coordinator in the Human Resources Department within 24-hours of the accident or injury. This will enable an eligible employee to qualify for coverage as quickly as possible. The Town of Clarksville may select the physician and/or facility seeing all workplace injuries and in accordance with state laws. (NOTE: For employees who reside in Kentucky, Kentucky state law states that employees have the right to choose the physician, with notice to the employer. If the employer is contracting with a managed health care system, the employer may limit selection to a list of providers.) Reports of injury are necessary to comply with federal and state laws and initiate insurance and workers' compensation benefits. Failure to notify a Department Head, and the Benefits Coordinator about a work-related injury or illness may result in an employee losing workers' compensation benefits with regards to that particular injury or illness.

Except for the employees of the Police Department, the Town of Clarksville maintains an aggressive return-to-work program. Following an appointment with a physician, the physician will communicate to the Benefits Coordinator any restrictions the employee may have as a result of the injury or illness. The Department Head will then determine what accommodations may be made to assign the employee to restricted work duty. If no work is available to satisfy the restrictions, the Benefits Coordinator will maintain close communications between the employee and physician to ensure proper and timely

treatment for the injury or illness. The Town of Clarksville will return the employee to work as soon as they are either released with restrictions that may be accommodated by the Town of Clarksville or fully released, whichever comes first. The employee must be accompanied by a physician's release upon return to work. An employee who is on workers' compensation disability leave and does not return to work immediately following release from the health care provider will be considered to have voluntarily terminated employment as of the date of the release.

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

Employees medically disabled on the job may receive their normal rate of pay for up to seven calendar days of their normally scheduled work period, provided a physician acceptable to the Town of Clarksville certifies that the employee is unable to work. This seven-day period will not be charged against the employee's leave balance. Following completion of the seven-day period, employees still off work will be compensated at the rate allowed under Indiana state law or, for those employees who reside in Kentucky, under Kentucky state law. Should an employee remain unable to work for longer than 21 calendar days, they are entitled to receive payment for the initial seven-day waiting period, in accordance with workers' compensation insurance. However, in such a situation, the employee is not entitled to receive both wages and workers' compensation pay that would exceed 100-percent of the employee's salary.

Employees may not benefit from the workers' compensation disability any greater than they would have during normal work conditions.

Group health insurance coverage and other insurance benefits will continue on the same basis as coverage would have been provided had the employee been continuously employed during the period of a workers' compensation disability leave as long as the employee pays their regular portion of the premium on a timely basis. Employees must arrange with the Benefits Coordinator to pay their portion of the monthly benefit premiums during the period of absence.

An employee who is self-employed or accepts other employment or works for any other current employer during a workers' compensation disability leave must report such work immediately to the Benefits Coordinator. An employee who works in one of the above capacities at any time during their workers' compensation disability leave performing work of a like or similar character or exertion as that which the employee performed for the Town of Clarksville may be considered to have voluntarily terminated their employment as the date such employment began.

If appropriate the Town of Clarksville will follow all other federal and state employment-related laws that run concurrent with workers' compensation guidelines, such as FMLA, ADAAA, etc. Specific questions relating to workers' compensation should be directed to the Benefits Coordinator.

307 Sick Leave Benefits

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

- Regular full-time employees

Civilian employees of the Police Department who are currently employed with the Town of Clarksville as of 08/20/19, in an eligible classification will receive six-days of sick leave per year on their anniversary date of hire. All other non-contractual employees in eligible classifications will receive five-days of sick leave on their anniversary date of hire. Civilian employees of the Police Department hired or rehired after 12/31/17, will receive the same number of sick days as other non-contractual employees of the Town of Clarksville.

Contractual Police Department employees and Fire Department employees may be compensated for sick leave benefits in accordance with the contracts set forth between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

Sick leave may be taken in one-hour increments. Sick leave benefits are earned annually on the anniversary date of hire. Up to 40-hours of unused sick leave may be carried over to the next year and accumulated to a maximum of 240-hours. Employees may not borrow sick leave benefits from the next anniversary year.

Each day that an employee has an unexpected need to be absent from work, they should notify their Department Head, or the Town Manager before the scheduled start of their workday, if possible. A physician's written certification of illness shall need to be presented to the employee's Department Head, or the Town Manager after three consecutive days are claimed for sick leave benefits.

To schedule planned sick leave benefits, employees should request advance approval from their Department Head, or the Town Manager. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Employees who need to take additional time off due to illness may be eligible to request an unpaid leave of absence or, at the Town's discretion, be placed on an unpaid leave of absence. Refer to Policy #601 – Family and Medical Leave for additional information.

Sick leave benefits are paid at the employee's base pay rate at the time of the sick leave. It does not include overtime, or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials. Upon a voluntary termination of employment, any remaining unused sick leave benefits will be paid out accordingly. Upon an involuntary termination of employment sick leave benefits are forfeited.

Employees who have questions about this policy may contact the Human Resources Department.

308 Time Off to Vote

The Town of Clarksville encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If nonexempt employees are unable to vote in an election during their nonworking hours, the Town of Clarksville may grant up to two-hours of unpaid time off to vote. (NOTE: For employees who reside in Kentucky, Kentucky state law states that employers must provide employees with at least four-hours of leave to either vote or cast an absentee ballot. Employees who are election officers must be given an entire day of leave to attend training or to serve as an election officer.)

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

309 Bereavement Leave

Employees who wish to take time off due to the death of an immediate family member should notify their Department Head, or the Town Manager immediately. At the discretion of the Department Head, or the Town Manager, up to seven-days of paid bereavement leave may be provided to eligible employees in the following classification(s):

- Regular full-time employees

The total number of bereavement days granted is based upon the relationship of the employee to the bereaved person. The employee may receive up to seven-days of bereavement leave for the purpose of arranging and attending the funeral of their spouse, children, stepchildren, parent, or sibling. Three-days of bereavement leave will be allowed for other relatives, including step-relatives and in-laws. This may include a stepparent, guardian, mother-in-law, father-in-law, brother-in-law, sister-in-law, stepbrother, stepsister, niece, nephew, grandchildren, grandparent, aunt, or uncle. In-laws are defined as a current spouse's family members. Other bereavement leave may be granted at the discretion of the employee's Department Head, or the Town Manager.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not be considered as hours worked for purposes of performing overtime calculations, or any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with approval from their Department Head, or the Town Manager, use any available vacation benefits or personal days for additional time off as necessary.

310 Jury Duty

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

- Regular full-time employees
- Regular part-time employees
- Temporary/seasonal employees

Employees will be granted leave with pay for jury duty only when they are required to serve during a regularly scheduled work period for that employee.

Employees must show the jury duty summons to their Department Head, or the Town Manager as soon as possible so that the Department Head, or the Town Manager may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Either the Town of Clarksville or the employee may request an excuse from jury duty if, in the Town of Clarksville's judgment, the employee's absence would create serious operational difficulties. The Town of Clarksville will continue to provide health insurance benefits while the employee is on jury duty. All paid time off benefits will continue to be earned during a jury duty leave.

311 Witness Duty

The Town of Clarksville encourages employees to appear in court for witness duty when subpoenaed to

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

An employee will be granted unpaid time off to appear in court as a witness when requested by a party other than the Town of Clarksville. Employees are free to use any available vacation benefits or personal days to receive compensation for the period of this absence, but are not required to do so. (NOTE: For employees who reside in Kentucky, Kentucky law states that public employees are entitled to serve as a witness without loss of time or pay unless the employee or a member of that employee's family is a party to the proceeding.)

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

312 Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage including medical and dental, if applicable, under the Town of Clarksville's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

The Town of Clarksville provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Town of Clarksville's health insurance plan. The notice contains important information about the employee's rights and obligations, as well as the cost of benefits, under COBRA.

Employees may contact the Benefits Coordinator for additional information regarding COBRA.

313 Training Leave and Licensures and Certifications

A Department Head may require an employee to obtain training for job-related duties, or employees may desire training for their specific job duties. If training is at the request of the Department Head, or the Town Manager, time spent obtaining the training may be treated as paid leave. If the training is at the desire of the employee, the employee should discuss the matter with their Department Head, who shall determine whether it is pertinent to the employee's job, whether the department will pay for the training, and whether it will be paid time away from work.

The Town of Clarksville may reimburse employees or directly pay for specific job-related license and certification requirements applicable to each job classification. The Department Head is responsible for approving such expenditures in advance for the employee and the type of license and/or certification required is left to their sole discretion and requirements of the job description. The Town Manager is responsible to approve such expenditures for Department Heads and the Town Council is responsible to approve such expenditures for the Town Manager. Invoices for licenses and certifications should be submitted to a Department Head, or the Town Manager's Office for approval and for payment.

Employees should consult with their Department Head, or the Town Manager for additional information

on training leave and licensures and certifications.

314 Genetic Information Nondiscrimination Act (GINA)

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

Employees may contact the Human Resources Department for additional information on GINA.

315 Other Paid Time Off

Floating holidays, including safety days and employee birthdays, are subject to the prior approval of the Department Head, or the Town Manager. It is the intention of the Town Council that no more than one employee from a department be off on a floating holiday on any given day, unless the Department Head, or the Town Manager determines that the efficiency and objectives of the department will not be adversely affected. Authorized floating holidays must be used within any given calendar year and may not be earned, carried over, or borrowed from the next calendar year.

All employees will be eligible for a Safety Day if their Department Head, or the Town Manager determines the following conditions are met:

- The employee has not lost a full day or more from work for an on-the-job injury in which the employee is at fault.
- The employee has not been involved in an accident which causes damage to Town-owned equipment or property in which the employee is at fault.
- The employee must provide authorization to the Human Resources Department to obtain the employee's driving record.

Employees eligible for a safety day will receive one normal working day off with pay, scheduled with the approval of the Department Head, or the Town Manager. Any use of workers' compensation or other insurance claims for which the employee is at fault will result in the loss of the Safety Day. A loss of a Safety Day must be reported to the Town Manager.

316 Health Insurance

The Town of Clarksville's health insurance plan provides employees and their dependents access to medical coverage. The Town of Clarksville may offer dental and vision insurance plans. Employees in the following employment classifications may be eligible to participate in the health insurance plan:

- Regular full-time employees

Eligible employees may participate in the health insurance plan subject to the terms and conditions of the agreement between the Town of Clarksville and the insurance carrier. Details of the health insurance plan are described in the Summary of Benefits and Coverage (SBC). An SBC and information on the cost of coverage will be provided in advance of enrollment to eligible employees.

Employees may contact the Benefits Coordinator for additional information about health insurance plan benefits.

317 Group Life and AD&D Insurance

Group life and AD&D insurance offers important financial protection to employees and their families. The Town of Clarksville provides a group life and AD&D insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the group life and AD&D insurance plan:

- Regular full-time employees

Eligible employees may participate in the group life and AD&D insurance plan subject to the terms and conditions of the agreement between the Town of Clarksville and the insurance carrier. Employees may contact the Benefits Coordinator for additional information about group life and AD&D insurance plan benefits.

318 Short-Term Disability Insurance

Short-term disability insurance offers important financial protection for employees and their families. The Town of Clarksville provides a self-funded short-term disability insurance policy for eligible employees. Employees in the following employment classifications are eligible to participate in the short-term disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the short-term disability insurance plans subject to all terms and conditions of the short-term disability plan. Benefits will continue to be earned during a short-term disability leave. Employees may contact the Human Resources Director for additional information about the short-term disability insurance benefits.

319 Long-Term Disability Insurance

Long-term disability (LTD) insurance offers important financial protection for employees and their families. The Town of Clarksville provides a basic long-term disability insurance plan for eligible employees. Employees in the following employment classifications are eligible to participate in the long-term disability insurance plan:

- Regular full-time employees

Eligible employees may participate in the long-term disability insurance plan subject to all terms and conditions of the agreement between the Town of Clarksville and the insurance carrier(s). Employees may contact the Benefits Coordinator for additional information about the long-term disability insurance benefits.

320 Retirement Plans

The Town of Clarksville understands the need for employees to be proactive in considering their future needs for retirement. Below are the plans offered to eligible employees by the Town of Clarksville.

Indiana Public Retirement System (INPRS)

Eligible full-time employees who work in covered jobs will be covered by the Indiana Public Retirement System (INPRS). The benefits, costs, and administration are determined by current INPRS directives.

Any employee who is eligible for 100% INPRS benefits, may be eligible for retirement benefits provided by the Town of Clarksville, including but not limited to post-employment insurance.

Indiana Public Retirement System (INPRS) 1977 Fund

Eligible employees of the Police and Fire Departments who work in covered jobs will be covered by the INPRS 1977 Fund. The benefits, costs, and administration are determined by current INPRS 1977 Fund directives. The Town of Clarksville will contribute the employee's share of contributions to the 1977 Fund.

457(b) Savings Plans

The Town of Clarksville has established 457(b) savings plans through HOOSIER S.T.A.R.T. and OneAmerica to provide employees the potential for future financial security for retirement. 457(b) savings plans allow employees to elect how much salary they want to contribute and how they want to direct the investment of their plan account, so that they are able to tailor their own retirement package to meet their individual needs.

Employees may contact the Clerk-Treasurer for additional information on INPRS, the INPRS 1977 Fund, or the 457(b) Savings Plans.

321 Employee Assistance Program

The Town of Clarksville offers an Employee Assistance Program (EAP) to all employees and their family members, to assist employees with personal problems and/or work-related problems that may impact their job performance, physical health, or mental and emotional well-being.

Employees may contact the Benefits Coordinator for additional information on the details of the Employee Assistance Program.

322 Clothing and Uniform Allowances

The Town of Clarksville employees may receive a clothing or uniform allowance to be paid in June and December of each year. The authorization for the allowance and the rate of the allowance will be based on the current salary ordinance.

Employees should contact their Department Head, or the Clerk-Treasurer's Office for additional information on clothing and uniform allowances.

TIMEKEEPING/PAYROLL

401 Timekeeping/Overtime/Flex-Time

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

Employees are required to clock out any time they leave for any reason other than assigned work duties, e.g. making bank deposits, going to get office supplies, or other Town-assigned duties. Employees must clock out for any personal appointments outside of their department or workstation. This time will be deducted from paid time off, e.g. vacation benefits, sick leave benefits, personal days and any other paid time off. Any errands conducted on behalf of the Town of Clarksville must be done with the approval of a Department Head.

The work hours for civilian employees of the Municipal Center Campus are 8:30 a.m. – 4:30 p.m. Any work-related activity must be done during those hours unless additional work time is approved by a Department Head. No employee of the Town of Clarksville may clock in more than ten minutes prior to the start of their shift, or assigned work time, nor may they clock out more than ten minutes after the end of their shift, or assigned work time without a Supervisors approval.

Employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. Lunch periods of 30-minutes or less and rest periods of ten-minutes or less are counted as time worked. Lunch and rest periods that exceed those times will not be counted as time worked. Employees on any authorized breaks during the workday are subject to being recalled to their duties during the break. Employees should also record the beginning and ending time of any split shift or departure from work for personal reasons. If an employee forgets to clock in or out, they are to report it to their Department Head immediately. Failure to do so shall result in a tardy being assessed.

It is an employee's responsibility to sign their time record to certify the accuracy of all time recorded. Their Department Head, or the Town Manager will review and then initial the time record before submitting it for payroll processing. If corrections or modifications are made to the time record, both the employee and their Department Head, or the Town Manager must verify the accuracy of the changes by initialing the time record. Copies of time records must be submitted to the Human Resources Department.

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

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

Overtime may be paid to nonexempt employees in accordance with federal and state wage and hour restrictions for any time over 40-hours worked in a standard workweek. Overtime pay is based on actual hours worked. An employee's time off while using vacation, personal days, sick leave benefits, jury duty, bereavement leave, military leave or any other paid time off will not be considered as hours worked for purposes of performing overtime calculations, unless the employee has been officially called-in to work.

The Town of Clarksville may utilize "flex-time" or flexible hours in order to avoid having nonexempt employees work in excess of the 40-hour workweek. The Department Head, and the Town Manager will make every effort to ensure that employees utilize flex-time when the need arises. Flex-time will be used only if an employee needs to change their beginning clock-in time from what is actually scheduled for their department and must be taken within the same 40-hour pay period. Any employee wishing to use flex-time must obtain approval on a form signed by their Department Head and submitted to the Human Resources Director.

Police Department Employees

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

All full-time police officers of the Police Department who are engaged in law enforcement activities will be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the Town of Clarksville further adopts the use of a 14-day “work period” for the purposes of determining compensation for overtime hours worked. Based upon the forgoing, the annual hourly rates for full-time employees of the Police Department as set forth in the Town of Clarksville’s annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each “work period.” All full-time police officers of the Police Department will be paid straight time compensation for up to 86-hours of regular employment during each “work period.” Overtime pay will be earned for all time worked in excess of 86-hours during a “work period.” Overtime earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned. The Police Chief will keep verifiable records of overtime worked which will include the date, hours worked and the reason for the overtime used.

Fire Department Employees

The responsibility and work schedule of employees of the Fire Department are dramatically different compared to those of other municipal departments. In light of the special demands placed on members of the Fire Department, certain special policies and procedures have been adopted to fairly address the needs of the department.

Some full-time employees of the Fire Department who are engaged in fire protection activities may be compensated in accordance with the Section 7(k) partial overtime pay exemption of the Fair Labor Standards Act (FLSA). In conjunction with the use of Section 7(k), the Town of Clarksville further adopts the use of a 28-day “work period” for the purposes of determining compensation for overtime hours worked. Based upon the forgoing, the annual hourly rates for full-time employees of the Fire Department as set forth in the Town of Clarksville’s annual salary ordinance constitutes straight-time compensation for all regularly scheduled hours of employment during each “work period.” All full-time employees of the Fire Department will be paid overtime pay at the rate of one and a half times the regular rate for all hours worked in excess of 212-hours. Overtime pay earned during a “work period” will be paid in the first regularly scheduled paycheck issued subsequent to the “work period” in which the extra compensation was earned. The Fire Chief will keep verifiable records of overtime worked which will include the date, hours worked, and the reason for the overtime used.

403 Paydays

The Town of Clarksville pays employees on a biweekly basis (26 pays per year). The payroll week is from Monday through Sunday. A payday is typically on a Friday but if the regular payday falls on a listed holiday, the payday will be the last scheduled workday preceding the holiday.

Wages are paid by check or employees shall provide advance written authorization to have pay directly deposited into their bank accounts. Employees will receive an itemized statement of wages when the Town of Clarksville makes direct deposits.

Employees may contact the Clerk-Treasurer’s Office for additional information regarding paydays.

405 Employment Termination

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

- Resignation - voluntary employment termination initiated by an employee. Refer to Policy 708 – Resignation for additional information.
- Discharge - involuntary employment termination initiated by the organization.
- Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.
- Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The Town of Clarksville may schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, and repayment of outstanding debts to the Town of Clarksville. Suggestions, complaints, and questions may also be voiced.

Since employment with the Town of Clarksville is based on mutual consent, both the employee and the Town of Clarksville have the right to terminate the employment-at-will relationship, with or without cause. Employee benefits will be affected by employment termination in the following manner: All earned, vested benefits that are due and payable at termination may be paid according to policy. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Job Abandonment/Termination Due to Failure to Return to Work

Unless otherwise protected by applicable law, any employee who fails to call and report for work for three consecutive days within a six-month period, or has three-days of unexcused absences within a six-month period is subject to disciplinary action, up to and including termination of employment. The Department Head reserves the right to consider the circumstances of the situation before making a final decision.

When an employee, due to illness or injury, does not report to work for a period of six-months, and is unable to return to work at the expiration of the short-term disability period, the employee will be involuntarily terminated. This policy will apply whether the individual is utilizing earned paid time off or is drawing disability. An involuntary termination of an employee under this policy does not prevent the individual from reapplying for employment with the Town of Clarksville at a future date.

Retirement

An employee who has decided to retire should notify their Department Head, or the Town Manager at least 30-days prior to their retirement date. The Benefits Coordinator should also be notified so that information may be obtained concerning benefits upon retirement. Employees are encouraged to contact the Indiana Public Retirement System (INPRS) no later than 90-days prior to the employee's retirement date to possibly prevent a delay in retirement benefits.

A non-contractual employee may apply for early retirement at 60-years of age with at least 20-years of service, or when the employee is eligible for 100% of benefits under the Indiana Public Retirement System (INPRS).

Notice of intent to retire must be given in accordance with appropriate contracts and Town of Clarksville ordinances. If there are no provisions in the contracts or ordinances, at least 30-days' notice of intent to retire must be given. Copies of notice of intent to retire must be given to the Department Head, Clerk-Treasurer's Office and the Human Resources Department. Upon giving notice of intent to retire, no more than two-weeks (ten-days) of earned vacation benefits may be taken during the final 30-days. Use of such vacation benefits during that period is subject to the approval of the Department Head.

An employee who retires, including retirement due to disability, will be compensated for the following:

- All hours worked since the previous payroll.
- All vacation benefits earned and credited on the last anniversary date, which is unused at the time of termination.
- All personal and safety days earned and credited on the last anniversary date, which is unused at the time of termination.
- Clothing allowance prorated on a monthly basis to the date of termination.
- All unused sick leave benefits that have been earned, to the maximum allowed.
- Vacation benefits and sick leave benefits that have been earned, but not yet credited, since the last anniversary date will be paid prorated to the date of termination.
- Longevity will be paid prorated to the date of termination.

Layoff Policy and Procedures

The method for determining which employees will be laid off first will be based on the following conditions respectively:

- The type of employment, e.g. temporary/seasonal employees will be laid off before part-time employees, part-time employees will be laid off before full-time employees.
- The length of service in a particular job classification.
- The relative efficiency of the work of the employee in the job classification based on the most recent performance evaluation. Ten calendar days' notice will be given before layoffs, whenever possible. The responsibility for administering the above layoff procedures will be a joint responsibility between the particular department, the Human Resources Department, and the Town Council.

Death of Employee

The Department Head of a deceased employee should contact the Benefits Coordinator, the Human Resources Director, and the Clerk-Treasurer's Office in order to be instructed in the various legal and contractual requirements that must be met to secure the final wages and payment for any earned vacation benefits and compensatory time due to the deceased employee. Claims of a surviving beneficiary for any death benefits provided under any insurance contracts in force on the life of the employee must be accompanied by a death certificate.

Rehire Eligibility

Where business needs dictate, it is the policy of the Town of Clarksville to rehire former employees who have voluntarily terminated their employment, e.g. resigned, or were laid off due to the lack of work or operating funds, and who possessed a satisfactory record of service. Any employee who voluntarily terminated their employment during an active progressive disciplinary action or investigation must complete any disciplinary-related matter or investigation before consideration of being rehired, and waives any applicable time deadlines pertaining to those matters. Former employees who had a less than

satisfactory work record appropriately noted at termination as not being eligible for rehire are excluded from rehire consideration.

Contractual Police Department employees and Fire Department employees may be subject to other termination guidelines as set forth in the contracts between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

409 Administrative Pay Corrections

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

If there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head who will contact the Clerk-Treasurer's Office so that corrections may be made as quickly as possible.

410 Pay Deductions and Setoffs

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

A deduction from wages to be earned by the employee shall only be done if it meets the legal requirements set forth in Indiana Code and Kentucky state law for those employees who reside in Kentucky. Pay setoffs are pay deductions taken by the Town of Clarksville, usually to help pay off a debt or obligation to the Town of Clarksville or others.

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

WORK CONDITIONS & HOURS

501 Safety

To assist in providing a safe and healthful work environment for employees, residents, and visitors, Department Heads, and the Town Manager have the responsibility for implementing, administering, monitoring, and evaluating safety conditions in each of their departments. Success depends on the alertness and personal commitment of all.

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

If an accident results in an injury, no matter how minor the injury may be, employees are required to report the incident to their Department Head, and the Benefits Coordinator. At the time the injury occurs, the need to see a doctor will be determined. All workplace injuries will be seen by a physician and/or facility selected by the Town of Clarksville and in accordance with state laws. (NOTE: For employees who reside in Kentucky, Kentucky state law states that employees have the right to choose the physician,

with notice to the employer. If the employer is contracting with a managed health care system, the employer may limit selection to a list of providers.) Reports of injury are necessary to comply with both federal and state laws and initiate insurance and workers' compensation benefits. In the event that an employee does not report an accident or injury, there may be a delay in the benefits paid, including the possibility that medical bills will not be paid at all. Refer to Policy #306 – Workers' Compensation Insurance for additional information.

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

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to talk with their Department Head, the Human Resources Director, or the Town Manager. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports may be made without fear of reprisal.

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

Other safety guidelines may be set forth for contractual Police Department employees and Fire Department employees' accordance with the contracts set forth between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F.

502 Work Schedules

The Town of Clarksville offices are open for business Monday through Friday, 52-weeks per year unless there is a scheduled holiday. Operational needs and/or emergencies, however, may necessitate the establishment of other work hours, days, or weeks on a temporary or permanent basis.

The Town of Clarksville will establish the standard workday, workweek, and starting and ending times for each department, taking into account current and anticipated workloads, public service needs, and other factors. No established schedule will be construed as a guarantee of work hours or as a restriction of the Town of Clarksville's right to restructure the workday or workweek.

Timekeeping records will be maintained showing which hours were worked each day by all employees. Time records will be signed by the employee and the Department Head, the Clerk-Treasurer, or the Town Manager. Refer to Policy #401 – Timekeeping and Overtime/Compensatory Time/Flex-Time for additional information.

504 Use of Phone and Mail Systems

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

The use of postage purchased by the Town of Clarksville for personal correspondence is not permitted.

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

505 Non-Smoking

In keeping with Indiana state law and the Town of Clarksville's intent to provide a safe and healthful work environment, smoking, e-cigarettes, chewing tobacco and other tobacco product use is not permitted in the workplace, or in a Town-owned vehicle except in those locations that have been specifically designated as smoking areas. State law prohibits any smoking within eight feet of the entrance(s) to any Town of Clarksville buildings. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail.

This policy applies equally to all employees, contractors, residents, and visitors. Employees who violate this policy will be subject to discipline, up to and including termination of employment.

Employees with inquiries or complaints about smoking in the workplace are asked to report them to the Town Council.

506 Rest and Meal Periods

Each department has scheduled meal and rest breaks dependent upon operational requirements. Department Heads, or the Town Manager will review this schedule with employees and provide them with pertinent information. A general guideline is a ten-minute break within a four-hour period, in addition to a 30-minute lunch break. Department Heads, and the Town Manager must approve any additional break times. (NOTE: Indiana state law does not require ten-minute breaks, or a paid lunch, unless it is specified in a collective bargaining agreement. For employees who reside in Kentucky, Kentucky state law states that employees are entitled to a paid ten-minute break for every four-hours worked and a "reasonable period" for meals, ordinarily 30-minutes or more, no sooner than three-hours or later than five-hours into the shift.)

508 Use of Equipment, Machines, Tools and Vehicles

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

Use of the Town of Clarksville Vehicles

Employees should continually recognize that use of a Town-owned vehicle is a privilege and that the employee is a constant, visible, official representative of the Town of Clarksville. The employee is expected to show every motor courtesy possible and conduct themselves in a manner that enhances the good reputation of the Town of Clarksville.

Employees are encouraged to use and must use a Town-owned vehicle whenever conducting Town

business in the course of their employment, and a Town-owned vehicle will be made available. In the event an employee uses their own vehicle to conduct Town business, the Town's liability insurer shall not be responsible for damage to the employee's car during such use, and the employee's personal insurance shall be solely responsible for any damage to the employee's car. Workers' compensation insurance shall apply during such use.

Employees of the Town of Clarksville who are required to operate a Town-owned vehicle in the course of their employment must use the assigned Town-owned vehicle only for the purposes authorized.

Employees will be subject to the following conditions and restrictions:

- Employees must maintain a valid driver's license and pass periodic driving record checks at least annually with the Bureau of Motor Vehicles.
- Employees must be able to meet insurability standards and requirements of the Town of Clarksville's liability insurance carrier.
- Employees must wear their seat belts at all times if they are driving, or riding as passengers in any Town-owned vehicle.
- Employees must not purchase or consume alcohol or any controlled substance while driving the Town-owned vehicle.
- Employees may not utilize a mobile device while operating a Town-owned vehicle and must pull off of the road and come to a complete stop before emailing, texting, accessing data, dialing, or talking on the mobile device.
- Employees driving a Town-owned vehicle shall not use dual ear buds while operating the vehicle.
- Employees may not drive vehicles out of Clark County without their Department Head's authorization.
- Employees may not use vehicles for any reason except official Town of Clarksville business. This includes the use of a vehicle for a personal vacation or trips.

All employees will, when requested, execute an authorization for the Human Resources Department to obtain the employee's driving record from the Indiana Bureau of Motor Vehicles or the Kentucky Transportation Cabinet. This authorization cannot be withdrawn. Failure to execute the authorization or efforts to impede or prevent the Town of Clarksville from obtaining the employee's driving record may subject the employee to disciplinary action, up to and including termination of employment.

No employee will operate either a Town-owned vehicle or their own vehicle for Town business in the course of their employment while their license is suspended or revoked.

All employees must notify their Department Head of any and all traffic violations, including infractions and criminal offenses involving the use of a vehicle, within three business days of receiving a citation, arrest, or a summons.

Employees who are required to operate Town-owned vehicles during the course of their employment must immediately report any condition that adversely affects their ability to operate such vehicles and/or equipment. When an employee is on sick leave, or any other form of a leave of absence, the Town-owned vehicle must be left on the Town of Clarksville's premises.

Traffic fines and arrests for illegal or improper use of automobiles are the sole responsibility of the employee and may subject the employee to appropriate disciplinary action, up to and including termination of employment. Reassignment or other appropriate employment actions will be taken in the event of license revocation, suspension, or an arrest for a Driving under the Influence (DUI) violation.

Emergency road services, towing and repair charges, parking, and highway-related tolls while away from the Town of Clarksville, that are paid directly by the employee, are reimbursable provided appropriate original receipts and documentation is submitted for reimbursement as a claim through the Clerk-Treasurer's Office.

In the event of an accident, employees must do the following:

- Call 9-1-1 immediately.
- Assist any injured party, if needed.
- For Fire or Police employees, call the appropriate law enforcement agency.
- Do not move any vehicles unless instructed to do so by proper police authority.
- Write down all pertinent facts such as the other victim's name, address, telephone number, license plate number, and driver's license number; name of the insurance company and policy number; and name, address, and telephone number of any injured party or witness.
- Give the drivers name, address, telephone number, etc., as required but do not admit any fault or make any oral or written statements to anyone other than official personnel.
- Notify a Department Head and submit a written report as soon as possible, but no later than 24-hours after the incident. The Department Head must, in turn, report all accidents to the Benefits Coordinator.
- A post-accident drug test should be performed if the employee is at fault. Refer to Policy #702 - Drug and Alcohol Use/Testing.

It is the responsibility of the employee to keep the vehicle clean at all times, washed and vacuumed as often as necessary. Routine repair or vehicle maintenance must be reported to the Department Head or their designee. An employee who fails to properly maintain their assigned Town-owned vehicle may be subject to appropriate disciplinary action, up to and including termination of employment.

Employees of the Town of Clarksville who are assigned a Town-owned vehicle for duty to domicile travel are subject to Internal Revenue Service rulings regarding such usage. The use of such a vehicle for commuting is considered by the Internal Revenue Service to be a taxable benefit. A value must be established and the total annual amount reported to the Internal Revenue Service on each employee's W-2.

509 "On-Call" Employees (Non-Contractual) and Working Remotely

On occasion, it may be necessary for a Department Head to call in nonexempt employees outside of their regular working hours. A Department Head may assign certain employees to be "on-call" and available after working hours for a 24-hour period. The definition of "on-call" is being the designated person to answer calls during nonscheduled hours. An employee who is "on-call" is required to be available to respond to the workplace within 30-minutes of notice. In such cases, the employee shall be paid their normal rate of pay for actual hours worked with a minimum of two-hours. An employee who is assigned to be "on-call" will be paid a minimum amount for each "on-call" day, whether called into work or not. For workdays, when the employee is "on-call" after working hours, the amount is \$25.00. For weekends and holidays, when the employee is "on-call" for a 24-hour period, the amount is \$50.00.

The "on-call" pay is not included in the minimum of two-hours pay. Time worked while an employee is "on-call" will be considered time worked in calculating applicable overtime.

At times, it is necessary for some employees to perform work remotely, away from their actual workplace. Nonexempt employees who perform such remote work are required to immediately document

the actual time remote work is performed and report it to their Department Head immediately via email. Time spent performing work remotely may be verified using additional methods, including log-ins, email usage, etc. In such cases, the employee shall be paid the applicable straight-time or overtime rate for actual time worked remotely.

510 Emergency Closings

Periodic emergencies may disrupt Town of Clarksville operations, sometimes requiring the closing of a work facility. Emergencies include, but are not limited to, extreme weather conditions, e.g. snow, tornado, flood, or equipment failure.

The closing of any Town of Clarksville department, due to emergencies, must be approved by the Town Manager, or a designee, in advance. Affected Department Heads will be responsible for coordinating closings. If it appears that a weather emergency is imminent, employees may voluntarily contact their Department Head to see if their services are needed.

When such emergencies occur during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing. The Department Heads, the Town Manager, or their designees will contact employees in their department about emergency closings.

Any employee who reports to work and their work facility is later closed due to an emergency after their arrival shall be paid for a full workday without being penalized by the use of vacation benefits, or personal days, or by making up this time within the pay period. This does not apply to employees who do not come to work or remain at work for their entire shift due to weather when the Town of Clarksville offices are open. Under those circumstances, employees may use earned but unused vacation benefits, or personal days.

Emergency personnel (police and fire) and other employees required to work during an emergency closure shall be compensated for all such hours worked at their normal rate of pay.

There are times when employees may be called into work during an emergency. Employees who have been drinking alcoholic beverages or taking prescription narcotics and should not be driving a Town-owned vehicle must inform their Department Head at the time that they are called into work.

Except for contractual employees, if an employee has to come into work during a declared emergency closing, the employee will receive an equal number of hours worked as paid time off to be used within the next six-months. Any such use of paid time off must be with the approval of the Department Head.

512 Business Travel Expense

Employees are entitled to reimbursement of the actual costs of travel, meals, lodging, mileage, and other travel expenses while traveling on approved Town of Clarksville business. Employees are expected to limit expenses to reasonable amounts. Spouses or family members who accompany an employee are not covered by the policy and are not entitled to any reimbursement of expenses. Employees whose travel plans have been approved are responsible for making their own travel arrangements.

Expenses that may generally be reimbursed include the following:

- Expenses include parking fees, coach air fare and other relevant transportation expenses.

- Car rental fees for compact or mid-sized cars, or the lowest priced vehicle available. Employees should request the use of a Town-owned vehicle before renting a car.
- Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- Taxi fares, only when there is no less expensive alternative.
- Mileage costs for use of personal cars when less expensive transportation is not available.
- All reimbursable meal receipts must show itemization of purchase.
- Cost of standard accommodations in low to mid-priced hotels, or similar lodgings.
- Alcoholic beverages are not reimbursable.
- Charges for telephone calls, fax, and similar services required for business purposes.
- Charges for valet services, only on trips of five or more days. (Personal entertainment, personal care items, and laundry services are not reimbursed.)

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

An employee must file all receipts on appropriate claim forms. The employee must state origin and destination of each trip in sufficient detail to account for the mileage claimed. No reimbursements are payable for travel between home and office. Travel expense reports, which include travel expenses, incurred more than 30-days before the voucher date must be accompanied by a letter of explanation detailing the reason.

If using a Town of Clarksville credit card, claims and receipts must be turned into the Clerk-Treasurer's Office within seven-days of the trip.

Employees may contact their Department Head, the Benefits Coordinator, or the Town Manager for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues. Abuse of this business travel expense policy, including falsifying expense reports to reflect costs not incurred by the employee, may be grounds for disciplinary action, up to and including termination of employment.

514 Visitors in the Workplace

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

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

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

515 Social Media

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Generally, these guidelines set forth in this social

media policy should be applied to any online medium where information may reflect back on the image of the Town of Clarksville, employees, vendors, or residents. Examples include but are not limited to: blogs, LinkedIn, Twitter, Facebook, Snapchat, YouTube, Instagram, Wikipedia or other wikis, etc. Any comments that the Town of Clarksville employees may leave on others' blogs, or Facebook and Instagram pages, edits to wikis, responses to tweets, postings on message boards/forums, opinions on online polls or any product/services the Town of Clarksville employees may author are included in this policy.

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

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

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

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

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

employees that are protected by law.

Employees who have additional questions concerning the guidelines of social media and the Town of Clarksville should contact the Town Manager.

516 Computer and Email Usage

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

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

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

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

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

517 Internet Usage

Internet access to global electronic information resources on the World Wide Web is provided by the Town of Clarksville to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. The Town of Clarksville's email and Internet access may not be used for any purpose unrelated to Town business without prior authorization from the Town Manager.

All Internet data that is composed, transmitted, or received via the Town of Clarksville's computer communications systems is considered to be part of the official records of the Town of Clarksville and, as

such, is subject to disclosure to law enforcement or other third-parties. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

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

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not obtained authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression. Abuse of the Internet access provided by the Town of Clarksville in violation of law or the Town of Clarksville policies may result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and may result in disciplinary action:

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

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

518 Workplace Monitoring

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

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

Computers furnished to employees are the property of the Town of Clarksville. As such, computer usage and files may be monitored or accessed.

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

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

519 Speaking to the Media

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

Employees may contact the Town Manager for additional information on speaking to the media.

522 Workplace Violence Prevention

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

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

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a Department Head, or any other member of management. This includes threats by employees, as well as threats by residents, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible. The Town of Clarksville will not condone any form of retaliation against any employee for reporting a threat or act of violence including but not limited to any aggressive behavior, offensive act, threatening or offensive comment, etc.

All suspicious individuals or activities should also be reported as soon as possible to a Department Head, or the Town Manager. Employees should not place themselves in harm's way. If an employee sees or hears a commotion or disturbance near their workstation, they should not try to intercede or see what is happening.

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

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

The Town of Clarksville encourages employees to bring their disputes or differences with other employees to the attention of their Department Head, the Human Resources Director, or the Town Manager before the situation escalates into potential violence. The Town of Clarksville is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns. Refer to Policy #718 – Problem Resolution for additional information.

526 Mobile Device Usage

The Town of Clarksville may provide a mobile device allowance for some employees, as approved by a Department Head and the Town Manager where the urgency of communication requires the use of such device as a business tool. The allowance is provided to assist employees in communicating with management, other employees, residents, vendors, and others with whom they may conduct business.

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

Employees who have access to a mobile device while in automobiles should remember that their primary responsibility is driving safely and obeying the rules of the road. Employees are prohibited from using mobile devices to conduct the Town of Clarksville's business or personal matters while driving a Town-owned vehicle or a personal vehicle being used for Town business. Instead, they should safely pull off the road and come to a complete stop before emailing, texting, accessing data, dialing, or talking on the mobile device.

During working hours employees are urged to keep their personal conversations, emailing, texting, or data access activities brief and kept to only urgent matters when approved by a Department Head, or the Town Manager. Employees are required to conduct personal conversations, emailing, texting and or data access activities on their lunch breaks or during non-working hours. If mobile device usage, to include talking, emailing, texting, or data access usage is abused, the first infraction may result in a verbal warning. A second infraction may result in a written warning and a third or subsequent violation and continued abuse may result in continued disciplinary action, up to and including termination of employment.

The Town of Clarksville reserves the right to ban all mobile device usage during working hours, if usage becomes problematic. This does not limit action that may be taken in conjunction with other considerations.

LEAVES OF ABSENCE

601 Family and Medical Leave Act (FMLA)

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

General Eligibility

To qualify for FMLA leave, an employee must be an employee of the Town of Clarksville, must have worked at the Town of Clarksville for at least 12-months, and must have worked at least 1,250-hours during the past 12-months. Vacation benefits, sick leave benefits, personal days and any other paid time off does not count towards the 1,250 hours. (NOTE: For employees who reside in Kentucky, employees must have completed at least 12-months of service and worked or been on paid leave for at least 12-months immediately preceding the first day of family and medical leave.)

Types and Duration of FMLA Leave

Basic FMLA Leave and Active Duty Leave

An employee may be eligible for up to 12-weeks of unpaid leave in a rolling 12-month period for the following reasons:

- The birth of a child and to care for such child or placement for adoption or foster care of a child; (NOTE: Kentucky law provides leave for employees to receive an adoptive child. Upon receiving a written request, employers must grant reasonable personal leave not to exceed six-weeks when the reason is to receive an adoptive child under the age of seven. There is no requirement to provide the leave with pay.)
- To care for an immediate family member (spouse, child under 18-years old or 18 and over that is incapable of self-care, or parent) with a serious health condition;
- Because of a serious health condition which renders an employee unable to work; or
- “Active Duty Leave,” defined as leave due to any qualifying exigency arising out of the fact that an employee’s spouse, son (of any age), daughter (of any age) or parent is a “covered military member”. “Covered military member” means a member of the Armed Forces or a member of the Reserves (including the National Guard or Reserves) who is on “covered active duty”, or has been notified of an impending call or order to covered active duty. For members of the Armed Forces, “covered active duty” means duty during deployment of the member with the Armed Forces to a foreign country. For members of the Reserves, “covered active duty” means duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.

Military Caregiver Leave

An employee also may take Military Caregiver Leave to care for a spouse, son (of any age), daughter (of any age), and parent or next of kin (i.e., closest living relative) who is a “covered service member”. A “covered service member” is (i) a current service member of the Armed Forces or Reserves, including the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (ii) a veteran of the Armed Forces (including the National Guard and Reserves) who is discharged (other than dishonorably discharged) within the five-year period before the eligible employee takes military caregiver leave to care for the veteran and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness. For a current service member, “serious injury or illness” means an injury or illness incurred or aggravated by the covered service member in the line of

duty on active duty that may cause the service member to be medically unfit to perform the duties of their office, grade, rank, or rating. For a veteran, “serious injury or illness” means an injury or illness that rendered the veteran medically unfit to perform their military duties, or an injury or illness that qualifies the veteran for certain benefits from the Department of Veterans Affairs or substantially impairs the veteran's ability to work, regardless of whether the injury or illness manifested before or after the individual became a veteran.

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

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

Definitions

A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

- In-patient care (*i.e.*, an overnight stay) in a hospital or other medical care facility (including any period of incapacitation or any subsequent treatment in connection with such in-patient care);
- A period of incapacitation of more than three consecutive full calendar days, and any subsequent treatment or period of incapacitation relating to the same condition that also involves (i) treatment two or more times by a health care provider or under the supervision of a health care provider within 30-days of the start of the incapacitation, or (ii) treatment by a health care provider on at least one occasion within seven-days of the start of the incapacitation which results in a regimen of continuing treatment under the supervision of a health care provider;
- Any period of incapacitation due to pregnancy, or for prenatal care;
- Any period of incapacitation due to a chronic serious health condition requiring periodic visits of at least twice a year for treatment by a health care provider;
- A period of incapacitation which is permanent or long-term due to a condition for which treatment may not be effective, during which the employee (or family member) must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
- Any period of absence to receive multiple treatments by a health care provider or under the supervision of a health care provider, either for restorative surgery after an accident or other injury, or for a condition that will likely result in a period of incapacitation of more than three consecutive calendar days in the absence of medical intervention or treatment.

A “qualifying exigency” refers to the following circumstances:

- Short-notice deployment: to address issues arising when the notification of a call or order to active duty is seven-days or less;
- Military events and related activities: to attend official military events or family assistance programs or briefings;
- Childcare and school activities: for qualifying childcare and school-related reasons for a child, legal ward or stepchild of a covered military member;

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

When Spouses Work Together

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

Notice of Need for FMLA Leave

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

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

Intermittent FMLA Leave

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

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

Documentation Supporting FMLA Leave

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

The employee will have 15-days in which to return a completed certification form following receipt of the form from the Town of Clarksville. If the employee fails to provide timely certification after being required to do so, they may be denied the taking of the leave under the FMLA. If the certification form is incomplete or insufficient, an employee will be given written notification of the information needed and will have seven-days after receiving such written notice to provide the necessary information. If there is reason to doubt the validity of the medical certification, a second opinion, at the expense of the Town of Clarksville, related to the health condition may be required. If the original certification and the second opinion differ, a third opinion, at the expense of the Town of Clarksville, may be required. The opinion of the third health care provider, which the Town of Clarksville and the employee jointly select, will be the final and binding decision.

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

Recertification

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

Return to Work

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

Substitution of Paid Leave

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

Benefits during FMLA Leave

During the approved FMLA leave, the employee's coverage under the Town of Clarksville's benefits will continue, but if the employee goes without pay, they must pay their share of medical, dental, and other-related insurance premiums, if applicable. It is the employee's responsibility to make arrangements with the Benefits Coordinator to pay their portion of the monthly benefit premiums during the unpaid period of absence. All other benefits will be suspended during the leave.

602 Military Family Leave

Under the Indiana Military Family Leave Act, eligible employees who reside in Indiana may be able to spend time with family members who have been called up for active duty in the military. Kentucky does not require employers to provide military family leave beyond what is required in the Family and Medical Leave Act (FMLA).

Indiana Eligibility

To be eligible for Indiana Military Family Leave, an employee must have been employed with the Town of Clarksville for at least 12-months and must have worked at least 1,500-hours during the 12-month period immediately preceding the leave. Vacation benefits, sick leave benefits, personal days and any other paid time off does not count towards the 1,500-hours.

The deployed family member must be either:

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

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

The Town of Clarksville will require employees to use or exhaust any earned vacation benefits, and personal days prior to taking any unpaid time off for Indiana Military Family Leave. Earned sick leave benefits may also be used under this policy, however, the employee is not required to use their earned sick leave benefits in accordance with state law. Earned vacation benefits, and personal days taken under this policy will count toward, and not be in addition to, the ten working days of Indiana Military Family Leave. Requests by employees for an exception to this requirement must be made in writing to the Human Resources Department and must state the reason for requesting the exception.

Health care benefits in which the eligible employee participated before taking leave under this policy will be continued during the leave period under the same conditions. An eligible employee taking leave under this policy still will be required to pay the employee's portion of the health care or other-related insurance premiums normally withheld from the employee's paycheck.

Timing of Leave

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

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

Notice of Intent to Take Leave

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

Concurrent Leaves

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

Employees may contact the Human Resources Department for additional information related to military family leave.

603 Military Leave

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

An employee who reside in Indiana and who is a member of the U.S. Armed Forces, the U.S. Armed Forces Reserve Unit, or the Indiana Air or Army National Guard are entitled to receive leave for any consecutive or nonconsecutive period that doesn't exceed a total of 15-days in any calendar year without the loss of time or pay. The portion of any military leaves of absence in excess of 15-days will be unpaid. However, employees may use any available vacation benefits, sick leave benefits, or personal days for an unpaid portion of an absence. Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

An employee who resides in Kentucky and is a member of the National Guard, United States Armed Forces, or the U.S. Public Health Service, are entitled to 21-days of paid military leave each year, which may be carried forward for up to two-years, to perform active duty or training. Upon their return, employees must be permitted to return to their former position of employment, or a position with equivalent seniority, status, pay, any other rights or benefits they would have had if they had not been absent. Kentucky law also prohibits employment discrimination or the denial of employment to any member if the National Guard or Kentucky active militia on the basis of their role in the National Guard or Kentucky active militia.

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

Vacation benefits, sick leave benefits, or personal days, will be suspended during the leave, after the first 30-days and will resume upon the employee's return to active employment.

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

The Town of Clarksville will follow all other employment-related laws as they pertain to military leave in accordance with both federal and state requirements. Employees may contact the Human Resources Department for additional information about military leave.

EMPLOYEE CONDUCT & DISCIPLINARY ACTION

701 Employee Conduct and Work Rules

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

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

- Theft or inappropriate removal or possession of Town-owned or resident-owned property.
- Falsification of timekeeping records or any Town-related document or record.
- Working under the influence of alcohol or illegal drugs.
- Consuming alcoholic beverages while wearing clothing that displays the Town of Clarksville logo, or at Town events, unless previously authorized by the Town Manager.
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating Town-owned vehicles or equipment.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of Town-owned or resident-owned property.
- Being insubordinate, threatening, intimidating, disrespectful, or assaulting a coworker, resident, or vendor.
- Violation of safety or health rules.
- Sleeping on the job (unless the employee is a Firefighter).
- Smoking in prohibited areas.
- Sexual or other unlawful or unwelcome harassment or discrimination.
- Unauthorized possession of dangerous materials, such as explosives or firearms, within the Town of Clarksville's facilities, unless otherwise authorized.
- Excessive documented tardiness or absenteeism.
- Entering or leaving the Town of Clarksville's facilities without permission.
- Unauthorized absence from workstation during the workday.
- Unauthorized use of telephones, mail system, or other Town-owned equipment.

- Unauthorized disclosure of confidential information acquired in the course of one's work.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.
- Fraudulently obtaining accident, sick benefits, or workers' compensation benefits.
- Any other conduct specifically prohibited in this employee handbook.

This list is not exhaustive and is subject to change at any time without notice. Nothing in this policy or elsewhere in this handbook affects the Town of Clarksville's ability to utilize disciplinary action up to and including termination of employment, as the Town of Clarksville deems appropriate under the circumstances and in its discretion.

Cash Balance Policy

This policy applies to any Town of Clarksville employee who is involved in the receipt of cash payments on behalf of the Town of Clarksville. Violation of this policy may result in disciplinary action, up to and including termination of employment.

All accounts must be balanced during the last fifteen-minutes of each workday. Account balances must be reported to the Department Head before leaving work. All transactions for checks shall balance on a daily basis with no overages or underages. Cash accounts must be within five-dollars (\$5.00) of being in balance each day with a separate written notation of any overages or underages. A cash account may be out of balance within this range no more than one-time per month. Any violation of this range may result in disciplinary action, up to and including immediate termination of employment.

All overages and underages shall be listed daily on a separate Cash Short and Over account form to be maintained by the Department Head.

If an account is repeatedly out of balance, the employee will be subject to progressive disciplinary action, including but not limited to, reassignment, suspension with or without pay, and an involuntary termination of employment. Nothing in this policy prohibits the Town of Clarksville from disciplining or terminating the employment relationship of an employee for other violations and/or performance problems.

Contractual Police Department employees and Fire Department employees may be subject to guidelines for employee conduct, work rules and investigative procedures as set forth in the contracts between the Town of Clarksville and the Indiana Fraternal Order of Police Labor Council, Incorporated and the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F. In addition, all employees are subject to the Uniform Internal Controls Standards for Political Subdivisions developed by the Indiana State Board of Accounts, and which can currently be found in a link at <https://www.in.gov/sboa/5072.htm>. Employees must read and comply with those standards. Failure to do so may result in disciplinary action, up to and including termination of employment.

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

702 Drug and Alcohol Use/Testing

Purpose and Goal

The Town of Clarksville is committed to protecting the safety, health and well-being of all employees and other individuals in the workplace. It is recognized that alcohol abuse and drug use pose a significant threat to these goals. Therefore, the Town of Clarksville has established a drug-free workplace program that balances respect for individuals with the need to maintain an alcohol and drug-free environment. Employees are encouraged to voluntarily seek help with drug and alcohol problems.

Covered Employees and Applicability

The Town of Clarksville's drug-free workplace policy is intended to apply whenever anyone is representing or conducting business on behalf of the Town of Clarksville. Therefore, this policy applies during all working hours, whenever and wherever conducting business or representing the Town of Clarksville, while on-call, paid standby, and while on Town property. This policy includes, but is not limited to, Elected Officials, Department Heads, Supervisors, full-time employees, part-time employees, volunteers, interns, and applicants.

Prohibited Behavior

It is a violation of the Town of Clarksville's drug-free workplace policy to use, possess, manufacture, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants or counterfeit drugs. Prescription, over-the-counter drugs, and CBD oils are not prohibited when taken in standard dosage and/or according to a physician's prescription or documentation issued from a licensed medical provider for an illness. Any employee taking prescribed, over-the-counter medications, or CBD oils will be responsible for consulting with the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of their job. If the use of a medication or CBD oils and its side effects could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to notify their Supervisor, and/or Department Head and to use appropriate personnel procedures, e.g. utilize sick leave benefits, request change of duty, etc. to avoid unsafe workplace practices.

The employee should advise their Supervisor, and/or Department Head of any use and the known side effects of any medication or CBD oils and the prescribed period of use. Supervisors, and/or Department Heads should document this information and maintain the documentation in a secure employee medical file.

The illegal or unauthorized use of prescription drugs or CBD oils is prohibited. It is a violation of the Town of Clarksville's drug-free workplace policy to intentionally misuse and/or abuse prescription medications or CBD oils. Appropriate disciplinary action, up to and including termination of employment will be taken if job performance deterioration and/or other accidents occur.

Any employee having a reasonable basis to believe that another employee is illegally using, or in possession of, any controlled substance should immediately report the facts and circumstances to their Supervisor, and/or Department Head.

No employee may consume any intoxicating beverage while on duty. No employee may be under the influence of alcohol in a public place, report for duty with the odor of alcohol on their breath, or report for duty when their judgment or physical condition has been impaired by alcohol, medications, or CBD oils.

Notification of Convictions

Any employee who is convicted of a criminal drug violation in the workplace must notify the Town of Clarksville in writing within five calendar days of the conviction. The Town of Clarksville will take appropriate action within 30-days of the notification. Federal contracting agencies will be notified when appropriate.

Searches

Any time an employee is either at work or performing work-related activities, there is no expectation of privacy in lockers, desks, work stations, vehicles, or equipment. If any covered worker is suspected of violating the drug-free workplace policy, they may be asked to submit to a search or inspection at any time. Searches may be conducted of lockers, desks, work stations, vehicles, and equipment. Refusal to allow a search will be considered a violation of the policy and will be subject to the Town of Clarksville's progressive disciplinary action procedures.

Drug Testing

To ensure the accuracy and fairness of the Town of Clarksville's testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable, and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug-testing information will be maintained in separate secure employee medical files. Employees are required to notify the testing site of all prescription drugs, over the counter drugs, and CBD oils that they are utilizing at the time of the testing.

The Town of Clarksville may conduct drug and alcohol testing under any one of the following circumstances:

- Post-offer testing
- Random testing
- Reasonable suspicion testing
- Post-accident testing
- Return-to-duty testing
- Follow-up testing

Post-Offer Testing

All final candidates, except full-time and part-time, temporary, or seasonal employees being transferred into positions covered by this policy, will be given a drug test paid for by the Town of Clarksville. Failure to take or pass the drug test will disqualify the individual for employment.

Random Testing

Employees who are engaged in safety-related occupations, e.g. police officers and firefighters, operators of heavy equipment, users of the Public Works Department chipper truck or any Town-owned vehicle, those holding a Commercial Driver's License, or those with past drug or alcohol abuse issues, are subject to random drug testing. All those listed will be maintained in a database and by random computer selection a percentage will be chosen on a quarterly basis to submit to drug testing.

Those selected for random testing will be notified via their Supervisor, or Department Head and will report within 24-hours of notification to submit to testing. The employee or representative must present valid government issued picture identification at the testing site and will be required to sign a release of

information in order for the test result documentation to be presented to the Human Resources Director. The Town of Clarksville will pay for the random tests.

Reasonable Suspicion Testing

If a trained Supervisor reasonably concludes that objective facts may indicate prohibited drug and/or alcohol use, the trained Supervisor will refer the employee for drug and/or alcohol testing. The trained Supervisor must complete and document the steps outlined in the reasonable suspicion procedure. The Town of Clarksville will pay for drug and/or alcohol testing performed as a result of reasonable suspicion. All those covered by the drug-free workplace policy are subject to reasonable suspicion testing.

Post-Accident Testing

Post-accident testing is mandatory for any accident involving a Town-owned vehicle or which occurs while the employee is on Town business when the employee is at fault. Post-accident alcohol testing will be performed within eight-hours of an accident. Post-accident drug testing will be performed within 32-hours of an accident. All those covered by the drug-free workplace policy are subject to post-accident testing. The Town of Clarksville will pay for post-accident drug and/or alcohol testing.

Return-to-Duty Testing

Before an employee is allowed to return-to-duty following a positive drug and/or alcohol test result, or any prohibited activity, that individual must first be evaluated by a Substance Abuse Professional (licensed addictions professional). All those covered by the drug-free workplace policy are subject to return-to-duty drug and/or alcohol testing. Once an employee is allowed to return-to-duty following a positive drug and/or alcohol test, the employee will be subject to unannounced follow-up testing for at least 12-months after the return. A minimum of four drug and/or alcohol tests will be performed during the first 12-months after the employee returns to duty.

Testing for the presence of alcohol will be conducted by analysis of breath. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive will be immediately removed from duty, referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, and may be suspended without pay for up to 30-days. The employee will be required to pass a return-to-duty drug test and sign a return-to-work agreement, will be subject to ongoing, unannounced, follow-up testing for a period of one-year, and may be disciplined, up to and including immediate termination of employment if they test positive a second time or violate the return-to-work agreement.

An employee will be subject to the same consequences of a positive test if that employee refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person, sends an imposter, will not sign the required forms, or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Drug Testing: CDL Employees

The use of illegal drugs and alcohol by the Town of Clarksville's drivers is prohibited. Pursuant to regulations promulgated by the Department of Transportation (DOT), the Town of Clarksville shall require drug and alcohol testing in the following circumstances for all CDL employees:

- Post-offer testing
- Random testing
- Reasonable suspicion testing

- Post-accident testing
- Return-to-duty testing
- Follow-up testing

Refusal to submit to the types of drug and alcohol tests employed by the Town of Clarksville will be grounds for refusal to hire applicants and to terminate employment of existing drivers. Any driver who becomes unqualified or engages in prohibited conduct may be subject to termination of employment.

Post-Offer Testing

All applicants for driving positions must submit to urine drug tests. An applicant is not required to submit a urine drug test if the Town of Clarksville can certify that the driver has participated in a valid drug testing program within the preceding 30-days and while participating in that program was either tested within the past six-months or participated in a random selection program for the previous twelve-months. The Town of Clarksville will ensure that no prior employer of the driver has knowledge or records of a violation of the DOT alcohol rules within the previous six-months.

Random Testing

The Town of Clarksville will conduct random drug and alcohol testing. The Town of Clarksville, or its agents will submit all drivers to a random selection system that is separate from other employees. The random selection system provides an equal chance for each driver to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year but, at minimum, on a quarterly basis. The Town of Clarksville will drug test, at a minimum, 50-percent of the average number of driver positions in each calendar year. The Town of Clarksville will select, at a minimum, ten-percent of the average number of driver positions for random alcohol testing. Random selection, by its very nature, may result in drivers being selected in successive selections or more than once a calendar year. Alternatively, some drivers may not be selected in a calendar year.

If a driver is selected at random, for either drug or alcohol testing, a Town of Clarksville official will notify the driver. Once notified, every action the driver takes must lead to a collection. If the driver engages in conduct which does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

Reasonable Suspicion Testing

Reasonable suspicion for requiring a driver to submit to drug and/or alcohol testing exists when a driver manifests physical or behavioral systems or reactions commonly attributed to the use of controlled substances or alcohol. Such driver conduct must be witnessed by at least one Supervisor in compliance with Subsection 382.603 of the DOT/FHWA Alcohol and Drug Testing Rules (DOT Subsection).

According to 40.87 of the DOT regulations, drivers are to be tested for the following five drugs:

- Marijuana metabolites
- Cocaine metabolites
- Amphetamines
- Opiate metabolites
- Phencyclidine (PCP)

If the driver/applicant has an alcohol test result between .02 and .0399, they will not be allowed to drive for 24-hours. That person will be removed from safety-sensitive functions and will not be allowed to operate a commercial motor vehicle for 24-hours.

Post-Accident Testing

When a driver is involved in an accident where a fatality is involved, the driver must submit to post-accident drug and alcohol testing. When a driver is involved in a recordable accident and receives a citation for a moving violation arising from the accident, the driver must submit to a drug and alcohol test. Following any accident, the driver must contact the Town of Clarksville as soon as possible.

The DOT requires that any time a post-accident drug and alcohol test is required that it be performed as soon as possible following the accident. If no alcohol collection can be made within eight-hours, attempts to collect a breath sample will cease. If urine collection cannot be obtained for the purposes of post-accident drug testing within 32-hours, attempts to make such collection will cease. In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, those tests will be considered to meet the requirements of this policy, provided the tests conform to applicable federal, state or local requirements. The employee will sign a release allowing the Town of Clarksville to obtain the test results from federal, state, or local officials.

In the event that a driver is so seriously injured that the driver cannot provide a urine or breath specimen at the time of the accident, the driver must provide necessary authorization for the Town of Clarksville to obtain hospital records or other documents that would indicate whether there were controlled substances or alcohol in the driver's system at the time of the accident.

Consequences

One of the goals of the Town of Clarksville's drug-free workplace program is to encourage employees to voluntarily seek help with alcohol or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of a post-offer testing, the offer of employment may be withdrawn if the applicant violates the drug-free workplace policy. The applicant may reapply after six-months and must successfully pass a post-offer drug test at that point.

If an employee violates the policy, they will be subject to progressive disciplinary action and may be required to enter a treatment/recovery program. An employee required to enter a treatment/recovery program that fails to successfully complete the program and/or repeatedly violates the policy will be involuntarily terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations or performance problems.

Return-To-Work Agreements

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a return-to-work agreement as a condition of continued employment.

Assistance

The Town of Clarksville recognizes that alcohol and drug abuse and addiction are treatable illnesses. The Town of Clarksville also realizes that early intervention and support may improve the success of rehabilitation. To support the employees of the Town of Clarksville, the drug-free workplace policy:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem;
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help;

- Ensures the availability of a current list of qualified community professionals; and
- Allows the use of earned but unused vacation benefits, sick leave benefits, and personal days while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for assessment and recommended treatment belongs to the employee.

Confidentiality

All information received by the Town through the drug-free workplace program is considered confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility from both employees and management. Employees are instructed to not report to work or be subject to duty while their ability to perform job duties is impaired due to on-duty or off-duty use of alcohol or other drugs whether legal or illegal.

In addition, employees are encouraged to support fellow workers in seeking help and reporting dangerous behavior to their Supervisor.

It is the Supervisor's responsibility to inform employees about the policy, observe employee performance, investigate reports of dangerous practices, document negative changes and problems in performance, counsel employees as to expected performance improvement, refer employees to the Employee Assistance Program (EAP), and clearly state consequences of policy violations.

Communication

Communicating the Town of Clarksville drug-free workplace policy to employees is critical to the success of this program. To ensure that employees are aware of their role in supporting the drug-free workplace program, all employees will receive a written copy of the policy, the policy will be reviewed in orientation sessions with new employees, employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees, and every Supervisor will receive training to help them recognize and manage employees with alcohol and other drug-related problems.

Employees with questions on this policy or issues related to drugs or alcohol use/testing may raise their concerns to the Human Resources Department without fear of reprisal.

703 Sexual and Other Unlawful Harassment

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

Equal Employment Opportunity

It is the policy of the Town of Clarksville to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex (pregnancy, gender identity, sexual orientation), national origin, age (40 or over), disability, genetic information as referenced in the Genetic Information

Nondiscrimination Act (GINA), military service veteran status, limited English proficiency (as determined by the Town of Clarksville), or any other characteristic protected by federal, state and local laws. (NOTE: For employees who reside in Kentucky, the Kentucky Civil Rights Act includes status as a smoker or nonsmoker as a protected class. Also protected are the political views of all employees.) The Town of Clarksville prohibits any such harassment or discrimination.

Definitions of Harassment

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

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

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual because of their race, color, religion, sex (pregnancy, gender identity, sexual orientation), national origin, age (40 or over), disability, genetic information as referenced in the Genetic Information Nondiscrimination Act (GINA), military service veteran status, limited English proficiency (as determined by the Town of Clarksville), or any other characteristic protected by federal, state and local laws, (NOTE: For employees who reside in Kentucky, the Kentucky Civil Rights Act includes status as a smoker or nonsmoker as a protected class. Also protected are the political views of all employees.) or that of their relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

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

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

Individuals and Conduct Covered

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

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

Retaliation Is Prohibited

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

Reporting an Incident of Harassment, Discrimination or Retaliation

The Town of Clarksville encourages reporting of all perceived incidents of harassment, discrimination or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of harassing conduct should discuss their concerns with their Department Head, the Human Resources Director, or the Town Manager.

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

Complaint Procedures

If for any reason an individual does not wish to address the offender directly, or if addressing the offender does not successfully end the offensive conduct, the individual should notify their Department Head, the Human Resources Director, or the Town Manager. In addition, there may be instances in which an individual seeks only to discuss matters with one of the Town of Clarksville designated representatives, and such discussion is encouraged.

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

As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with their Department Head, the Human Resources Director, or the Town Manager.

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

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

Retaliation against an individual for reporting harassment or discrimination, or for participation in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, may be subject to disciplinary action, up to and including termination of employment. Acts of retaliation should be reported immediately and will be investigated and corrective action taken promptly. Corrective action may include, retraining, referral to counseling and/or

disciplinary action, up to and including termination of employment, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay as deemed appropriate under the circumstances.

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

Confidentiality

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

False Claims of Sexual Harassment, Discrimination and/or Retaliation

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

Conclusion

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

Any employee who has any questions or concerns about these policies should speak with a Department Head, the Human Resources Director, or the Town Manager.

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

704 Attendance and Punctuality

Timely and regular attendance is an expectation of performance for all Town of Clarksville employees. To ensure adequate staffing, positive employee morale, and to meet expected productivity throughout the Town, employees will be held accountable for adhering to their workplace schedule.

Employees will be advised of the hours that they are expected to work by their Department Head. All hours and days of work are subject to change and modification by the Department Head. The Town of Clarksville's stated office hours are as posted. In the event that an employee is unable to work their assigned schedule, they must obtain advance approval from their Department Head for any changes.

The following definitions and policies apply regarding employees' work attendance:

ABSENT – An employee is considered absent when they fail to work their assigned work schedule without receiving their Supervisor's approval.

TARDY – An employee is deemed to be tardy when they:

- Fail to report for work at the assigned work time;
- Arrive to work past the scheduled start time;
- Leave work prior to the end of the assigned work time; or
- Take an extended mealtime without approval.

Violations of the attendance and punctuality policies will result in the following, but the Town of Clarksville reserves the right to impose other methods of discipline:

One occurrence is equal to:

- One absence; or
- Two tardy's; or
- Two missed uses of the time clock.

Disciplinary action will result from the following number of occurrences:

- Three occurrences will result in a verbal written warning.
- Four occurrences will result in a written warning.
- Six occurrences will result in an involuntary termination of employment.

Occurrences will be computed on a year-to-date basis. Records are maintained for a 12-month rolling period, starting with the employee's first reported occurrence.

Departments may also develop a departmental attendance/punctuality policy that meets the unique operational needs of the department. If it is determined that a departmental policy is needed, the department must obtain the approval of the policy by the Town Manager.

705 Personal Appearance

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

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

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

Some employees are provided uniforms, which must be worn only while on duty. If not dressed in clothing provided during a working period, the employee shall be sent home to dress in the approved work attire. Nonexempt employees will not be paid while traveling home to change into work attire.

Police Officers may refer to the Police Department Standard Operating Procedures (SOPs) and Firefighters may refer to the Fire Department General Orders pertaining to their personal appearance on the job.

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

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

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

706 Return of Property

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

- Materials
- Written information
- Identification Badges
- Mobile Devices
- Electronic Equipment
- Tools
- Keys and/or Frequency Operated Buttons (FOBs)
- Uniforms
- Credit Cards
- Vehicles

Employees must return all Town of Clarksville property immediately upon request or upon termination of employment.

Upon termination of employment or at any time upon a written request, an employee will deliver promptly to the Town of Clarksville all originals and all copies (including photocopies, facsimiles and

computer or other means of electronic imaging and storage whether now known or hereafter discovered of all manuals, letters, notes, notebooks, reports, computer programs, flow charts and similar items, memoranda, lists of residents), Town-owned equipment, and all other materials and copies thereof relating in any way to confidential information or the business of the Town of Clarksville.

Where permitted by applicable laws, the Town of Clarksville may withhold from the employee's check or final paycheck the cost of any items that are not returned when required if the employee has signed an agreement with the Town of Clarksville allowing them to do so. The Town of Clarksville may also take legal action deemed appropriate to recover or protect its property.

707 Sexual Abuse and Molestation Prevention

The Town of Clarksville is committed to preventing both sexual abuse and molestation in the workplace. In order to make this “zero tolerance” policy clear to all employees, we have adopted mandatory procedures that all employees must follow when they learn of, or witness sexual abuse, or molestation during the course of their employment with the Town of Clarksville.

Definitions of Sexual Abuse and Molestation

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of an employee who comes in contact with a child or adult during the course of one’s work for the Town of Clarksville. Sexual abuse includes sexual assault, exploitation, molestation, or injury of another employee, resident, or visitor, whether they are a child, or an adult. It does not include sexual harassment, which is another form or behavior which is prohibited by the Town of Clarksville. Refer to Policy #703 – Sexual and Other Unlawful Harassment for additional information.

There are a number of “red flags” that may suggest that someone is being sexually abused. They may take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted disease
- Difficulty walking or ambulating normally
- Stained, bloody or torn undergarments
- Genital pain or itching and
- Physical injuries involving the external genitalia

Behavioral evidence of sexual abuse includes, but it not limited to:

- Fear or reluctance about being left in the care of a particular person
- Recoiling from being touched
- Bundling oneself in excessive clothing, especially night clothes
- Discomfort or apprehension when sex is referred to or discussed and
- Nightmares or fear of night and/or darkness

Individuals and Conduct Covered

This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the Town of Clarksville (e.g. and outside vendor, consultant, or resident).

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

Retaliation is Prohibited

The Town of Clarksville encourages reporting of all perceived incidents of sexual abuse and molestation. It is the policy of the Town of Clarksville to investigate such reports. The Town of Clarksville prohibits retaliation against any individual who reports incidents of sexual abuse and molestation or participates in an investigation of such reports.

Reporting an Incident of Sexual Abuse or Molestation

The Town of Clarksville encourages reporting of all perceived incidents of sexual abuse or molestation, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victims of sexual abuse, molestation, or retaliation, or who have knowledge of such incidents, should discuss their concerns with their supervisor, the Town Manager, or the Chief of Police.

If the victim is an adult, the abuse will be reported by the Town of Clarksville to the local or state Adult Protective Services (APS) Agency. If a child is the victim, the Town of Clarksville will report the incident to the local or state Child Abuse Agency. Appropriate family members of the victim will also be notified immediately of the suspected sexual child abuse.

Complaint Procedures

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

Any reported allegation of sexual abuse, molestation, or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The Town of Clarksville will cooperate fully with any investigation that is conducted by law enforcement or regulatory agencies and may also refer the complaint and the result of their investigation to those agencies.

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

As noted above individuals who believe that they have been the victims of conduct prohibited in this policy statement or who believe they have witnessed such conduct should discuss their concerns with their supervisor, the Town Manager, or the Chief of Police.

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

Confidentiality

The Town of Clarksville will make all reasonable efforts to maintain the confidentiality of all parties involved in a sexual abuse or molestation investigation. Confidentiality, however, cannot be guaranteed. For example, some details or identities may need to be revealed in order to fully investigate the sexual abuse or molestation complaint. Identities of minors will be protected in accordance with both federal and state laws.

False Claims of Sexual Abuse, Molestation, and/or Retaliation

In order to cover all possibilities of misconduct, the Town of Clarksville reserves the right to discipline employees who have falsely accused another of sexual abuse, molestation, or retaliation. This does not mean that a complaint will be considered “false” solely because it cannot be corroborated.

Conclusion

The Town of Clarksville has developed this policy to ensure that all its employees may work in an environment free from sexual abuse, molestation, and retaliation. The Town of Clarksville will make very reasonable effort to ensure that all necessary persons are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Any employee who has any questions or concerns about these policies should speak with the Town Manager, or the Chief of Police.

708 Resignation

Resignation is a voluntary act initiated by the employee to terminate employment with the Town of Clarksville. The Town of Clarksville requests at least 20 working days of written notice from exempt employees and ten working days of written notice by nonexempt employees. “Working days” indicates the days the employee is on the job and does not include vacation benefits, sick leave benefits, personal days, or compensatory time. The employee should include the date, a statement indicating the employee’s intention to resign, the effective date of resignation, the reason for resignation, and their signature. The Department Head shall forward the resignation letter to the Human Resources Department upon receipt for inclusion in the employee’s personnel file.

An employee who does not provide advance notice as requested or fails to work the remaining period once the notice has been given may be rendered ineligible for future reemployment or rehire. Any employee who voluntarily terminates, e.g. resigns or retires during an active disciplinary action, or investigation must complete any disciplinary-related action, or investigation before consideration of being rehired and waives any applicable time deadlines pertaining to those matters. Refer to Policy 405 – Employment Terminations for additional information.

An employee who voluntarily terminates employment and provides the requested advance notice will be paid for earned, but unused vacation benefits, personal days, and compensatory time, up to the established maximums. (NOTE: For employees who reside in Kentucky, Kentucky state law states that employers must pay along with other compensation due as wages any vested vacation pay and any other similar advantages agreed to by the employer and employee or provided to employees as an established policy, whether the employee voluntarily terminates or is involuntarily terminated.) Those unused benefits after separation of employment will be calculated from the employee’s hire date and paid in a lump sum with the next scheduled payroll. Claims for expense reimbursements will be paid on the next scheduled pay date as well. Insufficient or no notice may cause a delay in processing an employee’s final paycheck.

(NOTE: For employees who reside in Kentucky, Kentucky state law states that employees who voluntarily quit or are discharged must be paid no later than the next normal pay period or in 14-days, whichever occurs last.)

710 Security Inspections

The Town of Clarksville wishes to discourage theft or unauthorized possession of the property of employees, visitors, and residents. To facilitate enforcement of this policy Department Heads, the Human Resources Director, the Town Manager, or law enforcement officials may inspect not only desks and file cabinets, but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the Town of Clarksville's premises.

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

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

711 Facilities Inspections

It is the responsibility of all employees to ensure that facilities and work areas are secure. Any employee entrusted with facility keys will make certain the facility is secure when that employee is the last to leave. This includes, but is not limited to, turning off appropriate lights, and closing and locking all doors and windows.

Employees may report any potential security risks to a Department Head, or the Town Manager.

712 Solicitation

In an effort to ensure a productive and harmonious work environment, persons not employed by the Town of Clarksville may not solicit or distribute literature in the workplace at any time for any purpose.

The Town of Clarksville recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. Working time does not include lunch periods, or any other periods in which employees are not engaged in performing their work-related tasks.

In addition, the posting of written solicitations on Town-owned bulletin boards is prohibited. Bulletin boards are reserved for official organization communications on such items as:

- Employee announcements
- Internal memoranda
- Job openings
- Town of Clarksville announcements
- Payday notice
- Workers' compensation insurance information
- Unemployment insurance information

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

716 Progressive Discipline

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

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

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

Other than violations of Policy #704 – Attendance and Punctuality, disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Copies of all written warnings must be placed in the employee's personnel file in the Human Resources Department.

Progressive discipline means that, with respect to most disciplinary problems other than violations of Policy #704 Attendance and Punctuality, these steps will normally be followed:

- A first offense may call for a verbal warning;
- A second offense may be followed by a written warning;
- A third offense may lead to a suspension when the employee needs to be removed from the workplace for investigation procedures to continue; or
- The next offense may then lead to termination of employment.

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

While it is impossible to list every type of behavior that may be deemed a serious offense, Policy #701 - Employee Conduct and Work Rules include examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline. It is hopeful that, by using progressive discipline, most employee problems may be corrected at an early stage, benefiting both the employee and the Town of Clarksville.

Contractual employees covered under an agreement between the Town of Clarksville and either the Indiana Fraternal Order of Police Labor Council, Incorporated, or the Clarksville Professional Firefighters' Union Local 2594 I.A.F.F., will follow the grievance procedures as outlined in their individual contracts with the Town of Clarksville.

718 Problem Resolution

The Town of Clarksville's open-door policy ensures that employees' who have questions and complaints arising from misunderstandings and the application of policies, procedures, and work rules be promptly heard, answered and action taken to resolve or clarify each situation.

Any employee who has a complaint with the Town of Clarksville or any employee is encouraged to make use of the following steps to resolve the concern keeping in mind that utilizing the proper chain of command decreases the likelihood of unnecessary tension and respects each level of management and their authority.

- The employee should talk with the other individual to try and come to resolution of the problem or situation.
- If talking with the employee does not satisfy the problem or situation, the employee is encouraged to contact their immediate Supervisor, or their Department Head to discuss the problem or situation, as soon as possible. If the immediate Supervisor, or the Department Head is unavailable or the employee believes it would be inappropriate, the employee may present their problem to the Human Resources Department, or the Town Manager in writing.
- The role of the Human Resources Department is to review and consider the problem and determine if additional management review or involvement is required. The Human Resources Department will involve other executive team members as required, and then inform the employee of the decision and forward a copy of any written response to the employee's personnel file.

While the steps listed above are guidelines for successful problem resolution, they are not inclusive and any step may be bypassed, as appropriate on a case-by-case basis. The Department Head, and the Town Manager are all responsible to provide counsel and advice for preparing a problem for an appeal.

Additional questions regarding problem resolution and the chain of command may be directed to a Department Head, the Human Resources Director, or the Town Manager, as appropriate.

722 Workplace Etiquette

The Town of Clarksville strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues may be addressed by politely talking with a coworker to bring the perceived problem to their attention. In most cases, common sense will dictate an appropriate resolution. The Town of Clarksville encourages all

employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

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

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

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

MISCELLANEOUS

801 Political Activity

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

Although any solicitation, refer to Policy #712 – Solicitation, by employees of the Town of Clarksville during working hours is strictly prohibited, employees must make every effort to avoid the appearance of impropriety when engaging in political activities on their own time. Employees must note that they are engaging in political activity on their own time and not on behalf of the Town of Clarksville. Employees must also refrain from using the Town of Clarksville’s vehicles, equipment, etc., or wearing or displaying anything identifying them as a Town employee while campaigning, attending campaign events, or engaging in any political activity. Employees must also refrain from discussing municipal business during political discussions. No Town of Clarksville employee should be required to contribute money or anything of value to any candidate for nomination or election to any office, campaign or political committee or be required to take part in any political campaign. In addition, receiving gifts, remuneration of any type or monetary reward in exchange for political activities while conducting municipal business, or that conflicts with municipal business is prohibited. Nothing in this policy shall be interpreted to prohibit or otherwise restrict concerted activities by employees that are protected by law.

Specific questions regarding appropriate political activity behaviors may be directed to the Human Resources Director, or the Town Manager.

APPENDIX

INDOT Code of Ethics and Conflicts of Interest

No employee, officer, or agent of INDOT nor a federal fund subrecipient of INDOT shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Consultant personnel serving in management roles for INDOT or for INDOT federal fund subrecipients and officials and employees of subrecipients participating in selection, or in the award or administration of a contract shall adhere to the Code of Ethics prescribed below for INDOT Personnel. A consultant hired in a management support role (as defined in 23 CFR 172.3 and 23 CFR 172.7b (5)) is precluded from providing additional services for projects, activities, or contracts under its oversight due to potential conflicts of interest. These services include performance of work and review or evaluation of work done by their firm on behalf of the contracting agency

2.1.1 INDOT Personnel

INDOT personnel shall:

- Abide by ethical requirements set forth in IC 4-2-6-9 and 23 CFR 172.7(b)(4)(ii) which, in part, prohibits employees from participating in decision making in circumstances in which the employee, officer or agent, employee's partner, a family member, or an organization that employs or is about to employ any of those listed would have a potential financial interest in the outcome.
- Consider the interests of the State of Indiana and INDOT first when contracting for professional services.
- Seek to obtain the maximum value for each dollar spent for professional services.
- Request removal from any situation in which a personal relationship may affect judgment in selection, administration or performance evaluation activities.
- Avoid unnecessary sharing of internal INDOT information, including project or program information that may result in giving a competitive advantage to a select firm or firms.
- Accept nothing of monetary value from consultants, potential consultants or parties to subagreements. (Mementos or souvenirs of nominal value may be accepted.)

IC 4-2-6-9

A state officer, an employee, or a special state appointee may not participate in any decision or vote, or matter relating to that decision or vote, if the state officer, employee, or special state appointee has knowledge that any of the following has a financial interest in the outcome of the matter:

- The state officer, employee, or special state appointee.
- A member of the immediate family of the state officer, employee, or special state appointee.
- A business organization in which the state officer, employee, or special state appointee is serving as an officer, a director, a member, a trustee, a partner, or an employee.
- Any person or organization with whom the state officer, employee, or special state appointee is negotiating or has an arrangement concerning prospective employment.

A state officer, an employee, or a special state appointee who identifies a potential conflict of interest shall notify the person's appointing authority and ethics officer in writing and do either of the following:

- Seek an advisory opinion from the commission by filing a written description detailing the nature and circumstances of the particular matter and making full disclosure of any related financial interest in the matter. The commission shall (a) with the approval of the appointing authority, assign the particular matter to another person and implement all necessary procedures to screen the state officer, employee, or special state appointee seeking an advisory opinion from involvement in the matter; or (b) make a written determination that the interest is not so substantial that the commission considers it likely to affect the integrity of the services that the state expects from the state officer, employee, or special state appointee.
- File a written disclosure statement with the commission that (a) details the conflict of interest; (b) describes and affirms the implementation of a screen established by the ethics officer; (c) is signed by both the state officer, employee, or special state appointee who identifies the potential conflict of interest; and the agency ethics officer; (d) includes a copy of the disclosure provided to the appointing authority; and (e) is filed not later than seven-days after the conduct that gives rise to the conflict.
- A written disclosure filed under this subdivision shall be posted on the inspector general's Internet web site.

A written determination under subsection (b)(1)(B) constitutes conclusive proof that it is not a violation for the state officer, employee, or special state appointee who sought an advisory opinion under this section to participate in the particular matter. A written determination under subsection (b)(1)(B) shall be filed with the appointing authority.

23 CFR 172.7(b)(4)(ii) Conflicts of Interest

A contracting agency shall maintain a written code of standards of conduct governing the performance of their employees engaged in the award and administration of engineering and design related services contracts under this part and governing the conduct and roles of consultants in the performance of services under such contracts to prevent, identify, and mitigate conflicts of interest in accordance with 2 CFR 200.112, 23 CFR 1.33 and the provisions of this paragraph (b)(4).

No employee, officer, or agent of the contracting agency shall participate in selection, or in the award or administration of a contract supported by Federal-aid funds if a conflict of interest, real or apparent, would be involved. Such a conflict arises when there is a financial or other interest in the consultant selected for award by:

- The employee, officer, or agent;
- Any member of his or her immediate family;
- His or her partner; or
- An organization that employs or is about to employ any of the above.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

Issue Date: 01/01/2020

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

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

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

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____