

TOWN OF GROTON
PERSONNEL POLICY MANUAL
October 2002

Issued by: Human Resources

INTRODUCTION

Employment with the Town of Groton is covered by the Town Charter, the Personnel Rules of the Town of Groton, the Terms and Conditions of Employment for Non-Union Employees of the Town of Groton and/or applicable Collective Bargaining Agreements and this Personnel Policy.

This manual represents a collection of the Town of Groton's employment policies as they have been issued, revised and amended over time.

One of our objectives is to provide a work environment that supports personal and professional growth. The Town of Groton is proud of its history and employees. At whatever time you joined us, you were selected because of your skill, experience and commitment to team work-elements that are essential to our responsiveness and our ability to provide Town of Groton residents with high quality service.

This manual is designed to acquaint you with the Town and provide you with information about working conditions, employee benefits and some of the policies affecting your employment. You should read, understand and comply with all provisions of the manual. It describes many of your responsibilities as a Town employee and outlines the programs developed by the Town to benefit employees.

The practices, policies, plans and benefits in this manual apply to all employees. However, if the policies of this manual differ from the terms of a collective bargaining agreement, the provisions and terms of the collective bargaining agreement shall apply exclusively to employees covered by that agreement.

No Personnel Policy Manual can anticipate every circumstance or question about policy. As the Town continues to evolve, the need may arise at any time to amend or terminate the practices, policies, plans and benefits described in this document. Any changes will supersede the contents of this document.

This manual is intended for information and guidance. It is not an employment contract and does not guarantee any fixed terms and conditions of employment.

Employees should familiarize themselves with the contents of the Personnel Policy Manual as soon as possible, for it will answer many questions about employment with the Town of Groton. Your supervisor or Human Resources will be available to address any questions not answered in this manual.

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SECTION 1 - EMPLOYMENT POLICIES

A) EQUAL EMPLOYMENT OPPORTUNITY

1.0 Policy

It is the policy of the Town of Groton to provide equal employment opportunity without regard to race, color, sex, religion, creed, national origin, ancestry, age, marital status, sexual orientation, political affiliation or because the employee is a veteran or a qualified individual with a disability.

This policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, and all other conditions and privileges of employment in accordance with applicable federal and state laws.

We are fully committed to this principle and to obtaining the cooperation and understanding of this effort by all of our employees.

Adopted: Town Council Resolution: February 20, 1979; September 5, 1989
Administratively Revised: August 2002

B) WORKPLACE HARASSMENT

1.0 Policy

Introduction. The Town of Groton depends upon a work environment of tolerance and respect for the achievement of its goals. The Town is committed to providing a working environment that is free of all forms of abuse or harassment. The Town recognizes the right of all individuals to be treated with respect and dignity.

Workplace Harassment: Workplace harassment including, but not limited to, verbal slurs, negative stereotyping, overt hostility and the dissemination of written or graphic material designed to attack someone based on their race, color, sex, age, disability, religion, national origin, ancestry, marital status, or sexual orientation is prohibited.

Sexual Harassment: Sexual harassment is a form of workplace harassment which adversely affects the employment relationship. It is prohibited by State and Federal law. Sexual harassment of individuals occurring in the workplace or in other settings in which individuals of the Town may find themselves in connection with their employment is unlawful and will not be tolerated by the Town. The Town also condemns and prohibits sexual or other harassment by any vendor, customer or member of the general public.

Because the Town takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose necessary corrective action, including discipline where appropriate. It is important to note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to take disciplinary or remedial action for workplace conduct that we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment. Sexual harassment does not refer to purely voluntary and welcome social activities. It refers to behavior that is not welcome by the individual, that is personally offensive to him or her,

and that undermines morale and/or interferes with the ability of the individual to work effectively. While it is not possible to list all the circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Verbal abuse of a sexual nature;
- Use of sexually degrading words;
- Jokes or language of a sexual nature;
- Conversation or gossip with sexual overtones;
- Obscene or suggestive gestures or sounds;
- Sexually-oriented teasing;
- Verbal comments of a sexual nature about an individual's appearance or sexual terms used to describe an individual;
- Inquiries into one's sexual experiences;
- Discussion of one's sexual activities;
- Comments, jokes or threats directed at a person because of his/her sexual preference;
- Unwelcome and repeated invitations (for lunch, dinner, drinks, dates, sexual relations);
- Physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching or repeated brushing up against another's body;
- Demands or requests for sexual favors accompanied by implied or overt threats concerning an individual's employment status or promises of preferential treatment.
- Deliberate bumping, cornering, mauling, grabbing;
- Assaults, molestations or coerced sexual acts;
- Posting or distributing sexually suggestive objects, pictures, cartoons or other materials;
- Sexually-oriented letters or notes;
- Sending offensive or discriminatory messages or materials through the use of electronic communications (e.g., electronic mail, including the Internet, voice mail and facsimile) which contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation;
- Staring at parts of a person's body;
- Sexually suggestive gestures, leering; and
- Condoning sexual harassment.

Sexual harassment is not limited to prohibited behavior by a male employee toward a female employee. Sexual harassment can occur in a variety of circumstances. Here are some things to remember.

- A man as well as a woman may be the victim of sexual harassment, and a woman as well as a man may be the harasser;
- The harasser does not have to be the victim's supervisor;
- The victim does not have to be of the opposite sex from the harasser; and
- The victim does not have to be the person at whom the unwelcome sexual conduct is directed. The victim may be someone who is affected by the harassing conduct, even when it is directed toward another person, if the conduct creates an intimidating, hostile, or offensive working environment for the co-worker or interferes with the co-worker's work performance.

Individual Responsibilities. Each individual of the Town is personally responsible for:

- Ensuring that his or her conduct does not sexually harass any other person with whom he or she comes in contact on the job, such as an outside vendor, customer or member of the general public;

- Cooperating in any investigation of alleged sexual harassment by providing any information he or she possesses concerning the matter being investigated;
- Actively participating in efforts to prevent and eliminate sexual harassment and to maintain a working environment free from such discrimination;
- Ensuring that an individual who files a sexual harassment claim or cooperates in an investigation may do so without fear of retaliation or reprisal;

Any individual who believes he or she has been the subject of any form of sexual harassment shall advise the individual of the offensive nature of the conduct or action being objected to or bring the alleged incident or situation to the attention of their supervisor, a member of management or the EEO Grievance Officer.

The Rule. It is, therefore, against the policies of the Town of Groton for any individual of the Town, male or female, to harass another individual sexually, that is, by making unwelcome sexual advances, requests for sexual favors, or other uninvited verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of an employee's employment;
- Submission to, or rejection of, such conduct by an individual is made the basis for employment decisions affecting the employee;
- Such conduct has the purpose or effect of interfering with an individual's work performance;
- A hostile or intimidating work environment is created for the individual.

It is also against the policy of the Town of Groton for an individual to sexually harass any person with whom the individual comes in contact on the job or to engage in any harassment or inappropriate or unprofessional conduct in the workplace.

Retaliation. Retaliation against an individual for filing a complaint of workplace harassment or sexual harassment or for cooperating in an investigation of a complaint is against the law.

2.0 Violation of Policy

Any individual engaging in workplace harassment will be subject to appropriate discipline, up to and including termination, by the Town.

3.0 Procedures for Complaints

- Complaint. The Town has designated a EEO Grievance Officer. The current EEO Grievance Officer is the Manager of Human Resources. If any individual believes he or she has been subjected to workplace or sexual harassment, the individual should initiate a complaint by contacting the EEO Grievance Officer as soon as possible. The individual should file the complaint promptly following any incident of alleged harassment. The individual should be aware that the longer the period of time between the event giving rise to the complaint and the filing, the more difficult it will be for the Town to reconstruct what occurred. The individual may be requested to write out his or her complaint to document the charge.

Note: If an individual prefers to discuss a possible harassment problem with his or her Department Head, the individual may always do so. Individuals do not have to go through the regular chain of reporting procedures when reporting harassment. However, Human Resources will be notified of harassment problems. Moreover, if the individual is uncomfortable contacting the EEO Grievance Officer because he or she believes the EEO

Grievance Officer may not receive the complaint impartially, the individual may contact the Director of Administrative Services.

- B. Investigation. On receiving the complaint, the EEO Grievance Officer or the Director of Administrative Services will promptly have a preliminary investigation made into the matter. If, after the completion of this preliminary investigation, it is determined that there is reasonable cause for finding a violation of this policy, the Town will notify the complainant and the charged individual of the finding verbally. The charged individual will be asked to respond to the complaint. Additional investigation will be made to the extent appropriate in each case. This process will be confidential to the extent consistent with an effective investigation, subject to the business needs of the Town.
- C. Decision. After the charged individual has responded and any investigation that may be warranted has been concluded, the Town will make a final decision. If the Town finds that the investigation substantiates the allegations of workplace harassment or, in the absence of a violation, if the Town finds that misconduct occurred, the Town will discipline the charged individual. Disciplinary action will be appropriate to the offense and may include termination. The complainant will be notified of the disposition of the investigation.

ANY QUESTIONS ON THIS POLICY SHOULD BE REFERRED TO THE HUMAN RESOURCES MANAGER, THE DIRECTOR OF ADMINISTRATIVE SERVICES OR YOUR DEPARTMENT HEAD.

Adopted by Town Council Resolution: March 12, 1991
Administratively Revised: August 2002

C) VIOLENCE IN THE WORKPLACE

1.0 Introduction

Acts and threats of violence in the workplace are one of the most serious and frustrating problems facing employees. It is important that the Town be consistent in the handling of these behavioral issues, which potentially could cause a serious problem for the employees and the general public. Employees need to know that hostility, threats, intimidation and assaults will not be tolerated.

2.0 Zero Tolerance Policy

It is the policy of the Town to have a workplace free of violence and the threat of violence. All employees should note that **THERE WILL BE ZERO TOLERANCE OF ACTS OF THREATS OF VIOLENCE IN OUR WORKPLACE BY EMPLOYEES, THE GENERAL PUBLIC, AND/OR ANYONE WHO CONDUCTS BUSINESS WITH THE TOWN.** It is the intent of the Town to provide a workplace, which is free from physical attacks, intimidation, property crimes, threats, or any other violent act.

3.0 Procedures and Principles

To achieve "zero tolerance", the Town has developed the following procedures and principles with regard to violence in the workplace. It is imperative that each employee familiarizes him or herself with these policies and regulations in order to facilitate the goals of the Town in this regard.

4.0 Definitions:

4.1 For this policy "Acts of Violence" or "Threats of Violence" are defined as:

- 4.1.1 Any acts of physical violence including, but not limited to, pushing, shoving, punching, striking, pinching, biting, kicking, wrestling, slapping, or any other aggressive or unsolicited unwanted contact between two parties. By their nature, physical attacks often involve breaking criminal laws.
- 4.1.2 A threat of immediate or future harm made seriously or in jest, whether verbally, in writing or by an employee's conduct or physical gesturing. Examples include: "If you make that decision, I will have to hurt (or kill) you" or "I am going to beat the hell out of you." Threats are significant because they may precede actual acts of violence. There is also substantial evidence that threats can produce as much psychological damage as actual physical acts. By their nature, threats, which might include incidents of stalking, often involve breaking criminal laws.
- 4.1.3 Any implied threat, made seriously or in jest, made either verbally or by an employee's conduct or physical gesturing, that a reasonable person would construe as coercive, intimidating or menacing.
- 4.1.4 Harassment, often involving verbal abuse, including unwanted telephone calls, involves acts or language by a party designed to damage or harm another.
- 4.1.5 Vulgar or obscene language, racial or ethnic slurs.
- 4.1.6 Blandishment of, or threatening with, a weapon, dangerous instrument or item construed to be or utilized as a weapon. Such instruments include, but are not limited to, firearms (including but not limited to models, replicas, or an object whose outline represents a firearm), knives, mace, bats, ammunition, clubs and other such items.
- 4.1.7 Property crimes; violent people sometimes express their aggressions in acts of property crimes, sabotage, theft, and destruction.

POSSESSION OF ANY OF THE ABOVE REFERENCED WEAPONS OR DANGEROUS INSTRUMENTS BY AN EMPLOYEE DURING WORK HOURS OR ON TOWN OF GROTON PROPERTY IS STRICTLY FORBIDDEN.

4.2 "Workplace" is defined as:

- 4.2.1 An employee's immediate and/or assigned work area.
- 4.2.2 All Town property including buildings, grounds, and parking areas.
- 4.2.3 The driver or passenger in all Town vehicles.
- 4.2.4 The area in which an employee is assigned to work whether or not this area is located specifically on Town property.

5.0 Workplace Misconduct

The possession of firearms, including but not limited to models, replicas or an object whose outline represents a firearm, and/or ammunition, in the workplace is grounds for discipline up to and including termination. The use of a weapon or any other dangerous instrument in a fight or disagreement with another worker or member of the general public is grounds for an immediate termination. Similarly, threatening anyone with a weapon also may be treated as grounds for immediate termination.

- 5.1 An employee who starts a fight with anyone will be subject to discipline, provided, however, the person who is not the initial aggressor shall not use force if he or she can avoid using force with safety by retreating.
- 5.2 Employees who feel they are being provoked or harassed by co-workers or a member of the general public should discuss this problem with their Supervisor and/or Human Resources.

6.0 Reporting Procedures

It is the duty and obligation of all employees who either experience or observe any act or threat of violence in the workplace to immediately report such behavior to his or her Supervisor and/or Human Resources. Failure to report such behavior may result in disciplinary action for the employee involved.

Call 9-1-1 or (9-9-1-1) if you believe there is an immediate emergency.

- 6.1 Employees may sometimes be involved in personal disputes with family members or neighbors that can sometimes escalate to the point that injunctions, “restraining orders”, and other court orders are sometimes sought. We request that employees include their work location as well as their residence in the order. We suggest that the employee inform their Supervisor of the issuance of such an order and provide a description of the individual cited in the order. Even in the case where an employee has not secured a court order but fears for his/her safety, we request that the employee notify the police department immediately, and inform his/her Supervisor as soon as practicable.
- 6.2 The Town will immediately investigate and evaluate the situation. In situations involving weapons, or in situations where the threat of bodily harm is immediate and readily apparent, the Town may suspend the individual(s) in question and provide a written summary of the incident to Human Resources for further action. Each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a customer or vendor, must be reported to the Police.
- 6.3 In situations involving physical altercations or weapons, a Supervisor and/or Human Resources shall request the aid and presence of police personnel.

7.0 Disciplinary Remedies

- 7.1 Each incident will be evaluated independently and a proper remedy will be provided based upon the nature of the offense, duration, totality of the circumstances and past offenses. Remedies could range from oral reprimand to suspension and/or immediate termination depending upon the severity of the offense and may be subject to criminal charges and penalties.
- 7.2 Incidents involving weapons or other dangerous instruments are grounds for immediate suspension and may be subject to further disciplinary action including termination from employment.
- 7.3 Any employee who acts in good faith by reporting real or implied violent behavior will not be subjected to any form of retaliation or harassment. Any action of this type resulting from a report of violence must be reported to the employee’s Supervisor and/or Human Resources for investigation and decision regarding proper action and sanction. Conversely, false or malicious reporting will also result in investigation and appropriate sanction.

8.0 Exceptions

Sworn Town of Groton police personnel and/or employees whose assigned jobs require them to carry and use weapons are exempted from these regulations concerning weapons or dangerous instrumentalities and should refer to police regulations concerning this issue.

Employees who believe they require a weapon or instrumentality for self-protection must request an exception from the Town Manager and receive written authorization. Authorization will not be granted unless the employee can show he or she is in danger and the weapon requested is the least intrusive form of protection. For example, an employee traveling to a remote area at night might be authorized to carry mace but not a firearm.

9.0 Prevention

The Town subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting system within which to report incidents of violence without fear of reprisal.

10.0 Physical Security

We wish to remain accessible to the public to the fullest extent possible. It is not the Town's intent to implement a wide spread "fortification" of its facilities. The Town prefers to train its employees to be the primary means of reducing workplace violence. However, certain facilities, due to the nature of the services provided, may need barriers, cameras, metal detectors, better locks and the like. Where such structures are necessary, they should be constructed in the least obtrusive way feasible.

Issued by Human Resources: January 1999

Administratively Revised: August 2002

D) EMPLOYEE DISCIPLINE POLICY

1.0 Scope

To maximize the job performance of each employee, the Town of Groton utilizes a progressive approach to discipline which provides employees with opportunities to meet the requirements of the job. This approach recognizes the importance of early identification and prompt, coordinated action by supervisors, Administrative Services and the employee in identifying and correcting employee performance, attitude, attendance and compliance problems.

2.0 Applicability

This policy applies to all employees of the Town of Groton and governs the imposition of disciplinary action for employee misconduct. It will be applied consistent with any collective bargaining agreement or departmental policy in effect and will be superseded by such agreement/policy only when a direct conflict exists. Nothing contained within the standards is to be construed as a guarantee or promise of continued or permanent employment.

3.0 Responsibilities of Supervisors

Supervisors shall endeavor to achieve safe, efficient operations by ensuring that job performance, attitude, attendance and compliance to rules and regulations by employees meets established standards and expectations. Department Heads and Supervisors shall address problems in a timely, constructive and consistent manner with assistance from Administrative Services when contemplating or taking disciplinary action.

4.0 Responsibilities of Employees

Each employee is expected to be knowledgeable of all Town Rules and Regulations, to accept responsibility for his or her actions, to give a good faith effort, to comply with the spirit of progressive discipline, and to accept criticism in a positive manner.

5.0 Examples of Employee Misconduct

The following are examples of employee conduct for which disciplinary action, up to and including termination may be instituted. This list is not all-inclusive since it is not possible to provide an exhaustive list of the kinds of conduct that may result in disciplinary action. Disciplinary action may be imposed for other forms or combinations of employee misconduct, which are detrimental to the Town of Groton.

- 1) Poor Attendance
- 2) Absence Without Leave
- 3) Tardiness
- 4) Leaving Work Early
- 5) Poor Job Performance - Incompetence
- 6) Failure to Meet Quality or Performance Standards
- 7) Loss of Qualifying Status - Licensure, certifications, etc.
- 8) Negligence - Gross and Ordinary
- 9) Inability to Perform
- 10) Loafing
- 11) Insubordination
- 12) Failure to Follow Supervisor's Instruction
- 13) Refusal to Work
- 14) Failure to Cooperate in Investigation
- 15) On the Job Use, Possession or Sale of Alcohol or Drugs
- 16) On the Job Impairment
- 17) Off Duty Conduct/Drug & Alcohol Use
- 18) Theft
- 19) Falsification of Records - Forgery
- 20) Filing False Claims
- 21) Falsification by Applicants
- 22) Health & Safety Violations
- 23) Work Rule Violations
- 24) Accidents
- 25) Sleeping on the Job
- 26) Fighting
- 27) Threats
- 28) Abusive, Profane or Other Inappropriate Language
- 29) Firearms or Weapons in Workplace
- 30) Workplace Harassment
- 31) Discourtesy
- 32) Failure to Meet Grooming or Appearance Standards
- 33) Conviction of a Crime Related to Employment
- 34) Civil Rights Violations
- 35) Violence in the Workplace
- 36) Gambling
- 37) Failure to Report Use of Prescription Drugs that May Impair Employees Actions

6.0 Imposition of Disciplinary Action

A) Authority to Impose Disciplinary Action

Disciplinary action for employee misconduct may be initiated or recommended by employees having supervisory responsibilities over the person involved. However, only Department Heads or appointing authorities may impose disciplinary action involving suspension, demotion or discharge.

B) Forms of Disciplinary Action

The forms of disciplinary action, which may be imposed are listed in progressive order of severity as follows:

- 1) Oral Recorded Warning / Reprimand
- 2) Written Warning / Reprimand
- 3) Suspension

- 4) Reduction in Pay / Demotion
- 5) Discharge

C) Progressive Discipline

Disciplinary action shall generally be of an increasingly progressive nature. The supervisor or appointing authority, however, retains the right to alter the progression depending on the severity of the offense, disciplinary record and/or the past work record of the employee involved or other appropriate circumstances.

D) Procedure

When a supervisor becomes aware of possible employee misconduct, he/she shall so inform the Department Head, who in conjunction with Administrative Services, will ensure that the matter is fully and expeditiously investigated.

1. One-day suspensions, written warnings and recorded oral reprimands shall be issued to the employee within fifteen (15) calendar days after the supervisor concludes the investigation and determines that employee misconduct has occurred.
2. If the completed investigation results in a finding of employee misconduct and discipline beyond a one-day suspension is contemplated, the Department Head shall issue a written Pre-disciplinary Action Notice to the employee.
 - a) The Notice shall include the nature of the misconduct and contemplated disciplinary action. The employee shall also be provided with copies of relevant documents and the investigation report, if one was completed.
 - b) Within fifteen (15) calendar days from the date of the Pre-disciplinary Action Notice, the Department Head shall schedule a pre-disciplinary meeting. The purpose of the meeting is to provide the employee the opportunity to discuss the conduct in question and present additional information and/or extenuating circumstances. If the employee is a member of a collective bargaining unit, they shall be informed that they have the right to union representation at the hearing.
 - c) Within ten (10) calendar days from the close of the hearing, the Department Head shall issue the written Disciplinary Action Notice (if any) to the employee.
3. The employee shall be provided with a copy of all disciplinary actions, which shall be placed in their personnel file and informed of their right of appeal.

E) Rights of Appeal

Regular employees shall have the right to file a written appeal of any disciplinary action other than a recorded oral reprimand.

Members of Collective Bargaining Units

If the employee is a permanent member of a collective bargaining unit, the appeal procedure shall be limited to the grievance and arbitration procedure contained in the applicable collective bargaining agreement.

Non-Union Appeal Procedure

Appeal rights for non-union employees shall be governed by the dispute resolution procedure for non-union employees and applicable provisions of the Town Charter.

7.0 Retention of Records of Disciplinary Action

Records of disciplinary action shall be retained as a permanent record in the employee's personnel file.

Adopted by Town Council Resolution: February 6, 1996
Administratively Revised: August 2002

E) PROTOCOL FOR RELEASE OF RECORDS PERTAINING TO DISCIPLINARY INVESTIGATIONS AND PROCEEDINGS

1.0 PURPOSE

In Connecticut, the state Freedom of Information Act (FOIA) requires that all government records be available to the public unless there is a specific legal ground for exemption from disclosure, see, generally, Freedom of Information Act, Conn. Gen. Statutes § 1-15 et seq.

Since June 1, 1994, the Town of Groton has had an Administrative Regulation governing how municipal departments should respond to Freedom of Information requests, see Town of Groton Administrative Regulation G.G. NO. 1-2. Recently, however, there has been confusion or uncertainty among Town employees and members of the public as to what documents will be or should be released when there is an FOIA request for records pertaining to investigations of employee misconduct or relating to employee disciplinary proceedings. This protocol is issued to clarify the process to be used by Town departments responding to such FOIA requests and to explain what disclosures will generally be made in response to requests for records relating to internal investigations or disciplinary proceedings.

2.0 Organizations Affected

All employees of the Town of Groton

3.0 Definitions. Included in Policy

4.0 Policy

- 4.1 Application of the Freedom of Information Act in these circumstances involves the balancing of three interests:
 - 4.1.1 The public's right to know
 - 4.1.2 The government's needs for confidentiality
 - 4.1.3 Any involved individuals' rights to privacy
- 4.2 When a Town department receives a request for disclosure of documents concerning either alleged or confirmed misconduct by Town officials or employees, each request will be analyzed on a case specific basis to determine what public, governmental or individual interests take precedence.
- 4.3 The Town department receiving the request will make an initial assessment of what documents should be disclosed. All such requests will also be reviewed by the Director of Administrative Services prior to the disclosure of any records.
- 4.4 Generally, based on past experience and review of applicable agency and court decisions, employees and members of the public can expect the following disclosure to be made when records are requested pertaining to investigations into alleged employee misconduct:

- 4.4.1 The Town will not generally disclose documents pertaining to any internal investigation that is currently pending.
 - 4.4.2 The Town will not generally disclose documents pertaining to an investigation which has resulted in a finding that no employee misconduct has occurred.
 - 4.4.3 In some instances, the balancing of the public's right to know, the Town's need for confidentiality and individual rights to privacy may result in a decision that certain documents will be disclosed in connection with an investigation leading to a finding that no misconduct occurred. (E.g.: investigation into abuse of public trust; investigation involving allegations of serious misconduct and/or media coverage requiring a public response.) In such cases, the Town will protect reasonable expectations of privacy by redacting the names of any individual citizens and/or employees making complaints, alleged to have engaged in misconduct, or providing specific statements in connection with the investigation.
 - 4.4.4 The Town may disclose documents pertaining to any internal investigation that has been completed and has resulted in a finding of employee misconduct.
 - 4.4.5 Disclosure will be made if the finding of misconduct implicates a legitimate matter of public interest and if the employees found to have engaged in misconduct have no legitimate expectation of privacy. (E.g.: investigations into employee theft or other abuse of authority).
 - 4.4.6 Disclosure will not be made in circumstances where the investigation does not involve a matter of legitimate public concern, if there is a compelling privacy interest that will be violated by disclosure or if the Town has a legitimate need to keep the investigative process or conclusions confidential (E.g. investigations into sexual assault where disclosure would reveal identity of victim; investigations requiring examination of medical histories).
 - 4.4.7 When disclosing documents pertaining to an internal investigation that has resulted in a finding of employee misconduct, the Town will protect reasonable expectations of privacy by redacting the names of any individual citizens and/or employees making complaints, alleged to have engaged in unconfirmed misconduct, or providing specific statements in connection with the investigation.
- 4.5 When a request is made for documents pertaining to the imposition of discipline on specific employees, employees and members of the public should anticipate the following:
- 4.5.1 Town will not generally disclose any documents pertaining to employee discipline before final discipline is imposed.
 - 4.5.2 After discipline has been imposed on an employee, the Town will generally disclose the contents of the disciplinary file. This includes, but is not limited to, the pre-disciplinary action notice; documents from any meetings between the employee and his/her supervisor concerning the proposed discipline; and the final notice of disciplinary action.
 - 4.5.3 Documents relating to final employee discipline will be disclosed when the misconduct leading to the imposition of discipline is a matter of legitimate public interest and disclosure does not violate any individual citizens' or employees' rights to privacy. (E.g., discipline for chronic absenteeism; theft from Town; assault on co-worker; gross malfeasance in performing job duties).
 - 4.5.4 Documents relating to final employee discipline will not be disclosed when there is no legitimate public interest in the matter or when disclosure would invade the disciplined employee's right to privacy. (E.g., discipline for: misconduct relating to disability; misconduct not affecting performance of job duties.).
 - 4.5.5 When disclosing documents pertaining to employee discipline, the Town will protect reasonable expectations of privacy by redacting the names of individual citizens and/or employees making complaints, alleged to have engaged in unconfirmed misconduct, or providing specific statements relied upon in imposing discipline.
 - 4.5.6 If disciplinary action is contemplated but not imposed, the Town will generally not disclose any documents pertaining to the contemplated discipline.

- 4.5.7 In some instances, the balancing of the public's right to know, the Town's need for confidentiality and individual rights to privacy may result in a decision that certain documents relating to the disciplinary process will be disclosed even if no discipline was imposed. (E.g.: when discipline contemplated but not imposed for any abuse of public trust; when discipline contemplated but not imposed in cases involving serious misconduct and/or extensive media coverage requiring a public response.) In such instances, disclosure will be made in a manner protecting all individual citizens' and employees' reasonable expectations of privacy.
- 4.6 For convenience, the following timeline highlights how the FOIA applies to requests for records of investigation into employee misconduct or employee discipline.
- 4.6.1 Investigation Begins: The allegations and the record of the investigation will not normally be released until the investigation is complete and unless there is a finding that employee misconduct occurred.
- 4.6.2 Investigation Concludes: If there has been a finding of employee misconduct, the investigation file may be released but it will be redacted to protect the identity of any person with reasonable expectations of privacy.
- 4.6.3 Disciplinary Action is Contemplated: This will only occur after there is a completed investigation that results in a finding of employee misconduct. Once the Town begins contemplating disciplinary action (usually contemporaneous with issuing a "pre-disciplinary action notice" to an employee), the disciplinary action file will not be released until notice of final disciplinary action is issued to the employee.
- 4.6.4 Disciplinary Action is Imposed: At this time the Town has made a final decision regarding discipline and issued a disciplinary action notice to the employee. The disciplinary file may now be released but will be redacted to protect the identity of any persons with reasonable expectations of privacy.

Please note that in applying or relying on this protocol, every request for records will be analyzed on a case by case basis. Each analysis will turn on the competing interests of the public, the municipal government and the individuals involved in the investigation or discipline. If an investigation or the contemplation of discipline concerns allegations or findings of misconduct that are not a matter of legitimate public concern and/or if disclosure of investigative or disciplinary records or files would invade any employees' reasonable expectations of privacy and/or if the Town has legitimate reasons to keep the requested records confidential, the Town may refuse to disclose such records unless and until ordered to do so by the Freedom of Information Commission.

Issued by Human Resources: December 1998

F) FAMILY AND MEDICAL LEAVE ACT (FMLA)

1.0 Purpose / Scope

The federal Family and Medical Leave Act of 1993 ("FMLA") is intended to allow employees to balance their work and family life by taking reasonable unpaid leave for personal medical reasons, for the birth or adoption of a child, and for the care of a child, spouse or parent who has a serious health condition. Eligible Town employees shall be afforded such leave in accordance with the provisions of the FMLA and of the Town's policy implementing the FMLA as outlined below. Definitions of terms in this policy shall be those set forth in the FMLA and in the lawful federal regulations governing the same.

2.0 Eligibility

Town employees are eligible for a FMLA leave of absence under the following circumstances: (1) The Town employs 50 or more employees as of the date leave is requested; (2) the employee seeking a leave has been employed by the

Town for at least 12 months as of the date leave is scheduled to commence; (3) the employee seeking a leave actually has worked at least 1,250 hours during the past 12 months as of the date leave is scheduled to commence.

Employees applying for and granted a FMLA leave of absence are required to meet notification and documentation requirements as outlined further in this policy. Failure to meet these requirements may result in the denial or revocation of a family leave.

3.0 Procedural Detail

A. Duration and Basis for Leave

1. Eligible employees are entitled up to 12 work weeks of leave during a 12-month period for one or more of the following reasons:
 - a. The birth of a son or daughter to the employee and care of that newborn child;
 - b. The placement with the employee of a son or daughter for adoption or foster care;
 - c. The employee is needed to care (either psychologically and/or physically) for his spouse, son, daughter, or parent who has a serious health condition.
 - d. A serious health condition of the employee renders the employee unable to perform the function of his job;
2.
 - a. The 12-month period during which an eligible employee may take up to 12 weeks of FMLA leave is measured forward from the first day that any such FMLA leave is taken.
 - b. The entitlement to leave under paragraphs 1a and 1b above expires at the end of the 12-month period beginning on the date of such birth or placement.
3. If both an employee and his/her spouse are employed by Town, their combined time off may not exceed 12 work weeks during any 12-month period for the birth of a child, placement by adoption or foster care of a child, or to care for a parent with a serious health condition. Each spouse is, however, eligible for the full 12 work weeks within a 12-month period to care for a son, daughter, or spouse with a serious health condition.

B. Intermittent or Reduced Leave

1. Intermittent FMLA leave is leave taken in separate blocks of time due to a single qualifying reason (e.g., to go to medical appointments or to receive medical treatments). Reduced leave is a reduction in the employee's usual number of working hours per work week or hours per work day.
2. Leave taken for serious health conditions, as described in Section A1c and A1d above, may be taken on an intermittent or reduced basis when medically necessary.
3. The Town may require an employee on intermittent or reduced leave to transfer temporarily to an available alternative position for which the employee is qualified if the position has equivalent pay and benefits, and better accommodates recurring periods of leave than the employee's regular position.
4. Intermittent or reduced leave cannot be taken for birth, adoption, or foster care purposes, unless the employee and the Town agree otherwise. If approved, this leave must be taken during the year of the birth or placement.

C. Paid or Unpaid Leave

FMLA leave is unpaid. The Town may require, however, that eligible employees utilize available paid leave, including, but not limited to sick, vacation and/or personal time; short term disability benefits; and workers' compensation benefits at the same time as they are utilizing unpaid leave under the FMLA.

D. Employee Notice and Scheduling Requirements

1. An employee requesting a leave under the FMLA leave is required to give 30 days' notice in writing before the date the leave is to begin, except for bona fide emergencies, for which the employee is required to provide notice as soon as practicable. Notice in writing shall be given to the employee's supervisor and to Human Resources.
2. When FMLA leave is related to a serious health condition, the employee must make a reasonable effort to schedule appointments and/or treatments so as not to unduly disrupt the Town's operations.

E. Medical Certification and Reporting Requirements

1. The Town may require that a leave of absence related to a serious health condition be supported by a certification completed by the health care provider of the employee or the employee's spouse, son, daughter, or parent, as appropriate. When the employee's own condition is at issue, the Town also may require the employee's health care provider review the essential functions of the employee's position. The completed certification and/or other requested information shall be provided to the Town in a timely manner. Pending receipt and review of the certification and/or other requested information, the Town may place the employee on a provisional FMLA leave; should the employee be deemed eligible for FMLA leave upon review of the certification and/or other requested information, the Town may designate the initial date of the FMLA leave as the date it placed the employee on a provisional leave.
2. The certification shall include, among other things:
 - a. The date on which the serious health condition commenced.
 - b. The probable duration of the condition and/or incapacity.
 - c. The appropriate medical facts within the knowledge of the health care provider regarding the condition.
 - d. A statement identifying whether the employee's treatments require the employee's absence such that intermittent or reduced leave is appropriate.
 - e. A statement whether the employee is unable to perform one or more of the essential functions of his position.
 - f. A statement that the employee is needed to care for the son, daughter, spouse or parent.
 - g. An estimate of the amount of time that the employee is needed to care for the son, daughter, spouse, or parent, including whether intermittent or reduced leave is appropriate.
3. If the Town questions the validity of the certification of the health care provider, it may require, at the Town's expense, that the employee obtain a second opinion. If the second opinion conflicts with the original opinion, the Town may require, at its expense, that the employee obtain the opinion of a third health care provider designated or approved jointly by the Town and the employee. This third opinion will be considered final and binding on both parties.
4. The Town may require that the employee obtain subsequent recertification from his/her health care provider on a reasonable basis, which may be as frequent as every 30 days.

5. The employee on a FMLA leave must notify his/her supervisor periodically of his/her status and intention to return to work. The employee's supervisor has the authority to determine how often the employee must provide this notification.

F. Restoration to Position

1. When an employee returns to work following a family leave, he/she must be:
 - a. Restored to the position held by the employee when the leave began; or
 - b. At the Town's discretion, restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.
2. If an employee otherwise is laid off during his FMLA leave of absence his/her right to FMLA leave and any attendant benefits ceases; any right to reinstatement would be whatever it would have been had he not been on a FMLA leave of absence when the layoff occurred.

G. Effect on Accrued Benefits and Seniority

1. Taking a FMLA leave will not result in the loss of any employee benefit accrued prior to the date on which the leave began; as set forth in section C, however, the Town may require that an employee utilize, or draw down, upon accrued, paid leave while utilizing unpaid FMLA leave. Paid leave, including, but not limited to, vacation, personal and sick time, shall not accrue during the period of FMLA leave.
2. An employee will not accrue or add to his/her seniority during the course of his FMLA leave.

H. Failure to Return to Work

If the employee fails to return to work at the conclusion of the FMLA, the Town may require the employee to reimburse it for the full cost of health care coverage during any period of unpaid leave and/or to reimburse it for the Town's contributions toward other benefit programs. The employee may not be asked to reimburse the Town for the cost of health care coverage if he/she fails to return to work because of legitimate medical reasons or circumstances beyond the employee's control; or the continuation, recurrence, or onset of a serious health condition of the employee or the employee's spouse, son, daughter or parent.

I. Effect of Collective Bargaining Agreements

The provisions and benefits detailed in this policy will not be diminished by any collective bargaining agreement.

J. FMLA Documentation

A copy of any medical documentation concerning an employee's FMLA leave will be maintained in a confidential medical file separate from the employee's personnel file.

4.0 Severability

The invalidity or unenforceability of any provision of this policy shall not affect the validity or enforceability of any other provision of this policy or any other application of such provision.

5.0 Communication

This policy will be communicated to all Town employees to ensure employees understand the benefits and responsibilities under this policy. Examples of communication vehicles include distributing a copy of the policy or a

summary of its contents to all employees, inclusion in Personnel Policy Manuals or employees rules, attachment as appendix to collective bargaining agreements, etc.

6.0 Review and Revision

Changes in the federal FMLA or regulations governing the same may require additions, deletions and/or revisions to the Town's policy; in such event, the Town shall notify employees of said revisions.

Issued by the Town Manager: August 1993

Administratively Revised: August 2002

G) COBRA POLICY

1.0 Introduction

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of that law.

If you are an employee of the Town of Groton and are covered by the Town's group health insurance plan (the "Plan"), you have a right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment (for reasons other than gross misconduct on your part). However, under the law you may have to pay all or part of the premium for your continuation coverage.

2.0 Qualifying Event - Spouse

If you are the spouse of an employee covered by the Plan, you have the right to choose continuation coverage for yourself if you lose group health coverage under the Plan for any of the following four reasons:

1. The death of your spouse.
2. A termination of your spouse's employment (for reasons other than gross misconduct) or reduction in your spouse's hours of employment.
3. Divorce or legal separation from your spouse.
4. Your spouse becomes eligible for Medicare.

3.0 Qualifying Event - Dependent Child

In the case of a dependent child of an employee covered by the Plan, he or she has the right to continuation coverage if group health coverage under the Plan is lost for any of the following five reasons:

1. The death of a parent.
2. A termination of a parent's employment (for reasons other than gross misconduct) or reduction in a parent's hours of employment.
3. Parents' divorce or legal separation.

4. A parent becomes eligible for Medicare.
5. The dependent ceases to be a "dependent child" under the Plan.

4.0 Notification

Under the law, the employee or a family member has the responsibility to inform the Town of Groton's Human Resources Department of a divorce, legal separation, or a child losing dependent status under the Plan. The Town has the responsibility to notify the Plan Administrator of the employee's death, termination of employment or reduction in hours, or Medicare eligibility.

When the Plan Administrator is notified that one of these events has happened, he/she will, in turn, notify you that you have the right to choose continuation coverage. Under the law you have at least sixty (60) days from the date you would lose coverage, because of one of the events described above, to inform the Plan Administrator that you want continuation coverage.

5.0 Continuation Coverage

If you do not choose continuation coverage, your group health insurance coverage will end.

If you choose continuation coverage, the Town is required to give you coverage which, as of the time coverage is being provided, is identical to the coverage provided under the plan to similarly situated employees or family members. The law requires that you be afforded the opportunity to maintain continuation coverage for three (3) years unless you lost group health coverage because of a termination of employment or reduction in hours. In that case, the required continuation coverage period is eighteen (18) months.

An additional eleven (11) months will be available to a covered employee and an enrolled dependent who is determined to be disabled under Title II or Title XVI of the Social Security Act at the time he or she becomes eligible for extended continuation coverage under COBRA; or becomes disabled at any time during the first sixty (60) days of COBRA continuation coverage. The covered employee or enrolled dependent must provide notice of the disability determination to the Plan Administrator not later than sixty (60) days after the date of the Social Security Administration's determination, and before the end of the initial eighteen (18) months of COBRA continuation coverage. If it is determined that the member is no longer disabled, the extended continuation of coverage period can be terminated on the first of the month following thirty (30) days after the final determination notice.

However, the law also provides that your continuation coverage may be cut short for any of the following four reasons:

1. The Town no longer provides group health coverage to any of its employees.
2. The premium for your continuation coverage is not paid.
3. You become eligible for benefits under another group health plan as a result of employment, Reemployment, or marriage, except when the new plan contains any exclusion or limitation relating to any pre-existing condition.
4. You become eligible for Medicare.

You do not have to show that you are insurable to choose continuation coverage. However, the Town requires that you pay the full cost of continuation coverage, plus two percent (2%) for the Town's administrative expenses.

The law also says that, at the end of the eighteen (18) months or three (3) year continuation coverage period, you must be allowed to enroll in an individual conversion health plan provided under the Plan.

If you have any questions about the law, please contact Human Resources. Also, if you have changed marital status or you or your spouse has changed your address please notify Human Resources.

Issued by Human Resources: June 1998
Administratively Revised: August 2002

H) SUBSTANCE ABUSE POLICY

1.0 Introduction

The problem of substance abuse in our country is so pervasive that it affects every individual and employer. As a public entity, the Town of Groton believes it has a responsibility to make the prevention and treatment of substance dependency a priority among its employees.

This policy endorses the concepts of prevention and early intervention for employees whose job performance and behavior patterns indicate they are at risk of substance abuse. It is also based on the belief that drug and alcohol dependency is a treatable disease that left untreated will negatively impact the employee's life, health and family as well as their productivity and safety in the workplace.

2.0 Statement of Purpose

Drug and alcohol use on the job, and substance dependency in general, impair an employee's judgment and performance. An impaired employee is a threat to his/her safety as well as that of fellow employees and the public. Therefore, the Town of Groton has a responsibility to establish policies and procedures dealing with substance abuse that encourage training, education, and referral to provide a drug-free, safe work environment for all its employees.

3.0 Applicability

This policy shall be applicable to all employees of the Town of Groton. However, in the case of Police Officers and those employees who possess Commercial Drivers Licensure ("CDL") it shall be preempted, where applicable, by more stringent departmental rules and regulations.

4.0 Rules and Regulations Governing Alcohol and Controlled Substances

The use, consumption, possession or distribution of alcoholic beverages and/or illegal substances by employees while at work or on Town property during working hours is strictly prohibited and shall be considered employee misconduct.

- 4.1 Employees shall not report to work or remain at work while impaired by alcohol, drugs or other illegal substances.
- 4.2 Employees taking prescription drugs that impair their ability to perform the duties and responsibilities of their position should notify their supervisor before reporting for work. The Town will make a reasonable effort to reassign the employee to work that can be handled safely. However, if no such work is available the employee shall not report to or remain at work.

5.0 Immediate Actions

5.1 Criminal Activity - Suspected criminal activity while at work will be reported immediately to the Police.

5.2 Relief from Duty - Any employee considered to be impaired while on the job will be relieved of his/her duties and may be subject to reasonable suspicion testing for drug and/or alcohol. A drug and alcohol test will be administered per the Drug and Alcohol Policy for Employees in Safety Sensitive Positions Policy for those employees in safety sensitive positions. Refusal to take the test will be considered as a positive result. The employee will be offered a ride home, or if the employee considers himself/herself ill, a ride to a medical facility will be provided. If the employee refuses a ride home or to a medical facility, the Town Police will be notified.

6.0 Disciplinary Action/Referral

Employees violating the rules prescribed in Section 4.0 shall be subject to disciplinary action in accordance with the Town of Groton's Employee Discipline Policy. Voluntary or Supervisory referrals to the Town's Employee Assistance Program will be utilized on a case by case basis as appropriate but shall not be a substitute for disciplinary action.

Adopted: Town Council Resolution: June 6, 1989
Administratively Revised: December 1998
August 2002

I) DRUG AND ALCOHOL POLICY FOR EMPLOYEES IN SAFETY SENSITIVE POSITIONS

1.0 Purpose

Under the Omnibus Transportation Employee Testing Act of 1991 (the Act), local governments are required to conduct reasonable suspicion, random and post accident alcohol and controlled substances testing of individuals who perform safety sensitive functions and possess a Commercial Driver's License (CDL).

2.0 Employees Affected

These rules are in effect while on duty and apply to any Employee who has the potential to drive a motor vehicle with gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight of more than 10,000 pounds, a gross vehicle weight rating of 26,001 or more pounds, a vehicle designed to transport 16 or more passengers, or any vehicle size used to transport hazardous material which requires the vehicle to be placarded under the hazardous material regulations. In addition, employees who sign up for the voluntary snowplowing list as a driver shall also be considered as in safety sensitive position regardless of their regular classification.

3.0 Policy

3.1 Prohibitive Conduct

- 3.1.1 An Employee shall not return for duty or remain on duty performing a safety sensitive function in any of the following circumstances: while having a blood alcohol concentration of 0.02 or greater, consuming alcohol while performing safety-sensitive functions, abuse of controlled substances, be on duty to operate a vehicle requiring a CDL license while possessing alcohol, perform safety sensitive functions within four hours of using alcohol, use alcohol for eight hours following an accident, or after refusing to submit to a required alcohol and/or drug test involving post accident, random, reasonable, suspicion, or follow up testing.
- 3.1.2 No Employee found to have an alcohol concentration of 0.02 or greater, but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer prior to 24 hours following the administration of the test.
- 3.1.3 Alcohol is defined by the Federal Government program as any beverage or medication containing alcohol (prescribed and/or over the counter).
- 3.1.4 Prescribed and/or Over the Counter Medication: Employees covered by this policy will be permitted to use prescribed medication while on duty or on Town premises if it is prescribed for the employee by his/her physician and is clearly labeled with the employee's name, the name of the medication and the physician's Federal Drug Enforcement Administration license number, provided the substance is used at the dosage prescribed or authorized and it does not impair the driver's ability to perform his or her job or endanger their safety or the safety of others.

Over-the-counter medication will also be permitted as long as it is in its original container and clearly labeled provided the substance is used at the dosage prescribed or authorized and it does not impair the driver's ability to perform his or her job or endanger their safety or the safety of others. It is the responsibility of the employee to request from their physician an alternative medication that will not impair them from performing their safety-sensitive function. It is recommended that the employee notify their immediate supervisor that they are using a prescription drug and to produce documentation of this drug prior to commencing work.

The employee's physician should make a good faith judgement, with knowledge of the employee's assigned duties and on the basis of available medical history, that use of the substance by the employee at the prescribed or authorized dosage level is consistent with the safe performance of the employee's duties. Any medication brought on Town property must be carried in its original container.

3.2 Responsibility

It is the Responsibility of the Administrative Services Department to Ensure Compliance with These Rules in the Areas of Training, Record Keeping and Reporting Requirements.

3.3 Mandatory Tests

3.3.1 Pre-Employment / Pre-Duty Testing

The Act specifically provides that no covered employee perform a safety sensitive function unless he or she has received a verified negative controlled substances test result from a Medical Review Officer (MRO). This requirement applies to both new employees, and current employees who transfer to a safety sensitive position. The substances he/she must be tested for are: marijuana, opiates, cocaine, amphetamines, and phencyclidine. In the event a pre-employment/pre-duty test results in a verified positive test for controlled substances, the Town will not hire or promote the individual to the safety sensitive position.

3.3.2 Post Accident Testing

Post Accident drug and/or alcohol testing is required of any Driver involved in an accident as defined below:

“Accident” means an occurrence associated with the operation of a commercial vehicle, if:

- There is a fatality. (Test is mandatory)
- A vehicle is towed away from the scene of the accident and a citation or written warning is issued to the Driver
- Medical treatment is administered away from the scene of the accident and a citation or written warning is issued to the Driver

Except in cases involving a fatality, a test is not required if a citation or written warning is not issued to the Driver.

3.3.3 Random Testing

The Town is required to select covered employees for random alcohol testing and/or controlled substance testing. The number of employees randomly selected for testing equals an annual rate of not less than 25 percent of the average number of covered employees for alcohol testing and not less than 50 percent of the average number of covered employees for controlled substance testing. The testing must be unpredictable and spread reasonably throughout a twelve (12) month period.

3.3.4 Return to Duty Testing

The Town must ensure that a covered employee who has violated any of the alcohol/controlled substance misuse rules is evaluated and undergoes an alcohol and/or drug test with a result indicating an alcohol concentration of less than 0.02 before returning to a safety sensitive function and/or negative test result for controlled substance.

3.3.5 Reasonable Suspicion Testing

If there is reasonable suspicion for the Town to believe that a covered employee has violated the rules, the Town must test the employee. Reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The observations leading to a determination that a reasonable suspicion exists to conduct a controlled substance test may include indications of the chronic withdrawal effects of controlled substances.

Reasonable suspicion testing for controlled substances is authorized only if the required observations are made by a trained supervisor or official of the Town while the employee is on duty. Reasonable suspicion does not require certainty. Mere hunches or “gut feelings”, however, are not valid in making reasonable cause determination. If supervisors with training in identification of the signs and symptoms of drug use reasonably conclude that there are objective facts indicative of use of drugs, this is sufficient justification for testing.

3.3.6 Follow-up Testing

Each covered employee who has been identified by a Substance Abuse Professional (SAP) as needing assistance in resolving problems with controlled substances and/or alcohol abuse and who has returned to duty involving the performance of a safety sensitive function is subject to a minimum of six (6) follow-up controlled substance tests administered by the Town over the following twelve months of his or her return to duty. The SAP may require the covered employee to undergo additional controlled substances and/or alcohol testing for up to sixty (60) months.

4.0 Procedures

4.1 The Alcohol Test Procedure

The final testing procedure requires that both a screening and a confirmation test be conducted by a trained Breath Alcohol Technician (BAT) using an Evidential Breath Testing (EBT) Device listed on the National Highway Safety Administration's Conforming Products List. All aspects of testing will be performed in accordance with 49 CFR Part 40.

4.2 The Controlled Substances Test Procedures

Under the rules, the Town may contract with a Department of Health and Human Services Certified Laboratory to conduct urine specimen analysis. The Town and the DHHS/SAMHSA certified laboratory must develop and document a procedure for collecting, shipping, and recording, in order of acquisition, all urine specimens required for DOT controlled substances testing. The Town has contracted with the Motor Transport Association for this purpose. All testing will be performed in accordance with 49 CFR Part 40.

4.3 Testing Site

The Town may have one or more designated testing sites that provide all of the necessary personnel, materials, equipment, facilities, and supervision required for the collection, security, temporary storage, and shipping of urine specimens to DHHS/SAMHSA certified testing laboratories. The designated testing sites are to be determined by the firm contractually obligated to the Town to provide the testing and monitoring.

4.4 Specimen Collection Procedures

The split urine samples method of collection must be used. Under this collection process, the employee is required to provide at least 45 ml of urine into a collection container or a bottle capable of holding at least 60 ml. Urine specimen collection must be done in compliance with 49 CFR Part 40.

4.5 Chain of Custody Procedures

The donor and the collection site person must keep the specimen in view at all times prior to its being sealed and labeled. A chain of custody form must be used for maintaining control and accountability of each specimen from the point of collection to final disposition of the specimen. The date and the purpose must be documented on the form each time a specimen is handled or transferred and every individual in the chain must be identified.

4.6 Refusal to Take Alcohol Test

4.6.1 Refusal to sign the chain of custody form is regarded as a refusal to take the test.

4.6.2 An action intended by the employee to circumvent the requirement that he or she provides an adequate amount of breath, or otherwise to cooperate in the alcohol testing process, is considered a refusal to take the test. The BAT shall note all such refusals in the remarks section of the testing form and result in the same consequences as a test result of 0.04 or greater. The testing process shall be terminated, and the BAT shall immediately notify the Town.

4.7 Uncompleted Tests

In the event a BAT is unable to complete a screening or configuration test or an event occurs that would invalidate such a test, the BAT is required (if practicable) to begin a new test using a new breath testing form with a new sequential test number.

4.8 Inability to Provide an Adequate Amount of Breath

If an employee alleges that, because of medical reasons he or she is unable to provide a sufficient amount of breath to permit a valid test, the BAT must instruct the employee a second time to attempt to provide an adequate amount of breath.

4.8.1 Immediately inform the Town if the individual refuses to do so.

4.8.2 Note in the "remarks" section of the alcohol testing form if the individual is unable to provide an adequate amount of breath. In such cases, the Town must direct the applicant or employee to obtain as soon as practicable after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to the employer concerning the employee's medical ability to provide the adequate amount of breath. If the doctor determines that there is not an existing medical condition, the test will be classified as a "refusal" and dealt with as a positive over .04.

4.9 Consequences for drivers who test 0.04 BAC and above

A driver who tests 0.04 or above cannot perform a safety-sensitive function and the employee will be provided transportation home. The individual will be made aware of resources for solving alcohol and drug problems as well as evaluated by a Substance Abuse Professional (SAP). The individual must comply with the recommended treatment and must undergo a return to duty alcohol and/or drug test with a negative test result.

4.10 Consequences for drivers who test greater than 0.02 BAC but less than 0.04 BAC

No driver found to have an alcohol concentration of 0.02 or greater, but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer, until 24 hours following the administration of the test. The employee shall also be provided transportation home.

4.11 For Controlled Substances Test Procedures

Each Driver required to be tested pursuant to this policy must cooperate with the collection procedures. If a person refused to cooperate with the collection process, the collection site person shall inform management and shall document the non-cooperation on the Urine Custody and Control form. Any person who refuses to cooperate in providing a sample or is found to have, in any way, tampered with or substituted a sample shall be deemed as if test result was positive.

Drivers that claim an inability to provide a specimen "shy bladder", will be required to drink 45 fluid ounces and remain at the collection site for three hours prior to attempting to provide a second specimen. If a driver still is unable to provide a specimen, he/she will be evaluated by a licensed physician. If the medical provider determines that there is not an existing medical condition then the test will be deemed positive.

4.12 Controlled Substances Test Result

Although the laboratory analysis will determine whether the specimen is positive, any confirmed positive test results from the laboratory must be reviewed and interpreted by a Medical Review Officer (MRO) prior to transmission of the results to local government administrative officials. The MRO must make all reasonable efforts to contact the employee directly (on a confidential basis) to discuss the test result with the MRO. If the MRO is unable to reach the employee directly, the MRO must contact a designated official of the municipality who shall direct the employee to contact the MRO. Any attempt made by the municipality to contact the employee shall be held in confidence.

5.0 Confidentiality

5.1 Availability and Disclosure of the Alcohol/Drug Test Results of Individual Employees

The Town must maintain all alcohol/drug-testing records in a secure manner designed to prevent disclosure of information to unauthorized persons. The Town is prohibited from releasing covered employee information contained in any record required to be maintained under the DOT alcohol misuse rule unless such release is required by law or such release is authorized and/or required under DOT alcohol misuse rules.

5.2 Employee Access

Upon written request by a covered employee, the Town may release any records pertaining to the employee's use of alcohol/drugs including records pertaining to his or her alcohol/drug tests to the employee, a subsequent employer of the employee or to any other person identified by the employee.

5.3 Authorization Restricted

The Town is authorized by the rules to release a covered employee's record to a third party only in accordance with the terms of the employee's written request. A subsequent employer is permitted to disclose any information it receives as a result of such a request only as expressly authorized by the terms of the employee's written request. The Town is required to release the employee's records to a Government Agency such as Federal/State DOT without written consent.

Administrative Regulation Approved by the Town Manager effective January 1, 1996

**Revised: March 1999
 July 2000**

J) NO SMOKING POLICY

Smoking shall be prohibited in all Town-owned buildings, rented office space used by Town employees, and any Town-owned vehicles.

Adopted by Town Council Resolution: April 1989

K) WORKERS COMPENSATION:

The purpose of the Workers' Compensation Law is to provide financial assistance to you if you are injured on the job. On-the-job injuries are generally covered by Workers' Compensation insurance. How much you will be paid, for how long, and when benefits become payable are controlled by Connecticut State Statutes.

The Town has the option of placing the employee on medical leave as set forth in the provisions of leave under the Family Medical Leave Act. Neither the Town nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the Town, or during an employee's employment by another employer.

If you are injured during working hours and on a job site, be sure to notify your supervisor immediately and complete a first report of injury form the Town of Groton is self-insured for Workers' Compensation. Initial medical treatment must be with a network provider a list of which is available in each department. The Town will need all papers, reports and/or

bills relating to the incident and a detailed description of such to report any claims for compensation to the insurance company.

If you have any questions about Workers' Compensation, please contact the Human Resources department.

Administratively Issued by Human Resources: August 2002

L) IMMIGRATION LAW

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 within the past three years, or if their previous I-9 is no longer retained or valid.

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

Administratively Issued by Human Resources: August 2002

M) EMPLOYMENT APPLICATIONS

The Town of Groton relies upon the accuracy of information contained in the employment application and resumes, as well as the accuracy of other data presented throughout the hiring process and employment. The Town may investigate references provided by the applicants to determine the applicant's ability. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Town's exclusion of the individual from further consideration for employment, or if the person has been hired, termination of employment.

Administratively Issued by Human Resources: August 2002

N) CONFLICT OF INTEREST

Employees will during working hours devote their entire professional time, attention, and energies to the business of the Town and, during their employment, will not engage, directly or indirectly in any other business activity, regardless of whether such activity is pursued for profit, gain or other pecuniary advantage, which may interfere with their ability to discharge their responsibilities to the Town or which would breach the confidentiality of the Town.

Employees shall disclose to their Department Head any interests financial or otherwise that may impact on their ability to carry out their responsibilities. In such cases they shall remove themselves from any decision that will impact them individually as opposed to a group or citizens at large.

An employee may engage in additional employment so long as it does not interfere with the proper and effective performance of the duties of his/her position or result in a conflict of interest. All employees will be judged by the same performance standards and will be subject to the Town's scheduling demands, regardless of any existing outside work requirements or interests.

If the Town determines that an employee's outside work or activities interfere with performance or ability to meet the requirements of their position with the Town, as they are modified from time to time, the employee may be asked to terminate his/her outside employment, if he or she wishes to remain with the Town.

Administratively Issued by Human Resources: August 2002

O) CONFIDENTIALITY

In the course of your employment with the Town you may have access to information, which should not be disclosed in the general course of business except on a need to know basis or in response to a FOIA request. As an employee you are expected to use good business judgment in these matters and preserve confidentiality where appropriate.

Administratively Issued by Human Resources: August 2002

P) TIME AND ATTENDANCE POLICY

1.0 Hourly Non-Exempt

Federal and State labor laws require that hourly (non-exempt) employees maintain an accurate record of hours worked. You will do this by punching a time clock or completing a time sheet in accordance with the following:

1. Record on/Punch your own Time Card/Sheet (and only yours) the days worked and the hours worked.
2. You must record/punch in at the beginning of a work period the actual time when you are prepared to work and record/punch out the actual time at the end of a work period. Lunch and other periods (when an employee is away from his/her office/job assignment for reasons other than Town business) must be recorded in the same manner.
3. Supervisors will approve time records and properly code absences from work; i.e. sick, vacation, etc.
4. If there is a problem with your time records, notify your supervisor immediately.
5. No one is to work overtime without authorization.
6. You must record all time worked. No one is permitted to work unless the work time is recorded on his or her time and attendance record. There is no such thing as working 'off the clock'.
7. If you falsify time records for yourself or another employee, continually forget or lose your time sheet, continually forget to punch or record hours worked or work 'off the clock', you will be subject to disciplinary action up to, and including termination.

2.0 Salaried Exempt

Salaried Exempt employees must record the total number of hours worked per day.

Administratively Issued by Human Resources: August 2002

Q) RELATIONSHIPS AT WORK

Family relationships or relationships of a consenting romantic/sexual nature between employees can have a detrimental effect in the workplace often leading to perceptions of favoritism. Personnel Rule 5D covers the hiring of relatives in the same department. However, the Town can not control relationships between employees that are formed after the hiring decision is made. When such relationships are between superior and subordinate or between employees where one has access to employment records or personal information of the other or his/her co-workers they are not in the best interest of the Town's working environment. This also applies to a supervisor with authority over someone with whom he/she lives or shares living quarters, even in a non-romantic relationship. When such relationships are formed, both individuals involved must inform the Department Head. In the case of a supervisor/subordinate relationship, it is the responsibility of the supervisor to bring the matter to the attention of the Department Head. Failure to disclose such relationships is employee misconduct and grounds for disciplinary action. The Department Head must notify Human Resources of all such relationships.

Subject to the provisions of applicable collective bargaining agreements and/or personnel policies, management (i.e. the Department Head in conjunction with Human Resources) will review the situation on a case by case basis to determine the proper action to take. Consideration shall be given to changing job assignments, responsibilities or reporting requirements within the confines of the employee's current job description, transfer to vacant position in the same classification or, if this is not possible, transfer to vacant position in another classification provided the employee meets the qualifications in the job description, or one or the other will have to cease employment with the Town.

Administratively Issued by Human Resources: August 2002

R) INCLEMENT WEATHER POLICY

1.0 Extreme Weather Conditions

Whenever extreme weather conditions occur, such as a snow storm, excessive rain causing flooding, anticipated hurricane or other extreme environmental circumstances, all Town employees are expected to report to work, or remain at work if already there, unless an emergency is declared by the Governor or a local emergency is declared by the Town Manager.

1.1 Administrative and operational sites of the Town government, during extreme weather conditions, shall remain open to the public, unless an emergency is actually declared as above. Facilities, which shall remain open, include the Town Hall, the Community Services Center, Spicer House, Water Pollution Control Facility and the Town Hall Annex. (The Police Station is of course open to the public and the Emergency Communications Center is operational 24 hours per day, 7 days per week in all circumstances.)

1.2 Certain facilities, which are primarily recreational or special purpose in nature, may be closed to the public due to inclement weather and public meetings canceled even though an emergency has not been declared. These include such facilities as the Library, Senior Center, schools, recreation activity locations, etc. (again, Town employees are expected to remain at work even though operations at such facilities are curtailed unless an emergency is declared, or the Department Head or Town Manager directs otherwise).

2.0 Declaration of Emergency

When the Governor declares an emergency or a local emergency is declared by the Town Manager outside of normal working hours, employees not assigned to emergency responsibilities should remain at home until the emergency is terminated. If an emergency is declared during working hours, employees not assigned emergency responsibilities may leave their work site to go to their homes. Any employees with assigned emergency responsibilities, whether by job description, union contract or otherwise designated, shall report to work as directed or required when an emergency is declared outside of normal working hours. (Each department shall maintain a list of employees with emergency responsibilities.) If the emergency is declared during working hours, personnel with emergency responsibilities shall remain at workstations until relieved by proper authority.

3.0 Difficult Travel Conditions

When an emergency has not been declared and traveling to work is difficult due to inclement weather or similar circumstances, employees delayed in reporting to work shall advise supervisors or Department Heads as soon as possible. On a day of inclement conditions, any employee deciding on his/her own initiative not to report to work or with the permission of their supervisor leaving early shall be charged, in accordance with normal policy for the absence to either vacation leave, accumulated comp time or leave without pay.

Issued by Town Manager: July 15, 1987

S) TRAVEL AND EXPENSE REIMBURSEMENT POLICY

1.0 Motor Vehicles

Town owned vehicles should be used whenever possible for regional travel on Town business. If none are available or it is more convenient, personal vehicles may be used with the prior approval of the Department Head.

- 1.1 Employees using Town vehicles will be reimbursed for expenses incurred for parking, tolls and, if required gasoline. However, every effort should be made to fill up with gasoline at Town pumps prior to leaving.
- 1.2 Reimbursement for use of private vehicles shall be at the prevailing IRS mileage rate with no additional reimbursement for gasoline, although parking and tolls will be reimbursed. When personal vehicles are used mileage reimbursement shall not include additional distances resulting from the employee leaving from home rather than place of work.
- 1.3 With the prior approval of the Department Head, Town vehicles may be taken home overnight in those instances where it is more convenient to leave from the employee's home rather than from work (i.e. early morning conference in Hartford when employee lives in Waterford or other closer location.) In no instance shall Town vehicles be used for personal business.
- 1.4 If more than one employee is attending the same event, every effort should be made to use the same vehicle. No reimbursement will be made if an employee chooses to use an additional vehicle for personal convenience.
- 1.5 The Town will not assume the liability for any traffic or parking violation fines incurred by the employee.
- 1.6 In no instance shall employees be reimbursed for travel between home and work even when returning for night meetings.

2.0 Reimbursement for Meals

- 2.1 Employees will be reimbursed for meal expenses under the following conditions:
 - 2.1.1 Meals not included in the registration fee at a conference, meeting, or training session if within the time frame of the meeting/conference.
 - 2.1.2 Meal expenses related to the recruitment of employees i.e. interview panel or candidate.
 - 2.1.3 Meals when out of town on Town business exceeding four (4) hours and Town business interferes with regular meals.
 - 2.1.4 On a limited basis meal expenses incurred due to entertainment of professional colleagues will be reimbursed with prior approval of Department Head or Town Manager.
- 2.2 Upon presentation of receipt and approval by the Department Head or Town Manager employees will be reimbursed the actual cost of the meal, tax and tip. For meals not included as part of conference/meeting/seminar registration, as a guideline expenses shall not exceed \$38 per day for three meals.
- 2.3 Reimbursement for union employees shall be governed by collective bargaining agreements where applicable or by the provisions of this policy. In no instance will employees be reimbursed for expenses incurred as part of the employee's normal duties and responsibilities unless it meets the criteria listed above. The Town Manager or Department Head shall disapprove expenses that are excessive and/or not in accordance with this section.

3.0 Out of Town Conferences

All conferences, i.e., training, seminars, etc., which involve overnight stays, shall be approved in advance by the Town Manager for Department Heads or the Department Head for subordinate employees within their department. Registration fees and lodging arrangements shall be made to obtain available discounted rates and shall be paid in advance. Airfare should also be paid in advance with reservations made at least seven (7) or more days in advance to take advantage of discounted rates. Payments to be made by the Finance Department upon presentation of a properly completed voucher/invoice.

3.1 TRAVEL EXPENSES

- 3.1.1 The Town will pay transportation to and from conferences. As indicated above airfare should be paid in advance and is limited to coach/economy rates. Alternate forms of transportation such as trains may be utilized if circumstances warrant. Generally, personal cars should not be used for travel to conferences outside of the region. However, if used, reimbursement shall not exceed the coach/economy airfare to the same destination.
- 3.1.2 Taxi, public transportation and limousine fares are reimbursable (one trip each way) including tips if used for business purposes and/or transportation from the airport to the hotel. Generally, rental car expenses are not reimbursable unless there is a compelling reason and only when approved in advance by the Town Manager.

3.2 LODGING - The Town will pay the prevailing single room rate at the place of lodging. Whenever possible all hotel/motel expenses should be prepaid (room rates submitted in advance). If not, itemized receipts will be required.

3.3 ADVANCES/REIMBURSEMENTS

- 3.3.1 To the extent possible expenses should either be prepaid or reimbursed upon presentation of proper receipts. However, an advance of funds may be necessary for use for a conference, seminar or meeting. Requests for advances must be approved by the Town Manager for Department Heads or the Department Head for subordinate employees within their Department, submitted in writing as soon as possible to the Finance Department and will be disbursed to the employee one week in advance of the scheduled departure date.
- 3.3.2 Upon returning, expenses must be itemized on the front of the Expense Report Envelope and submitted for approval to the Department Head or Town Manager as appropriate within five (5) working days. Receipts for expenses paid out of pocket or from funds advanced in accordance with the above paragraph should be enclosed in the Expense Report Envelope. Any expenses that are not supported by a receipt must be noted and an explanation provided. Upon approval, the form is to be sent to the Finance Department who will issue a check for any funds due the employee. Any funds remaining from a cash advance must also be returned to the Finance Department along with the Expense Report Envelope.
- 3.3.3 OTHER - Reimbursement shall not be made for the purchase of alcoholic beverages, personal expenses such as laundry, dry cleaning, haircuts, movies, personal phone calls and other entertainment expenses. Expenses incurred by a spouse or partner attending any conference, seminar, etc. with an employee will not be reimbursed.

Issued by the Town Manager: November 1, 1995
Revised December 1997

T) GIFTS AND GRATUITIES POLICY

1.0 Policy

1.1 During the holiday season and at other times of the year, businesses, consultants and vendors frequently express their appreciation for working with the Town by providing gifts or gratuities to Town officials and employees. Guidelines have been established and must be adhered to in order to maintain ethical standards.

1.2 Employees may not accept any personal gift, favor, service, money or anything of value which is intended to influence, which might influence, or might reasonably be interpreted as influencing, the impartial discharge of their duties.

2.0 Guidelines

Following ethical practices, employees of the Town of Groton:

- A) Should not expect or encourage receipt of gifts or gratuities from any organization or individual who have, or seeks to have, a business relationship with the Town.
- B) May not accept gifts or other gratuities that place the Town or the employee under an obligation which may tend to influence Town business or provide special access to Town employees or Town services.
- C) Gifts of greater than nominal value provided to employees in situations where they have been on official assignment of the Town (defined as having had expenses paid by the Town or having been on official Town business) shall become the property of the Town, and not the employee.
- D) May accept "symbolic gifts", e.g., sweatshirt or hats from special occasions or events.
- E) May not accept any liquor or alcoholic beverages.
- F) May not accept personal gifts or cash.
- G) Consumable items such as food are acceptable as long as the food is placed in a public area where all members of the Department and the public can access the food.
- H) May not accept unusual or extended hospitality from any organization or individual that has or seeks to have a business relationship with the Town.
- I) Without prior approval from the Town Manager, Town staff should make no product or company endorsements.

In all instances, ethical and moral judgment shall be exercised.

Issued by the Town Manager: January 1, 1995

U) ELECTRONIC MONITORING OF EMPLOYEES

1.0 Policy Statement

The Town of Groton makes a variety of technology and information management systems available to its employees. This includes items as basic as telephones and as sophisticated as computers. Such technological systems are owned and maintained by the Town and should be used exclusively for Town business. The Town reserves the right to electronically monitor its employees in their uses of telephone, voice mail, electronic mail, computers and computer systems. Such monitoring may take place on a periodic basis and this policy constitutes advance written notice of the Town's intention to engage in such monitoring.

2.0 Definitions

Electronic monitoring is defined as collecting information by any means other than direct observation, including the use of computer, telephone, wire, radio, camera, electromagnetic, photo electronic or photo-optical systems.

3.0 Types of Monitoring

3.1 The kinds of routine electronic monitoring which may take place, include:

- 3.1.1 Retrieval and review of e-mail messages.
- 3.1.2 Inspection of files and/or data contained on floppy disks, hard drives and/or computer networks.
- 3.1.3 Review of telephone bills and/or telephone calling records to identify to whom employees routinely place calls, length of calls, etc.
- 3.1.4 Review of network records or Town databases to determine the records of use or access by Town employees.
- 3.1.5 Recording of phone communications at the Police and Emergency Communications Departments.
- 3.1.6 Audio and video surveillance of the Tax Collection window in the Finance Department.

3.2 Employees should also be advised that other forms of electronic monitoring including, but not limited to, audio video surveillance, access control and the recording of phone communications may be employed by the Town in the following circumstances:

- 3.2.1 To enhance security in areas accessible to the public or in employee common areas.
- 3.2.2 When there is reason to believe an employee or official is engaging in conduct which is illegal and/or violates the legal rights of other employees or officials.
- 3.2.3 When there is reason to believe an employee or employees are engaging in work related misconduct.

Issued by Human Resources: January 1999

V) INFORMATION TECHNOLOGY USER POLICIES

PART I - COMPUTER USE

1.0 Purpose:

This regulation establishes policies for the establishment, administration, maintenance and use of the Town's information technology resources including Town owned software, computers, printers and network equipment as well as external resources such as the Internet.

2.0 Organizations Affected:

All Departments.

3.0 Definitions:

Included in Policy.

4.0 Policy:

4.1 The Town of Groton maintains an internal computer network, which allows employees in various facilities and buildings to communicate with each other through personal computers. The network/system is maintained by Information Technology and consists of 200+ PC's linked to servers. A wide variety of computer applications including E-mail are used by Town Departments to enhance communication, information sharing and productivity. Internet access is also provided on an as needed basis.

4.2 These network resources including computer files are the property of the Town of Groton and are to be used for business related purposes only. System users should have no expectation of privacy. Computer files including E-mails are considered to be public records and as such may be subject to disclosure under the Freedom of Information Act (FOIA).

4.3 The use of these resources by employees to process, distribute, send, or display sexually explicit images, messages, cartoons, or non town related material, or any transmission or use of e-mail communications containing ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs is prohibited and shall be considered employee misconduct and subject to disciplinary action, up to and including termination.

5.0 Computer Security:

- 5.1 All files produced, maintained or otherwise stored on any computer system or PC owned by the Town are considered property of the Town not the employee.
- 5.2 Information Technology (IT) staff has the ability to access files stored either on the network or town owned PC's. However, IT staff does not access files unless required to do so in the regular conduct of their duties. The random or selective accessing of files by IT staff for other than business purposes is considered employee misconduct.
- 5.3 Files stored on any networked or standalone equipment may also be accessible to other users. The Town has taken prudent steps to develop, implement and maintain security procedures to ensure the integrity of individual user files.
- 5.4 Accounts (such as those established for the Town's LAN/WAN, the Town's VAX 4300 or Alpha 2100, E-mail, or Internet) shall be used only by the authorized owner of the account. Account owners are responsible, and will be held accountable, for all activity performed under their password.

6.0 User Responsibility:

- 6.1 Users shall not make unauthorized changes to the system configuration on their or any other Town PC.
- 6.2 Installation of private software on any PC is subject to approval by the Manager of Information Technology. No software is to be installed without prior approval. If you currently have private software on your computer that has not been approved by Information Technology, please contact the Manager of Information Technology as soon as possible.
 - 6.2.1 If approved, all personal software including screen savers and shareware must be legally purchased and properly licensed to the user who wishes to install it. A copy of the license must be located in the user's office.
 - 6.2.2 Unauthorized personal software may be removed without warning at any time. Information Technology is not in any way responsible for the backup and recovery of files associated with personal software. If it is suspected that a personal software package is the cause of a conflict with any IT software, it may be removed without warning.
 - 6.2.3 The use of computer games in Town offices creates a poor image when visitors from other divisions or the public see Town employees using computer equipment to play games. There are a few computer games that are specifically designed to help improve computer skills for new users. These games must be legally purchased, and installed by the Information Technology Department. The use of these games is at the discretion of the Department Head.
- 6.3 Users shall not access any external networks (any network that is not managed by the Town), bulletin boards, or information resources from Town computers without authorization from the Manager of

Information Technology or his/her designee. (See Section III for Internet Policies) If outside sources are currently being accessed other than through the Internet the Manager of Information Technology should be notified immediately.

- 6.4 Users are cautioned regarding the use of data from home computers or other non-networked computers. Disks that have been used on systems external to the Town are required to be scanned for viruses before being inserted into a Town networked or standalone PC. Individuals have access to scan on their PC's by running the Norton Scan application. Failure to do so shall be considered employee misconduct.
- 6.5 Users shall make sure the Town's selected virus software is running on their PC and/or laptops at all times whether the PC is networked or standalone (the Norton Antivirus icon should be located in the taskbar when the PC is running). If you are unsure notify Information Technology immediately.
- 6.6 Employees may use Town Computer resources after normal business hours for educational purposes, if prior department head approval has been obtained.
- 6.7 Users shall protect the Town's security by regularly changing their private password. Users shall not share their private passwords with any other individuals except for legitimate Town business reasons. When users do share their passwords, they must make it clear which files can be accessed. These limits shall be respected by the recipients of the passwords.

7.0 Examples of Inappropriate Use (But Not Limited To)

- 7.1 Electronic snooping or tampering. *Electronic Snooping* is the unauthorized use of or attempt to use another user's password without the employee's consent, or the unauthorized entry to or attempt to enter the computer files and communications of another without that person's consent.
- 7.2 Inappropriate copying, modifying, distributing, transmitting or displaying files or other data or information resources.
- 7.3 Processing, distributing, transmitting, or displaying sexually explicit images, messages, or cartoon, or any transmission or use of cartoons containing ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs.
- 7.4 Using the Town's LAN/WAN or knowingly allowing another to use the LAN/WAN for personal profit, personal business, commercial product advertisement or partisan political purposes.
- 7.5 Violation of any of the foregoing will be considered employee misconduct and may result in the imposition of disciplinary action, up to and including the termination of employment.

8.0 Purchases:

Software and hardware purchases must meet compatibility requirements for the Town as determined by the Manager of Information Technology. All new acquisitions require approval from Manager of Information Technology prior to a purchase order being issued.

PART II - E-MAIL (ELECTRONIC MAIL)

This section sets forth the Town's policy regarding access to and disclosure of E-mail messages sent or received by Town of Groton employees using the Town's internal E-mail system or the Internet. As is the case with all other

computer files, E-mails are the property of the Town of Groton regardless of their physical location or the form in which they are maintained.

1.0 Policy

- 1.1 The Town reserves the right to review the contents of an employee's E-mail communications when necessary for Town business purposes. Users should be aware that a password does not suggest that the system is for confidential correspondence, nor does it suggest that E-mail is the property right of the employee. An e-mail message and/or attachment should have no expectation of privacy.
- 1.2 The Freedom of Information Act defines a public record as "*recorded data of information* relating to the conduct of the public's business prepared, owned, used, or received by a public agency, whether such data or information be handwritten, typed, tape-recorded, printed, photo-stated, photographed or *recorded by any method.*" While not specifying e-mails, this definition has been broadly construed by the Freedom of Information Commission to include such communications.
- 1.3 While the Town does not back-up E-mail files, IT has the ability to access E-mail files and communications currently in the system. With the approval of the Town Manager, the Director of Administrative Services and/or the Manager of Information Technology may access E-mail files and communications of individual Town employees. The Town shall have the right to delete or retain any or all E-mail messages or files of former employees.
- 1.4 Temporary or contractual employees may be authorized to use the Town's E-mail system with the consent of the respective Department Head. Such access may be granted only upon the condition they use the system according to the rules and procedures established herein.

2.0 User Responsibility:

- 2.1 Employees shall limit their use of the E-mail system to Town business and/or related professional purposes. Such use may include work-related social events such as lunches, retirement parties, birthdays, sale of Town acquired reduced rate movie tickets, and notices of bereavement.
- 2.2 E-mail may not be used for personal notices concerning items for sale or charitable causes without the explicit, prior approval of the Town Manager. The Town offers a "Public Folder" bulletin board for such notices.
- 2.3 Misaddressed E-mail shall be sent back to the original sender with a message that the e-mail has been misaddressed, and the original deleted. However, if the misaddressed E-mail is offensive, inappropriate or otherwise in violation of this regulation, the misaddressed E-mail shall be forwarded to the recipient's department head for appropriate action.
- 2.4 Employees may forward or re-distribute copies of E-mail messages received by them only when doing so fulfills a legitimate business need of the Town.
- 2.5 E-mail resembles speech in its speed and lack of formality. Unlike speech, e-mail leaves a record that is often retrievable even after the sender and recipient delete it.
- 2.6 E-mail is not a permanent storage medium and employees should not use it as such. E-mail in-boxes and out-boxes should be purged on a regular basis. The Town may in its discretion purge E-mail on an automatic basis. If employees wish to maintain E-mail as a permanent record, they must save the E-mail as a disk file or print it out in hard copy form for permanent filing.
- 2.7 Signing or misrepresenting E-mail as coming from an individual other than the actual sender is prohibited; unless the sender is authorized to send E-mail on behalf of the other individual (it would be permissible for a secretary to send a meeting notice via E-mail in the supervisor's name).

2.8 E-mails and attachments are scanned at the Exchange (mail) server prior to reaching the employee to prevent viruses from infecting the Town's network. It is still mandatory to have the anti-virus program installed and running on employee PC's.

3.0 Procedures

3.1 Internal E-mail

3.1.1 When a regular employee is hired and needs to be added to the E-mail system, the following steps shall be taken.

- a) The department or division head will fill out a "New User Request" form, and deliver it to the Manager of Information Technology.
- b) The employee's user name will be added to the E-mail system. In order to establish the initial logon, Information Technology will provide that user with a generic password; the user is required to change that password upon logging into the network.
- c) A copy of this policy will be provided to the employee upon receipt of the new e-mail account.

By accepting the account the employee agrees to comply with the provisions of this administrative regulation as well as related town policies and/or procedures.

3.1.2 When an employee is separated from service, the following steps are taken.

- a) If the department head has not already requested and received the employee's password, he or she will obtain the employee's password.
- b) The department head or his or her designee will make a timely inspection of the employee's files and copy any files the department wishes to retain.
- c) Information Technology will delete the employee's E-mail and files unless requested to do otherwise by the department head.

3.2 Internet (External) E-mail

3.2.1 Requests to establish access for external e-mail should be in the form of a memorandum, from the Department Director to the Manager of Information Technology. The memorandum should contain the following.

- a) Name and Title of person requiring access
- b) Department and location of person requiring access
- c) Detailed business reason/justification for the access
- d) Requester signature (from individual or department head)
- e) Department Heads signature

3.2.2 Upon the approval of the Manager of Information Technology an Internet E-mail account will be established by IT.

3.2.3 By accepting Internet E-mail account the user agrees to comply with the provisions of this regulation as well as related town policies and/or procedures.

PART III - INTERNET

1.0 Policy:

The Internet is a world wide communication network that can put users in touch with unlimited amounts of information. It is an increasingly important resource for Town employees. Access is available through individual and/or departmental Internet accounts. The efficient utilization of the Internet for communications and research can improve the quality, productivity, and general cost effectiveness of the Town's work force. However, the openness, lack of security, and complexity of the Internet make it advisable to provide access in a limited and structured manner. The purpose of this policy is to ensure the proper use of the Internet, while continuing to support the needs of Town employees

2.0 Procedures:

Departments seeking Internet access for their employees must first obtain approval of the Manager of Information Technology; or in his/her absence, the Director of Administrative Services. Disputes regarding approval will be forwarded to the Town Manager.

2.1 Generally, individual access will be granted only for those employees who make frequent use of the Internet as a routine part of their jobs. Employees requiring only occasional use of the Internet will be supported by departmental accounts. The idea is to provide access on an "as needed basis."

2.2 All requests for Internet access must be in writing, with the Department Head's recommendation and require the approval of the Manager of Information Technology. Requests should be sent to the Manager of Information Technology and contain the following.

- a) Name and Title of person requiring access
- b) Department and location of person requiring access
- c) Detailed business reason/justification for the access - include "sites" that will be visited (i.e. professional organizations) on a regular basis
- d) Requester signature (from individual or department head)
- e) Department Heads signature

2.3 Upon approval, IT will arrange for the requested access and will provide training on how to gain access as well as how to scan downloaded files for viruses. It is expected that users will develop their own proficiency in using the Internet to search for information. The Groton Public Library offers Internet classes and individuals may schedule their own training.

2.4 This policy applies to all users with access to the Internet. However, because of the unique information-based nature of their work and the existence of a current technical arrangement for public Internet access, the Groton Public Library will manage their own Internet access requirements, but will continue to coordinate Internet technical activities with Information Technology for staff access.

2.5 By accepting Internet access the user agrees to comply with the provisions of this regulation as well as related town policies and/or procedures.

3.0 Internet Use:

- A) Employees using Town of Groton's Internet accounts are acting as representatives of the Town of Groton. As such, employees should act accordingly to avoid damaging the reputation of the organization. In other words employees are expected to exercise good judgment while using the Internet.

- B) It is the responsibility of each Internet user to ensure they are in compliance with all Town policies including computer security, virus detection, e-mail, and sexual harassment.
- C) Employees shall not place Town of Groton material (copyrighted software, internal correspondence, etc.) on any publicly accessible Internet computer without proper permission from the Manager of Information Technologies.
- D) Alternate Internet Service Provider connections to the Town of Groton's internal network are not permitted unless expressly authorized by the Manager of Information Technologies and properly protected by a firewall or other appropriate security device(s).
- E) The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet may be at risk of detection by a third party. Employees must exercise caution and care when transferring such material in any form.
- F) Employees shall not reveal their password or otherwise breach the security of their Internet account.
- G) Department Heads and Supervisors shall monitor to ensure proper use of the Internet. The Town reserves the right to inspect an employee's computer system for violations of this policy.
- H) Department Heads and Supervisors shall routinely review their department's Internet logs for proper use of Town time and equipment.
- I) Employees shall use their Internet accounts for Town of Groton business and/or related professional purposes.
- J) The Town employs software to prevent access to pornographic/obscene websites. In the event that an employee intentionally bypasses this software, they are violating the Town's policy and will be subject to disciplinary actions.
- K) "Surfing" the net is prohibited. (to "surf" is to explore a sequence of Web sites in a random, unplanned way).
- L) Town employees shall virus scan all files which are downloaded from the Internet using the Norton Antivirus software on their PC.
- M) Downloading files, which are not related to Town business and/or related professional business is prohibited.
- N) Accessing a web site or location on the Internet where a fee is charged is prohibited. Employees acquiring such charges bear sole responsibility for any charges unless the Department Director has approved accessing a fee-based site.
- O) Internet Relay Chat channels may be used solely to conduct official Town of Groton Business, or to gain technical analytical advice.

Violation of the above provisions will be considered employee misconduct and may result in disciplinary action up to and including termination. The Town will advise appropriate law enforcement officials of any illegal violations.

W) SAFETY

1.0 Policy

The Town of Groton strives to provide safe working conditions that are safe, pleasant, and efficient. We are constantly monitoring conditions and practices because we believe in preventing accidents by eliminating the causes. Your Supervisor will see that you are instructed in the best and safest working practices applicable to your job.

Some examples are:

Please report all injuries (no matter how slight) to your supervisor immediately, as well as anything that needs repair or is a safety hazard, so that they may be corrected before an accident occurs.

Make use of available personal protective equipment and other safety devices. Practice “good housekeeping” in your department.

Observe the “No Smoking” signs, especially in any areas that contain flammable materials.

If you have an accident or “near miss”, report it to your Supervisor. If you or a co-worker are injured, no matter how slightly, get appropriate first aid or medical attention promptly.

If you drive a Town vehicle, drive defensively and professionally.

X) DISCLAIMER

This handbook is intended for information and guidance. Since this handbook is only a summary compiled for the convenience of our employees and supervisors, it is not intended to cover all topics or circumstances. It is not an employment contract or agreement of any type, either express or implied, does not guarantee any fixed terms and conditions of employment, or guarantee benefits or working conditions between any employee and the Town of Groton. The Town may change, delete, suspend, or discontinue any part or parts of this handbook at any time without prior notice and any such action shall apply to existing as well as future employees. Continuation of employment after any such action constitutes consent to such action. Additionally, the Town reserves the right to respond to specific situations in whatever manner it believes best suits the needs of the Town. Consequently, the Town’s action, from time to time, may vary from the attached policies and procedures, or any subsequent policies and procedures implemented. Furthermore, the Town’s actions may from time to time be guided by policies and procedures which are not contained in this handbook.

SECTION 2 - EMPLOYEE BENEFITS

A) GROUP HEALTH INSURANCE

For the benefit and protection of all regular full-time employees and covered dependents, the Town provides comprehensive group health insurance coverage. The cost of coverage may be shared by the employee and the Town. Employees who elect coverage may be required to contribute their portion of the premium cost through automatic payroll deduction.

The medical plan helps to pay the cost of non-occupational injury or illness, including hospital and surgical expenses. Your group insurance plan booklet describes all benefits in detail and explains limitations and provisions. Coverage begins on the first day of the month following the start of continuous active employment. If you have any questions about the plan, contact Human Resources.

B) LIFE INSURANCE

If you are a regular full-time employee of the Town of Groton, you are covered by our Group Life Insurance. This insurance is payable in the event of your death per the terms and conditions of your life insurance policy, while you are insured. Payment will be made in a lump sum or in installments to the beneficiary, as designated by you. You may change your beneficiary whenever you wish by submitting the appropriate documents to Human Resources at ext. 6639. Refer to the literature provided by the insurance company for details on your life insurance coverage.

C) TERMINATION OF INSURANCE

Your insurance will terminate when the insurance policy terminates, when you fail to make an agreed contribution to premium when due, when you cease to be eligible for coverage under the terms of our group insurance program, or when you cease to be employed as a regular full-time employee eligible for the insurance. Note: please review COBRA policy to determine what if any continuation rights you may have.

D) UNEMPLOYMENT COMPENSATION

If you become unemployed, you may be eligible for unemployment compensation, under certain conditions, for a limited period of time. Unemployment compensation provides temporary income for workers who have lost their jobs. To be eligible you must have earned a certain amount and are willing and able to work. You should apply for benefits through your Local State Unemployment Office as soon as possible.

The Town pays the entire cost of this statutory benefit.

E) WORKER'S COMPENSATION

Chapter 568 of the Connecticut General Statutes mandates that each employer provides Workers' Compensation insurance coverage for its employees. This is to provide coverage for an employee when an injury or disease is connected to the duties performed for the employer. The Town of Groton implemented a Managed Care Network for all Town employees effective September 1, 1997, which is administered by CHWCT. If there are any questions feel free to contact Human Resources at (860) 441-6639.

The Workers' Compensation Statute also requires each employer to establish an Employer/Employee safety committee. The Town of Groton Safety Committee meets on a quarterly basis. All concerns or suggestions may be directed to the committee members. There is a listing of all members posted within your work-site.

Please remember that Human Resources Office investigates all accidents. One way to alleviate the nuisance, pain and hardship associated with a Workers' Compensation claim is to prevent accidents and injuries. Please feel free to bring your concerns directly to Human Resources and report any potential hazards or concerns to your supervisor.

Procedures for reporting other types of accidents are included within the Town of Groton Safety Manual. There is a copy of the Safety Manual in every department.

F) SOCIAL SECURITY

The United States Government operates a system of contributory insurance known as Social Security. As a wage earner, you are required by law (except for police officers) to contribute a set amount of your weekly wages to the trust fund from which benefits are paid. As your employer, the Town is required to deduct this amount from each paycheck you receive. In addition, the Town of Groton matches your contribution dollar for dollar, thereby paying one-half of the cost of your Social Security benefits.

G) TOWN OF GROTON RETIREMENT PLAN

The Town of Groton has an Employees' Retirement Plan to provide eligible employees (who have completed sufficient service) with a monthly pension benefit upon retirement. Participation in the Plan begins on the first day of employment. Contributions are taken directly from your paycheck.

The details regarding employee contributions, vesting, administration, investments, etc. are provided in the separate literature for the Employees' Retirement Plan, which was given to you in your appropriate pension agreement.

H) ICMA RETIREMENT PLAN

Town employees may also participate in International City Management Allocation (ICMA) Retirement Corporation deferred compensation plan. You'll probably receive Social Security and perhaps a pension from your employer upon retirement. The 457 plan is a supplement to these coverage's. As a public sector employee, you have the opportunity to build those retirement savings and reduce today's taxes.

Deferred Compensation is a program that allows you to save and invest for your retirement today. Federal and State income taxes are deferred until your assets are withdrawn which is usually during retirement.

Under Section 457 of the Internal Revenue Code, you may generally defer a maximum of 50 percent of your pre-deferral taxable income or \$11,000.00 per year (\$12,000 effective 1/1/03), whichever is less. Participation is handled through payroll deduction, so your taxes are reduced each pay period. The plan allows you to increase, decrease, stop and restart contributions as often as you wish, without fees or penalties. You invest your money as you see fit with the ability to changes funds as often as you wish. The 457 plan does not have a loan feature.

For more information on this program or brochures please call Human Resources at ext. 6639.

I) CREDIT UNION MEMBERSHIP

As an employee of the Town of Groton, you are eligible for membership in the Groton Municipal Employee Credit Union. Membership can enable you to borrow money at low interest rates. You may also save money and maintain an IRA account with the credit union. Call HR at 441-6622 for details on how to join the credit union.

Benefits of membership in a national credit union can be substantial. Services include:

- Savings Account
- Share Draft
- Certificates of Deposit
- Club Accounts
- Direct Deposits
- Loans
- Accidental Death & Dismemberment Insurance

J) EDUCATION ASSISTANCE

The Town believes an individual who possesses a desire to continue their education, in addition to performing their full-time job, shows a commitment to improving themselves and their position within the Town. To encourage and reward these individuals, the Town offers an Education Assistance benefit for both Union and Non-Union employees. Benefits vary depending upon employee status, please refer to your respective union agreement or the Terms and Conditions of Employment for Non-Union Employees.

K) EMPLOYEE ASSISTANCE PROGRAM

The Town of Groton provides an Employee Assistance Program (EAP) which is designed to provide a confidential service for our employees whose personal problems are affecting their abilities to function at top efficiency in their work. This service is available to all full-time employees and their immediate families. Arrangements will be made for you to be seen by a professional who is specially trained in your specific problem area, including, but not limited to:

- Alcoholism
- Domestic violence
- Drug dependency
- Eating disorders
- Emotional illness
- Family problems
- Financial problems
- Legal problems
- Marital conflict

Confidentiality is one of the most important aspects of the program. If you contact the Employee Assistance Program directly, no one in the Town will know about it unless you tell them. No information concerning the nature of your problem will be released without your written consent. Participation in the Employee Assistance Program will not affect future promotional opportunities. The Town assumes the costs for the Employee Assistance Program. Asking for assistance does not mean that you will be obligated to accept or continue it.

The Employee Assistance Program is through Lawrence and Memorial Hospital. Your EAP offices are located at 365 Montauk Avenue, New London; Circle Park II, North Stonington; or Pequot Health Center, Groton. If you would like to find out more about EAP or feel you would like to contact your EAP counselor, please call (860) 535-CARE. Brochures are also available in Human Resources.

L) DISCOUNTS

Discounts offered to Town of Groton employees through various businesses and agencies (Hoyt's Cinema, gyms, etc). Please call Human Resources at 441-6622 for more information.