

PERSONNEL POLICY

**TOWN OF THETFORD,
VERMONT**

Adopted February 9 , 2015

TABLE OF CONTENTS

<u>Section & Topic</u>	<u>Page Number</u>
Section 1: Title and Authority	1
Section 2: Persons Covered	1
Section 3: Equal Employment Opportunity	1
Section 4: Probationary Period	2
Section 5: Conduct of Employees	2
Section 6: Hours of Service	2
Section 7: Gratuities and Gifts	3
Section 8: Outside Employment	3
Section 9: Political Activity	3
Section 10: Nepotism	3
Section 11: Substance Abuse	4
Section 12: Tobacco Use	4
Section 13: Performance Evaluations	5
Section 14: Personnel Records	5
Section 15: Use of Town Equipment	6
Section 16: Use of Town Computer System	6
Section 17: Eligibility for Benefits	7
Section 18: Holiday Leave	8
Section 19: Vacation / Sick / Personnel Days	9
Section 20: Bereavement Leave	10
Section 21: Parental and Family Leave	10
Section 22: Short Term Family Leave	10
Section 23: Leave of Absence Without Pay	11
Section 24: Military Leave	11
Section 25: Jury Leave	11
Section 26: Overtime and Compensatory Time Off	12
Section 27: Employment Discrimination	12
Section 28: Sexual Harassment	13
Section 29: Employee Discipline	14
Section 30: Employee Termination Process	16
Section 31: Grievances/Appeals	17
Section 32: Hiring of Town Employees	18
Section 33: Severability	20
Section 34: Conflict of Interest	20
Adoption History and Selectboard Signatures	20
Addendum A - Employee Acknowledgment of Receipt of Personnel Policy	21
Addendum B - Agreement by Independently Elected Official to be Bound	22
Addendum C - Salary Administration	23
Addendum D - Social Media Policy	27
Addendum E - Conflict of Interest Policy	35

Section 1: Title and Authority

This policy shall be known as the Town of Thetford Personnel Policy. It has been adopted by the Town of Thetford Selectboard (hereafter "Selectboard") pursuant to 24 V.S.A. §§ 1121 and 1122. This Policy is intended to provide information about the main features of our employment policies, benefits and certain other general information.

This personnel policy does not constitute a contract of employment. Employment with the Town of Thetford (hereafter "Town") is *at will* (except those employees whose employment relationship with the Town is covered by a specific statute or separate written contract that provides otherwise). Employment with the Town is not for any definite period or succession of periods of time. The Town or the employee may terminate employment at any time, for any non-discriminatory reason, with or without notice. Accordingly, these policies do not alter the at-will status of the employee.

The Selectboard reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

The Selectboard, or its authorized representative, will administer this personnel policy.

Section 2: Persons Covered

This personnel policy applies to all full-time and part-time employees of the Town. For purposes of this policy, a full-time employee is an employee who works at least forty (40) hours per week on a regular and continuing basis. A part-time employee is an employee who works fewer than forty (40) hours per week on a regular and continuing basis.

A salaried employee is engaged to work at an annual salary. He/she will be paid 1/26 of that salary every 2 weeks. Salaried employees engaged in elected, executive, administrative, or professional positions, as those positions are defined by the Fair Labor Standards Act, are exempt from overtime pay.

Except as provided herein, or via separate written agreement, this policy does not apply to elected officials and their statutory assistants, members of Town boards, committees, and commissions, volunteers, and independent contractors.

Elected officials of the Town include: the Town Clerk; the Town Treasurer; the Delinquent Tax Collector; the three Listers; the five members of the Selectboard; the Town Moderator, the Justices of the Peace/Board of Civil Authority, the Cemetery Commissioners, the Library Trustees and the Trustees of Trust Funds. Elected officials are only covered by and subject to this policy as per a separate written agreement, such as that found in Addendum B.

The statutory Assistant Town Clerk and the statutory Assistant Town Treasurer are not elected, but do fall under the authority of those respective offices and are not covered by this policy unless pursuant to a separate written agreement.

Section 3: Equal Employment Opportunity

The policy of the Town is to provide equal opportunity to all employees and applicants for

employment without regard to race, color, religion, sex, sexual orientation, gender identity, age, nationality origin, place of birth, marital status, disability, veteran's status, HIV status, pregnancy status, genetic information, or any other protected category under local, state or federal law, and to base all employment decisions so as to further this principle of Equal Employment Opportunity. To this end, the Town will ensure that applicants and employees are treated without regard to these characteristics.

It is the obligation of each office, supervisor, and employee to conduct himself/herself in conformity with these principles at all times. All employment activities including, but not limited to, hiring, promotion, demotion, transfer, recruitment, advertising, discipline, layoff, termination, compensation, and training, shall be conducted without regard to the protected categories stated herein.

Any person who believes that discrimination may have occurred should report the matter promptly to the Selectboard Chair or Vice-Chair.

Section 4: Probationary Period

All newly-hired employees subject to this policy will be required to complete a six-month probationary period. The purpose of this probationary period is to determine whether the employee is suited for the job. During the probationary period, an employee may be terminated at any time at the sole discretion of the Selectboard. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

Section 5: Conduct of Employees

All employees are considered representatives of the Town and as such are expected to conduct themselves in a courteous, helpful and respectful manner in all their interactions with the public, other employees and elected and appointed officials.

All employees are expected to faithfully execute the duties and responsibilities of their office to the best of their ability and in compliance with the provisions of this personnel policy.

Section 6: Hours of Service

All employees are expected to be in attendance during regular work hours. Employees who will be absent from work are expected to notify their supervisor in advance whenever possible. Employees who are calling in sick are expected to notify their Supervisor as soon as possible, but no later than one (1) hour before their normal start time.

Regular work hours may be changed and employees may be expected to work additional hours that may exceed forty hours in a given week, as circumstances require. Compensation for those additional hours will be compensated at over-time pay as required by federal or state law or per any applicable Collective Bargaining Agreement. All road crew employees are required to be available for work on an on-call basis, especially during the winter months. All Town employees are required to be available for work in the case of an emergency, weather-related or otherwise.

Section 7: Gratuities and Gifts

Employees may not directly or indirectly ask, demand, exact, solicit, accept or receive a gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the Town.

Section 8: Outside Employment

The primary occupation of all full-time employees shall be to the Town. Employees may not engage in any outside business activities during their normal scheduled working hours. Employees are prohibited from undertaking outside employment that interferes with their job performance or constitutes a conflict of interest. Prior to accepting any outside employment, full-time employees will disclose their intent to the Selectboard in writing and obtain prior clearance from the Selectboard that such employment does not constitute a conflict of interest.

A conflict of interest means a direct or indirect personal or financial interest of an employee, his or her close relative, household member, business associate, employer or employee. A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 9: Political Activity

No employee may use his or her official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public office, or demand or solicit from any individual direct or indirect participation in any political party, political organization or support of any political candidate. Employees are prohibited from using Town facilities, equipment or resources for political purposes and from pursuing political activities while working.

This personnel policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as these views are clearly articulated as being those of the individual and not of the Town, and these activities do not interfere with the individual's ability to effectively perform his or her duties and take place or are expressed during non-working hours. Nor is this personnel policy to be construed as prohibiting, restraining or in any manner limiting an individual's right to vote with complete freedom in any election.

Section 10: Nepotism

In recognition of the potential for a conflict of interest to occur in the workplace where a close relative is directly responsible for supervising or evaluating the work performance of another close relative, The Town prohibits the hiring or transferring of relatives, when doing so will result in a close relative directly supervising or evaluating another close relative, or a close relative

supervising or evaluating the immediate supervision of another close relative. Exemptions to this section can only be made by prior Selectboard approval.

A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 11: Substance Abuse

The purpose of a substance abuse policy is to improve job performance; help employees; provide safety and protection to employees and the public; and to ensure compliance with the requirement that municipalities receiving federal funds have a drug free workplace policy. In addition, federal Department of Transportation regulations require that employees who operate Commercial Motor Vehicles (CMVs) for the Town have pre-employment drug tests and periodic random drug and alcohol tests.

Reporting to work or working under the influence of alcohol or drugs is strictly prohibited, unless the drug is prescribed and used in the manner prescribed by a duly licensed physician or dentist.

The use, sale, or possession of an illegal drug or controlled substance while on duty is cause for termination. The sale, possession, transfer, or purchase of illegal drugs on Town property or while performing Town business is strictly prohibited and is also cause for termination. Such action will be reported to law enforcement officials. No alcoholic beverage will be brought to or consumed on Town properties.

No prescription drug will be brought on Town premises for use by a person other than the one for whom it is prescribed. Such drugs will be used only in the manner, combination, and quantity prescribed.

Employees with substance abuse problems may voluntarily seek rehabilitation through the Employee Assistance Program of the Vermont League of Cities and Towns (1-800-287-2173). However, persistent problems may result in disciplinary action.

Discipline procedures for substance abuse may include probation contingent on successful rehabilitation. Application of discipline procedures is at the discretion of the Selectboard.

Section 12: Tobacco Use

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq. and §§ 1741 et seq., the Town prohibits employees' use of tobacco in any form on Town property and in Town vehicles.

The success of this policy will depend upon the consideration and cooperation of smokers and non-smokers alike. All personnel share in the responsibility for adhering to and enforcing the policy. Violations of this policy should be brought to the attention of the immediate employee supervisor and/or the Selectboard. Smoking cessation assistance is available through the Employee Assistance Program.

Section 13: Performance Evaluations

With the exception of temporary, seasonal, and emergency employees, all other employees of the Town may be subject to annual job performance evaluations by October 31 of every year. The results of such evaluations will be submitted to the employee, the employee's supervisor, and the Selectboard and will become a part of the employee's personnel file.

The performance appraisal will consist of a review between the employee and his or her immediate supervisor. The employee's review will be based on the position's job description and the Town's work standards, as well as the ability of the employee to work well with others in the workplace.

Supervisors will be as objective as possible when judging the performance of an employee. In addition, the supervisor should encourage each employee to seek and receive guidance in improving his or her performance.

Employees will be given an opportunity to review the written appraisal and make written comments concerning all aspects of the appraisal, after management's review. The employee should be given the opportunity to express his or her agreement or disagreement with any of the points made in the evaluation.

A copy of the performance appraisal should be signed by the employee and the supervisor, and must be placed in the employee's personnel file.

Performance evaluations will also evaluate the employee's attendance and unauthorized use of sick time. Sick time is authorized as per section 19 of this policy.

An employee's record may become unsatisfactory upon the second occasion or third day of absence during the first three months of employment. An employee's record may also become unsatisfactory upon the fourth occasion or sixth day of absence during any six-month period. This policy is calculated on a rolling six-month basis.

Should you have any questions about the attendance, please consult your supervisor.

Section 14: Personnel Records

Personnel records will be maintained for each employee of the Town. In accordance with Vermont's Public Records Law, any employee or the employee's designated representative may inspect or copy his or her personnel file at a mutually agreeable time during regular office hours. The Town reserves the right to have its representative present at the time its files are examined or copied.

The Town will retain only relevant job-related information within the personnel records. The Town will maintain the privacy of employee personnel records but may provide access to third parties when required by law or allowed for a legitimate business purpose. In accordance with the requirements of the Americans with Disabilities Act, all medical records of an employee shall be kept in a separate, confidential file, and access will be strictly limited to the purpose for which the records were obtained.

Section 15: Use of Town Equipment

The use of Town equipment or property for personal use is strictly prohibited.

Section 16: Use of Town Computer System

The Town computer system is to be used by employees for the purpose of conducting Town business. Occasional, brief, and appropriate personal use of the Town computer system is permitted provided it is consistent with this policy and does not interfere with an employee's job duties and responsibilities.

Employees should have no expectation of privacy regarding anything created, sent or received on the Town computer system. The Town may monitor any and all computer transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its computer system. All files, documents, data and other electronic messages created, received or stored on the Town computer system are open to review and regulation by the Town and may be subject to the provisions of Vermont's Public Records Law.

Employees may not introduce software from any outside source on the Town's computer system without explicit prior authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the Town computer system.

Employees who have a confidential password to access the Town's operating system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person.

Transmission of electronic messages on the Town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of uses of the Town computer system which are prohibited:

- Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;
- Communications of sexually explicit images or messages;
- Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non job-related solicitations during or after work hours;
- Access to Internet resources, including web sites and news groups, that are inappropriate in a business setting; and
- Any other use that may compromise the integrity of the Town and its business in any way.

Email messages that are intended to be temporary, non-substantive communications may be routinely discarded. However employees must recognize that emails sent, received, or stored on the Town computer system are subject to Vermont's Public Records Law and may be covered by the State of Vermont's retention schedule for municipal records.

For purposes of this section, computer system means all computer-related components and equipment including, but not limited to, host computers, file servers, workstation terminals, laptops, software, internal or external communication networks, the world wide web (www), the

Internet, commercial online services, bulletin board systems, back up systems and the internal and external email systems accessed via the Town's computer equipment.

Section 17: Eligibility for Benefits

The Town offers certain group benefits to its eligible employees. The Town does not offer these benefits to temporary, seasonal, or emergency employees, regardless of how many hours are worked by those employees. A temporary, seasonal, or emergency employee will be told at the time of hiring whether he or she is a temporary, seasonal, or emergency employee, the reason for which he/she has been hired, the rate to be paid, and the anticipated duration of the employment. Benefits for all eligible employees commence upon their date of employment.

The Town offers the following benefits for its eligible employees:

Insurance:

- Life and Short and Long-Term Disability Insurance benefits will be provided for all full-time employees based on the policy in effect as determined by the Selectboard.
- Dental Insurance benefits will be provided to full-time employees and their families based on the policy in effect as determined by the Selectboard.
- Health Insurance benefits will be provided to every full-time employee and one additional family member of that employee (civil partner, spouse, dependent child). Additional family members may be covered under this plan at the employee's expense. Given the rapidly changing nature of the insurance industry, employees interested in the specifics of the plan presently in place and their benefits under said plan are advised to contact the Town Treasurer for information as to the plan in effect and the level of benefit at the time of inquiry. The Town may, from time to time, make available additional plans and options that employees might opt into in addition to their primary healthcare plan and employ any remaining benefit amount. When an employee's employment terminates, the Town will cover their health insurance costs to the end of the month containing their last day of employment.

The Town reserves the right to add, delete or amend insurance benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any insurance program. Employees will be provided with advance notice of any change in the contribution rate.

Retirement:

- Employees regularly scheduled to work 24 or more hours per week are required to enroll in the Vermont Municipal Employees Retirement System (VMERS), applicable to the eligible groups per their respective Town job description.

Paid Lunch/ Break:

A paid lunch break of thirty minutes is allowed. One paid 10-minute break is allowed in the morning and one paid 10-minute break is allowed in the afternoon.

Section 18: Holiday Leave

Paid holiday time is granted to all employees who regularly work 20 or more hours per week, and to part time employees who work less than 20 hours per week who have 10 years of service and are not covered under a Collective Bargaining Agreement.

The following paid holidays will be granted if they fall on a regularly scheduled workday:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veterans' Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- Day after Thanksgiving
- Christmas Day (December 25)

If the following holidays do not fall on a regularly scheduled workday, then they shall be treated as floating holidays:

- New Year's Day (January 1)
- Independence Day (July 4)
- Veterans' Day (November 11)
- Christmas Day (December 25)

Floating holidays can be taken as an additional vacation day according to the Town's vacation policy, as stated in Section 19, below.

Holidays that fall during an employee's vacation leave will not be charged as vacation leave.

Employees will receive holiday leave pay at the employee's regular rate of pay. If a holiday falls on a regularly scheduled workday, eligible part-time employees will receive holiday leave pay based on the number of hours the employee is regularly scheduled to work. The only exception is that all eligible employees will receive pay for the day after Thanksgiving (as a replacement for Town Meeting Day). Eligible employees will be compensated as per their regular established work schedule at the time each holiday may land (varying per department). Floating holidays will be compensated at a maximum of eight (8) hours.

Non-exempt employees who are required to work on a holiday will be compensated at the rate of one and one-half times the employee's regular rate of pay.

The Town considers holidays a benefit to allow additional time off from work. Holidays cannot be worked for additional pay without prior approval from a supervisor. For the benefit of the employee, all accrued vacation and sick time shall be tallied, updated and posted with each payroll.

Section 19: Vacation / Sick Days

Full-time employees are entitled to Vacation Time as well as Sick Days based on the length of their employment. Vacation / sick time benefits accrue from the month employment began. Vacation/ sick time does not accrue during leave. Vacation/ sick time is accrued on actual time worked (including overtime hours).

Vacation:

Years of Service	Hours Earned per Hour Worked	Approximate Annual Accrual (based on 40 hours/week)	Max. Accumulation (based on 40 hours/week)
1st and 2nd year	0.0428	80 hours	120 hours
3rd through 9th year	0.0656	120 hours	160 hours
10th year and subsequent years	0.0893	160 hours	200 hours

Scheduled vacation time must be pre-approved by the employee's immediate supervisor at least one week in advance and responded to by said supervisor within 24 hours of request. Vacation is to be taken in no less than one (1) hour increments. Vacation time cannot be used to exceed the budgeted weekly hours per position.

Employees are strongly encouraged to take an annual vacation. If an employee does not use all of the employee's vacation in a year, the employee may carry a maximum of 40 hours forward to the next year, except when authorized by the Selectboard for extenuating circumstances. The vacation year schedule runs from July 1 – June 30, but vacation time begins accruing January 1st. An employee who resigns from employment with the Town will be compensated for unused vacation time.

Sick Time:

Each employee is eligible for 6 sick days / year to be used in no less than one hour increments unless the employee becomes ill while at work. In addition, employees earn sick leave at the following rate: .0248 per hour worked (approximately 48 hours per year). Sick time can accumulate over time to a maximum of 200 hours.

Sick leave may be taken only when an employee is unable to be present for work due to illness. The Selectboard may request that the employee furnish a doctor's certificate or other reasonable proof when absent for three (3) or more days or when circumstances warrant, such as situations where questions arise concerning the legitimacy of the absence.

An employee may use up to one (1) allowed sick day per calendar year not related to illness (taken in half day increments) to attend the following appointments that cannot be held outside normal working hours:

- A medical appointment
- An appointment eligible for short-term family leave under the provisions of the Vermont Parental and Family Leave Act (21 V.S.A. § 472a).

- A funeral not eligible under Section 20.
- A meeting with the employee's personal attorney.
- An appointment for the closing, purchase, sale, or refinancing of a primary residence.
- Any other appointments authorized in advance by the employee's supervisor.

Upon separation from employment, an employee will not be compensated for unused sick time.

Section 20: Bereavement Leave

Employees will receive up to three (3) paid bereavement leave days per event. Employees may use bereavement leave for the death of a close relative (spouse, child, stepchild, mother, father, brother, sister, grandparent, mother-in-law, or father-in-law), or any other relative if the relative was living in the same household as the employee immediately preceding his or her death.

Pay for bereavement leave will be at the employee's regular rate of pay. Part-time employees will receive prorated bereavement leave pay based on the number of hours the employee is regularly scheduled to work in a week.

If an employee does not use all of the employee's bereavement leave in a year, the employee may not carry the unused leave forward to the next year. Upon separation from employment, an employee will not be compensated for unused bereavement leave.

Section 21: Parental and Family Leave

Eligible employees may receive leave as described in the Family and Medical Leave Act (FMLA) and the Vermont Parental and Family Leave Act (PFLA). These federal and state laws will determine employee eligibility, the qualifying reasons for such leave and the length of leave.

The Town reserves the right to designate any qualifying leave of absence granted under this policy as leave under FMLA or the PFLA. Where an employee's leave request is covered by the PFLA and the FMLA, the Town will adhere to the law that provides the most benefits to the employee. If an employee is entitled to leave under both the PFLA and FMLA, the leave periods will run concurrently.

For the purposes of determining the twelve-month period in which an employee may be entitled to PFLA and/or FMLA leave, the Town will use a rolling twelve-month period measured backward from the date an employee uses such leave.

Section 22: Short Term Family Leave

In accordance with the Vermont Short Term Family Leave Law, eligible employees may be entitled to take unpaid leave not to exceed four hours in any thirty-day period and not to exceed twenty-four hours in any twelve month period for the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, stepchild, foster child, or ward;

- To attend or accompany the employee's child or other family member to routine medical or dental appointments;
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; or
- To respond to a medical emergency of the employee's family member.

The Town may require that leave be taken in a minimum of four-hour segments. At the option of the employee, accrued paid leave may be used. An employee shall make a reasonable attempt to schedule appointments for which leave may be taken outside of regular work hours. An employee shall provide the Town with the earliest possible notice of the intent to take short term family leave, but in no case later than seven days before leave is to be taken, except in the case of an emergency.

Section 23: Leave of Absence Without Pay

All requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the employee's immediate supervisor and must set forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return.

If a leave of absence without pay is granted, the employee may, at the Town's sole discretion, continue the employee's group health plan coverage by paying the required premium in accordance with the payment schedule established by the Town. Other employee benefits (e.g. sick leave, vacation, seniority, etc.) will not accrue during the unpaid leave period.

Section 24: Military Leave

The Town will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

Section 25: Jury Leave

The Town will compensate employees for their service as jurors or witnesses. In accordance with 21 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment.

When Town employees are called to serve as a witness in a court proceeding due to their status as an employee of the Town, the Town will compensate the employee for the difference between their regular rate of pay and their compensation as a witness. The Town will pay the difference only when the employees' regular rate of pay exceeds their compensation as a witness.

Section 26: Overtime and Compensatory Time Off

In accordance with the Federal Fair Labor & Standards Act (FLSA), the Town compensates all non-exempt employees at the rate of one and one-half hours for each hour actually worked in excess of forty hours in any workweek. Sick, vacation, holiday, and other types of leave hours do not count towards overtime of forty (40) hours worked, unless actually worked. Employees will not receive overtime compensation if they are employed in elected, executive, administrative, or professional capacities, as defined by the FLSA.

In lieu of cash overtime pay, non-exempt individuals may accrue compensatory time off ("comp time") subject to the following conditions:

- Comp time is earned at a rate of one and one half hour for each hour worked in excess of forty hours in any workweek.
- An employee may accrue a maximum of forty hours of comp time on an annual basis. An employee who has accrued 40 hours of comp time will be paid overtime compensation for additional overtime hours of work.
- An employee may, at the Town's discretion, be paid in cash in lieu of compensatory time off.
- An employee receiving payment for accrued comp time will be paid at the regular rate of pay earned by the employee at the time the employee receives such payment.
- Upon termination from employment, an employee will be paid for unused comp time at a rate not less than the average regular rate of pay received by the employee during the last three years of employment or the employee's final regular rate of pay, whichever is higher.

An employee who has accrued comp time and requested use of comp time will be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the Town's operations. Requests for use of comp time must be submitted to the employee's supervisor, who will have sole discretion to grant or deny the request. Requests for use of comp time will not unreasonably be withheld.

Section 27: Employment Discrimination

Vermont and federal law prohibit employment discrimination or retaliation based on race, color, religion, sex, gender identity, national origin, age, pregnancy, genetic information, veteran status, or against a qualified individual with a disability with respect to all employment practices. Vermont law also prohibits discrimination based on sexual orientation, ancestry, HIV status, and place of birth. It is also unlawful to retaliate against employees or applicants who have alleged employment discrimination.

Employees are encouraged to bring any complaints alleging unlawful discrimination to the attention of the employee's supervisor who will arrange a meeting to discuss the matter. The meeting will take place as soon as reasonably possible, but in no case later than seven calendar days from receipt of notification. If the supervisor is unable to resolve the matter during this meeting, the aggrieved party may submit to the supervisor a written, signed complaint within seven additional calendar days. The supervisor will then have an additional fifteen calendar days in which to conduct an investigation and to issue a report with recommendations to the Selectboard. If the complaint is against the supervisor, the employee may bring the complaint directly to the Selectboard for investigation. The Selectboard will consider the matter and promptly notify the aggrieved part of its decision.

Section 28: Sexual Harassment

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their gender. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following when such instances or behavior come within one of the above definitions:

- Either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- Touching or grabbing a sexual part of an individual's body;
- Touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- Continuing to ask an individual to socialize on or off-duty when that person has indicated he/she is not interested;
- Displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome;
- Continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- Referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- Retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- Derogatory or provoking remarks about or relating to an employee's sex;
- Harassing acts or behavior directed against a person on the basis of his or her sex;
- Off-duty conduct that falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any individual who believes that she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of

harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Any employee who wishes to report sexual harassment should contact his or her supervisor and/or the Chair of the Selectboard. Once the Town receives a complaint of sexual harassment, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The determination of whether or not a particular action constitutes sexual harassment shall be made from the facts on a case-by-case basis. In determining whether alleged conduct constitutes sexual harassment, the Selectboard Chair and/or Department Supervisor shall look at the record as a whole and at the totality of the circumstances. If sexual harassment is found to exist, prompt corrective action shall be taken ranging from a verbal warning up to and including dismissal of the offending party.

The sexual harassment policy of the Town shall be available to each employee, shall be posted in a prominent place in the workplace, and shall include the names and addresses of the state and federal agencies that handle complaints of sexual harassment in the workplace.

Complaints of sexual harassment or retaliation may also be filed with the following agencies:

Vermont Attorney General's Office
Civil Rights Unit
109 State Street
Montpelier, VT 05609-1001
Tel: (802) 828-3657 (voice), (802) 828-3665 (TTY)

Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Tel: (800) 669-4000 (voice), (800) 669-6820 (TTY).

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may take a case to court.

Section 29: Employee Discipline

The Town exists to provide services to its citizens and therefore has a responsibility to perform these services in the most effective and efficient manner possible. The same is required of Town employees. All employees will be fairly and consistently subject to the disciplinary and discharge procedures, given the facts of the individual case.

The Town has adopted a progressive discipline process to identify and address employee and employment related problems. The Town's progressive discipline process applies to any and all employee conduct that the Town in its sole discretion, determines must be addressed by discipline.

Under the Town's progressive discipline process, an employee may be subject to disciplinary action, up to and including termination, for violation of the provisions of this personnel policy and/or failure to maintain an acceptable level of performance. The Town may take prior

disciplinary action into consideration when disciplining or terminating an employee. Violations of different rules may be treated as repeated violations of the same rule for purposes of progressive discipline.

Most often, employee conduct that warrants discipline results from unacceptable behavior, poor performance, or violation of the Town's policies, practices, or procedures. However, discipline may be issued for conduct that falls outside of those identified areas. The Town also reserves the right to impose discipline for off-duty conduct that adversely impacts the legitimate interests of the Town. The Town reserves the right in its sole discretion to bypass progressive discipline and to take whatever action it deems necessary to address the issue at hand. This means that more or less severe discipline, up to and including termination, may be imposed in a given situation at the Town's sole discretion.

The Town also retains the right to unilaterally eliminate positions or reduce the number of hours of a position or positions due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, reorganization or reclassification of positions resulting in the elimination of a position, or for other related reasons.

Probationary employees are not subject to the Town's progressive discipline process. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

The Town will normally adhere to the following progressive disciplinary process, but reserves the right to bypass any or all steps of progressive discipline when it determines, in its sole discretion, that deviation from the process is warranted: (1) first written warning; (2) second written warning; (3) termination. Written warnings will include summary of violations and an action plan drafted and approved by the employee and supervisor.

Employees are prohibited from engaging in conduct listed below and may receive discipline, up to and including termination, for doing so. This list has been established to provide examples of behavior that could warrant a range of disciplinary sanctions. Appropriate levels of discipline may be based on the severity of employee conduct. This list is not exhaustive:

- Any violation of Town policies, rules, or regulations.
- Criminal conduct.
- Insubordination.
- Dishonesty.
- Inefficiency.
- Neglect of a duty.
- Accepting gratuities.
- Breach of ethics concerning the confidentiality of the Town, employee or resident information.
- Refusing to do assigned work or failing to carry out the reasonable assignments of a Supervisor.
- Gambling on Town property or during work hours.
- Inattentiveness to duty, including sleeping on the job.
- Falsifying a time card or other record or giving false information to anyone whose duty is to make such record.
- Conduct deemed disruptive to the Town's normal operations.
- Abuse of or undue disrespect for residents or employees.

- Damage to Town property due to negligence or malfeasance.
- Professional incompetence.
- Any conduct or behavior that (1) poses a risk to the health, safety or welfare of residents or (2) poses a serious risk of or actually disrupts the proper functioning of the Town.
- Discourteous conduct to residents, fellow employees, the public or any person with whom the employee is in contact when performing job duties.
- Unauthorized solicitation.
- Being repeatedly or continuously absent or late, being absent without notice or satisfactory reason or leaving one's work assignment without appropriate authorization.
- Possession of a deadly weapon during work hours or while on Town premises unless as an express condition of one's job duties or by prior written authorization of the Selectboard.
- Conducting oneself in any manner that is offensive, abusive or contrary to reasonable community standards and expectations of public employees.
- Engaging in any form of harassment including sexual harassment.
- Misusing, misappropriating, or willfully neglecting Town property, funds, materials, equipment or supplies.
- Unlawfully distributing, selling, possessing, using, or being under the influence of alcohol or drugs when on the job or subject to duty.
- Fighting, engaging in horseplay or acting in any manner that endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Stealing or possessing without authority any equipment, tools, materials or other property of the Town or attempting to remove them from the premises without approval or permission from the appropriate authority.
- Marking or defacing walls, fixtures, equipment, tools, materials or other Town property, or willfully damaging or destroying property in any way.
- Willful violation of Town rules or policies.

The above referenced list is not intended to be all-inclusive and does not in any way constitute a promise on the part of the Town for specific treatment in a specific situation. All disciplinary action is solely within the discretion of the Town.

Section 30: Employee Termination Process

The provisions of this section shall not apply to temporary, seasonal, or emergency employees who may be terminated at any time without benefit of the following Town termination process.

The Town has adopted an employment termination process. Most often, employee conduct that warrants termination results from unacceptable behavior, poor performance, or violation of the Town's policies, practices, or procedures. However, termination may result from conduct that falls outside of those identified areas. In that case, the Town may choose not to utilize this termination process but may take whatever action it deems necessary to address the issue at hand.

The Town also retains the right to unilaterally eliminate a position and thus terminate employment or reduce the work hours for some or all employees due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, reorganization, or reclassification of positions resulting in the elimination of a position or for other related reasons. In such case, this termination process does not apply.

Probationary employees are not subject to the Town's termination process. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

An employee being considered for termination will be provided with a written notice. The notice will contain a brief statement of the reasons termination is being considered and the date, time and place of a pre-termination meeting with the employee's supervisor.

At the pre-termination meeting, the employee will be afforded an opportunity to present the employee's response to the reasons for termination. If the employee declines to attend the pre-termination meeting, the employee may submit written response to the pre-termination notice not later than the scheduled date and time of the meeting.

The Selectboard is the sole entity that will determine if an employee should be terminated. If an employee's conduct is such that their supervisor considers it sufficient to justify termination, the supervisor will meet with the Selectboard, in Executive session, to review the employee's conduct. The Selectboard, depending on the nature of the conduct, may decide to terminate the employee or put the employee on paid or unpaid leave.

If the Selectboard determines that the employee's conduct warrants termination, the Selectboard will issue a termination letter to the employee. If the employee has been terminated, the letter will provide the general reasons therefore and will also inform the employee of the opportunity to request a post-termination hearing before the Selectboard by giving written notice of such request to the supervisor within seven days. The employee will be informed that the employee's failure to make a timely request for a post-termination hearing will result in such hearing being waived.

If a request for a post-termination hearing is made, the Selectboard will provide the employee with a notice informing the employee of the date, time, and place of the post-termination hearing before the Selectboard. The notice will inform the employee of his or her right to be represented by counsel, to present and cross-examine witnesses and to offer supporting documents and evidence. The notice will also inform the employee of his or her right to have the hearing conducted in executive session in accordance with 1 V.S.A. § 313.

At the post-termination hearing, the employee will be afforded the opportunity to address the basis for termination by hearing and examining the evidence presented against the employee, cross-examining witnesses and presenting evidence on his/her behalf. The Selectboard will make such determinations as may be necessary in the event of evidentiary objections or disputes. When the hearing is adjourned, the Selectboard, under the authority granted by 1 V.S.A. § 313(e), will consider the evidence presented in the hearing in deliberative session.

The Selectboard will render a written decision within fourteen days after close of the hearing, unless otherwise agreed upon by the parties.

Section 31: Grievances/Appeals

Employees who feel that they have received inequitable, arbitrary or capricious treatment may appeal using the steps listed below. The employee may appeal in person or through a representative. General wage increases and cost of living increases that are voted by the Town at Town Meeting shall not be considered as a cause for individual grievance.

The Town has an "Open Door" policy to hear and resolve grievances. Employees should feel free to discuss any work-related problems with their supervisor. If employees would rather not approach their immediate supervisor, or if the immediate supervisor does not address the problem adequately, the concern may be discussed with the Selectboard. Employees can be confident that they will not be penalized for using this "Open Door" policy. If an employee feels penalized he/she may use the grievance procedure to address the issue.

Grievance/Appeals Procedure:

Step 1. The employee shall first informally discuss the complaint(s) with his/her supervisor unless the complaint is against the supervisor in which case the employee may proceed under the filing procedures contained in Step 3 below.

Step 2. If the discussion fails to resolve the problem, the employee shall prepare a written statement of the grievance and present it to his/her supervisor. The supervisor will provide the employee with a written answer within 10 business days of receiving the grievance.

Step 3. If the employee remains unsatisfied, the employee may bring the grievance to the Selectboard. The employee will put his/her complaint in writing to the Board and deliver it within 7 days of receiving the response from his/her supervisor in Step 2 above. The employee should state whether he/she wishes to appear before the Selectboard in person. The Selectboard will respond as soon as possible and not later than 10 days after receiving the notice if a hearing is not requested. Should a hearing be requested, it would be held not more than 10 business days after receiving the complaint. The Selectboard will render a written response within 10 business days of this hearing.

The Selectboard decision will be final, subject only to administrative and judicial appellate rights of the Employee. Employees who file said grievances shall not be retaliated against.

Section 32: Hiring of Town Employees

All non-temporary vacancies will be advertised in the Town's paper of record and posted in the Town Hall and other venues as appropriate.

A Job Description of the vacant position will be provided to all applicants.

An applicant for a Town job position will fill out the Town Job Application Form.

1. Initially, the supervisor in the Department where a vacancy exists, for which an applicant is applying, will review all Job Application Forms.
2. The supervisor will review Job Applications and interview qualified candidates.

During the interview the following information will be provided to a candidate:

- A copy of this personnel policy.

- Information about compensation and benefits offered by the Town. Benefits for all eligible employees commence upon their date of employment.
 - Employees are paid every two weeks. Hours worked must be recorded on time sheets, approved by the employee's supervisor and submitted to the Town Treasurer by 10am Monday morning. Checks are issued by the Town Treasurer's Office.
 - The workweek starts on a Sunday and runs through the following Saturday. Each supervisor is responsible for approving and submitting time sheets to the Treasurer's Office.
 - Each employee may be required to be available on-call by pager or telephone.
 - All employees of the Public Works Department are required to have a current CDL license at the time of employment, and to maintain licensing at personal expense throughout the course of employment. A photocopy of the CDL license will be kept in the employee's Personnel Folder. All Public Works Department personnel are required to be on call as needed.
3. After review of all the Job Application Forms and interviewing all qualified candidates, the supervisor will provide the Selectboard with a recommendation for hiring a qualified applicant(s).
 4. The Selectboard shall review the application of the recommended candidate. An interview with a qualified candidate may be required. In the event that two or more candidates are equally qualified, the Selectboard will review all applications and interview all candidates.
 5. The Selectboard will make the final determination for hiring an applicant.

The Selectboard is the sole Town entity that hires Town Employees. No employee, officer, agent, or other representative of the Town has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts this policy. The Selectboard of the Town must expressly authorize any exceptions to this policy of at-will employment in writing.

The Selectboard will, after deciding to hire an applicant, provide the applicant with a written job offer stating the start date for the job and the starting compensation package. The applicant will respond to the Selectboard indicating whether they accept the position or not. Only after receiving an affirmative reply accepting the job offer from a candidate will the Selectboard initiate the required payroll forms.

No candidate who has accepted a position offered by the Selectboard will begin work before the stated start date and before all payroll and employment forms are completed.

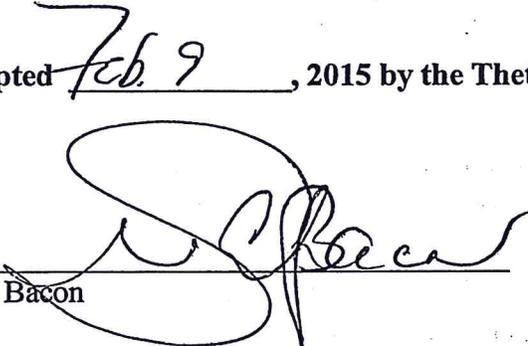
Section 33: Severability

If any provision of this personnel policy or the application hereof to any person or a circumstance(s) is held invalid, this invalidity does not effect other provisions or applications of the personnel rules that can be given effect without the invalid provision or application. For this purpose, this personnel policy is severable.

Section 34: Conflict of Interest

All employees of the Town are subject to the Town's Conflict of Interest Policy, as adopted by the Selectboard. Such Policy is attached as Addendum E.

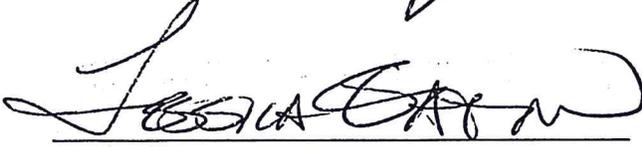
Adopted Feb. 9, 2015 by the Thetford Selectboard.



John Bacon

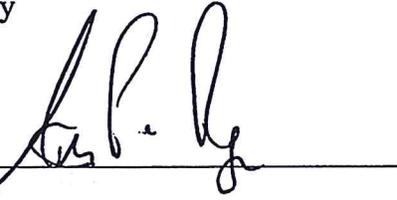


Donn Downey



Jessica Eaton

Mike Pomeroy



Stuart Rogers

**Addendum A:
Employee Acknowledgement of Receipt of Personnel Policy**

I, _____, acknowledge that:
Printed Name of Employee

- A. I received a copy of the Town's Personnel Policy on _____ [date] and I understand that it is my responsibility to familiarize myself with its contents;
- B. I understand that it is my responsibility to ask questions if there is anything in said policy that I do not understand;
- C. I understand that the language used in this personnel policy is not intended to create, nor should it be construed to create, a contract of employment between the Town and myself
- D. I acknowledge that the Town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;
- F. I acknowledge that it is my responsibility to comply with all provisions of the Town's Personnel Policy.

Employee's Signature

Date

**Addendum B:
Agreement by Independently Elected Officer to be Bound by Personnel Policy**

This is a contract between the Selectboard of the Town of Thetford (hereafter "Town") and [insert name and title of independently elected officer], collectively referred to as "parties."

In exchange for the provision of benefits by the Town as follows:

[list benefits]

[Insert name] agrees to be bound by the provisions of the Town Personnel Policy, except the provisions on [insert titles of applicable provisions such as "Performance Evaluations, Discipline, and Termination."]

[Insert name] agrees as follows:

- [she / he] has received a copy of the Town's Personnel Policy and understands that it is [her / his] responsibility to ask questions if there is anything in the policy that [she / he] does not understand;
- [she / he.] has been given an opportunity to ask questions about said policy and has been provided with satisfactory information in response to those questions;
- [she / he] acknowledges that the Town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;
- [she / he] acknowledges that it is [his / hers] responsibility to comply with all provisions of the Town's personnel policy except the provisions on [insert titles of applicable provisions such as "Performance Evaluations, Discipline, and Termination."].

The parties agree that this shall not constitute a contract for employment

[If applicable, insert the following: "In addition to the above, [name] agrees that [her / his] statutory assistant, [name], who holds the position of [insert title], will be subject to the Town's Personnel Policy except the provisions on Performance Evaluations, Discipline, and Termination, which do not apply to him/her. In return, said statutory assistant will receive benefits from the Town as follows: [list benefits]]

Entered into this ____ day of _____, 20__

BY: Independently-Elected Official:

Selectboard:

[name and title]

Addendum C: Salary Administration

It is the Town's goal to pay all regular employees wages and salaries that are competitive with other employers in municipal governance in a way that will be motivational, fair and equitable. The Town applies the same principles of fairness to all employees, regardless of race, ancestry, gender, age, marital or civil union status, national origin, sexual orientation, place of birth, veteran status, or disability, as defined and required by state and federal laws.

Basis for Determining Pay:

Several factors may influence the rate of pay. In addition to financial capacity, some of the factors the Town considers in setting compensation are the nature and scope of the job, what other employers pay their employees for comparable job (external equity), what the Town pays employees in comparable positions (internal equity), as well as individual job performance. It is the Town's goal to have a current job description for each position, which broadly defines particular job responsibilities.

Process for Individual Job Performance Reviews:

The Selectboard finalizes the Town Budget each December. Departments are asked to submit their budgets each October. All yearly department reviews should be completed by September 10th to allow for any alterations in department budgets, wage amounts and/or Selectboard review. Wage adjustments take effect each July. In departments where there are supervisors and workers, the immediate supervisor will conduct all reviews. The Selectboard will conduct reviews of managers and employees in one-person departments; first by the Department's Selectboard Liaison and the Selectboard Vice-Chair, then by the entire Selectboard if needed.

Point Method of Job Evaluation:

Jobs are expressed in terms of key factors. Points are assigned to each factor after prioritizing each factor in the order of importance. The points are summed up to determine the wage rate for the job. Jobs with similar point totals are placed in similar pay grades.

Wage Matrix:

The Selectboard approves a Wage Matrix for every job level and every level of experience. The Wage Matrix is updated each year to reflect changes in the cost of living or other factors, if any, and is available upon request.

Point Tables:
SKILL

Breadth/Depth of Experience Required	Little to no experience necessary. (Score 30-45)	At least 2 years experience (or equivalent) in a closely related field (Score 46-65)	At least 4 years experience (or equivalent) in a closely related field. (Score 66-100)
Education/Training Required	Knows fundamental concepts, practices and procedures of particular field of specialization High School or equivalent (Score 10-30)	Knows and applies fundamental concepts, practices and procedures of particular field of specialization, with awareness of related fields. Associates Degree or equivalent (Score 31-55)	Possesses and applies a broad knowledge of principles, practices and procedures of a particular field of specialization to the completion of difficult assignments. Also possesses knowledge of related fields and areas of operation which affect, or are affected by, own area. Bachelor's Degree or equivalent or greater (Score 56-80)
Problem Solving Skills	Very little need to problem solve, tasks are standard and repetitive (Score 10-25)	Moderate need to problem solve, tasks rotate in a predictable pattern (Score 26-40)	High level of problem solving skills needed, tasks constant change and require immediate attention (Score 41-70)
Degree of Discretion/Use of Judgment	Judgments are made on routine matters of relatively small impact (Score 5-20)	Resolves routine questions or problems, referring only complex issues to higher level. (Score 21-36)	Considerable latitude for unreviewed action. (Score 37-70)
Social Skills Required	Very little interaction with the public or other departments (Score 5-15)	Moderate amount of interaction with the public and other departments (Score 16-30)	A large amount of interaction with the public and other departments (Score 31-45)

EFFORT

Degree of potential stress	(Score 0-19)	(Score 20-40)	(Score 41-60)
Mental Demands of Job	performs standard tasks (Score 5-15)	performs varied duties and assignments (Score 16-30)	performs complex assignments (Score 31-55)
Physical Demands of Job	(Score 5-15)	(Score 16-30)	(Score 31-55)

Addendum D: Social Media Policy

Section 1: Title and Authority

This policy shall be known as the Town Social Media Policy. It has been adopted by the Selectboard pursuant to 24 V.S.A. §§ 1121, 1122, and 872.

The Selectboard reserves the right to amend any of the provisions of this social media policy for any reason and at any time, with or without notice.

The Town permits the use of social media by employees for Town business, but restricts Town related material and usage to the guidance of this policy.

This Social Media Policy will be administered by the Town Selectboard or its authorized representative in regards to those departments that maintain a social media site.

Section 2: Purpose

The purpose of this policy is to provide standards and procedures for the appropriate use of social media when conducting Town business. While this policy generally applies to the most popular sites, such as Facebook, YouTube and Twitter, it is acknowledged that social media is an evolving communications tool and that new resources may become available over time. The Town may utilize social media and social media sites to communicate information related to the business of the Town directly to the public as well as to provide members of the public the opportunity to comment on or participate in discussions concerning Town business, including but not limited to operations and services provided by the Town. The Town encourages the use of social media to further the goals of the Town, the missions of its departments and public bodies, and to contribute to the overall vibrancy of its community and degree of participation by its citizenry, where appropriate.

This policy gives direction to Town employees, elected officials, volunteers, appointees, public bodies and other authorized affiliated organizations that utilize the Town's electronic/computer resources or via private resources to access social media websites and engage in social networking for Town purposes. The Town has an overriding interest and expectation in deciding what is published on behalf of the Town through social media and in establishing guidelines for the use of any Town social media by Town officials and the general public.

Section 3: Definitions:

Comment means a statement or response submitted by a Town official or member of the public to the Town for posting on the Town's social media website.

Designated Agent means an individual designated by the Town Selectboard to receive and respond to notifications of claimed copyright infringement. Once named, the Town must file a "designation of agent" form with the United States Copyright Office.

Social Media means the various forms of information-sharing technology to create web content and dialogue around a specific issue or area of interest. Examples of social media applications

include but are not limited to Facebook, MySpace, Google and Yahoo Groups, Wikipedia, YouTube, Flickr, Twitter, LinkedIn, and news media comment-sharing/blogging.

Town Electronic Equipment means all Town electronic equipment including but not limited to computers, cell phones, smart phones, pagers and any other Town equipment that may be utilized to send or receive electronic communications.

Town Official means employees of the Town, public officers (whether elected or appointed) and Town volunteers.

Town Social Media Site means the official social media site of the Town.

Town Social Networking Moderator means an individual designated by the Town Selectboard to monitor, manage and oversee social media content.

Visitor means a member of the general public who accesses Town social media sites.

Section 4: Conduct of Town Officials

Those designated and authorized to utilize Town social media sites do so with the understanding that they are representing the Town via social media outlets and must conduct themselves at all times as representatives of the Town. Use of Town social media sites shall comply with this policy, the Town's personnel and any other relevant policies, charter provisions, rules and regulations of the Town. This includes any usage of Town social media sites from outside of the workplace.

Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment in compliance with the Town's personnel policy, employment contract, or collective bargaining agreement as appropriate. Appointees and volunteers found in violation of this policy may be subject to removal from their respected public posts. Elected officials found in violation of this policy may be subject to private or public admonishment and/or may be asked to resign their office.

When a Town official responds to a comment in his/her capacity as a Town official, the official's name and title should be made available.

Information posted to Town social media sites is public information, and there should be no expectation of privacy in regards to the information posted on Town social media outlets. Town officials are expressly prohibited from disclosing any information via social media posts that may be confidential.

Town officials are discouraged from using personal accounts to comment on or post information to Town social media sites, and/or posting information regarding official Town business on other social media sites. All social media site comments and posts by Town officials are subject to Vermont's Public Records Law, Open Meetings Law, and all other applicable laws, rules, policies, charter provisions and regulations.

Town officials should have no expectation of privacy regarding anything created, sent or received on the Town's electronic equipment. The Town may monitor any and all transactions, communications and transmissions to ensure compliance with this policy and to evaluate the use of its equipment.

It is the responsibility of authorized Town officials to ensure that information communicated by means of social media is accurate and up-to-date.

The Town Social Networking Moderator will monitor the content posted by Town officials on each of the Town's social media sites to ensure it complies with this policy for appropriate use, messaging and branding, consistent with the goals of the Town.

Authorized Town officials must be provided with a copy of this policy and sign the Acknowledgement of Official Use by Authorized Town Officials prior to utilizing Town social media.

Section 5: Comments

For purposes of this policy, Town social media falls into two distinct categories:

1. **The Town Government Speech Site** does not allow for any public comments whatsoever. It is reserved for Town government to engage in its own expressive conduct to promote its own message. Examples of this type of site include the Town's official website and social media sites where public comment has not been enabled.
2. **Limited Public Social Media Forums** are Town social media sites where public comment has been enabled to allow for discussion on specific topics as signified by postings by authorized Town officials or consistent with the purposes of this policy. Submission of comments by members of the public constitutes participation in a limited public forum.

Users and visitors to Town social media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between authorized Town officials and members of the public.

A comment posted by a member of the public on any Town social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Town, nor do such comments necessarily reflect the opinions or policies of the Town.

Comments by authorized Town officials shall be allowed on Town social media sites only when consistent with the provisions of this policy. Comments by the general public shall be allowed on limited public social media forums only when consistent with the provisions of this policy. Comments containing any of the following inappropriate forms of content shall not be permitted on any type of Town social media site and are subject to editing, removal or restriction, in whole or in part, by the Town Social Networking Moderator:

- Comments not topically related to the particular social medium thread or topic or article being commented upon;
- Comments in support of or opposition to political campaigns or ballot measures of any kind;
- Profane, obscene, or sexual language or content or links to such language or content;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation;
- Solicitations of commerce, including but not limited to advertising of any business or product for sale;
- Conduct or encouragement of illegal activity;

- Information that may tend to compromise the safety or security of the public or public systems;
- Defamatory or personal attacks;
- Threats to any person or organization;
- Conduct that violates any federal, state, or local law; or
- Content that violates a legal ownership interest of any other party.

If comments are related to the topic at hand, then the content must be allowed to remain, regardless of whether it is favorable or unfavorable to the Town.

The Town reserves the right to deny any individual who violates the Town social media policy access to posting to Town social media sites, at any time and without prior notice.

The Town reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law. Content submitted for posting that is deemed not suitable for posting by the Town Social Networking Moderator because it is not topically related to the particular subject being commented upon, or is otherwise deemed prohibited content based on the criteria set forth in this policy, must be retained in accordance with the relevant records retention schedule. Such content shall be accompanied by a description of the reason it is deemed not suitable for posting along with the time, date, and identity of the poster when available.

All Town social media authors and public commenters shall be clearly identified. Anonymous posting shall not be allowed.

These conduct guidelines governing comment on Town social media sites shall be displayed on all limited Town social medium forums or made available by hyperlink from the Town's official website.

Section 6: Account Management

The establishment and use by Town officials of Town social media sites on behalf of the Town is subject to approval by the Town Selectboard or its authorized representative.

The Selectboard or its authorized representative will review all requests to contribute to Town social media sites and has the sole authority to authorize their use and establish and/or terminate Town social media accounts of Town officials and pages.

There should be an authorization process for employees wishing to create an account for the benefit of the Town, with the Town Selectboard or its authorized representative as the authority to oversee and confirm decisions. In this role, the Selectboard or its authorized representative will evaluate all requests for usage, verify staff authorized to use Town social media tools, and confirm completion of online training for social media if deemed necessary. The Selectboard or its authorized representative will also be responsible for maintaining a list of all social networking application domain names in use, the names of all Town administrators of these accounts, as well as the associated user identifications and active passwords.

All Town social media sites shall be established by a duly designated Town Information Technology (IT) officer with the approval and under the direction of the Selectboard or its authorized representative, and shall be published using approved Town social networking platform and tools and administered by the Town IT officer.

Section 7: Content Management

The Selectboard or its authorized representative shall designate a Town Social Networking Moderator to monitor, manage, and oversee all content on each social media site to ensure adherence to this policy, including appropriate use, messaging, and branding that is consistent with the interests, goals, and objectives of the Town.

The Town Social Networking Moderator retains the sole authority to remove information from Town social media outlets.

Designated department heads and/or other authorized Town officials will be responsible for the content and upkeep of any Town social media sites they may create.

The Town does not guarantee the authenticity, accuracy, appropriateness, or security of posted hyperlinks or websites or content linked thereto.

Wherever possible, content posted to the Town's social media sites will also be available on the Town's official website. Town social media sites should complement rather than replace the Town's existing web resources. Content posted on the Town's social media sites should contain links directing users to the Town's official website for additional information, forms, documents, or online services necessary to conduct business with the Town.

All Town social media sites shall clearly indicate that they are maintained by the Town and shall prominently display necessary Town contact information. All Town social media sites shall include the prominent placement of the official Town seal, if available, along with the following notification:

This is the official (Facebook, Twitter, YouTube, etc.) page for the Town of Thetford, Vermont. If you are looking for more information about the Town of Thetford, Vermont please visit [insert URL address of Town website]. The purpose of the Town page is to provide general public information only. Should you require a response from the Town or wish to request Town services, you must go to [insert URL address of Town website], if appropriate, or contact the Town at [insert Town office phone number and/or email address].

Section 8: Public User Agreement

A copy of this policy shall be accessible from either the Town's official website or the Town's social media site. The general public shall be informed that agreement to the terms of this policy is a prerequisite to participating in the Town's limited public social media forums.

Section 9: Copyright Infringement Notification

The Town complies with the provisions of the Digital Millennium Copyright Act of 1998 (DMCA). Federal law (U.S. Copyright Act, Title 17 of the US Code, and, more recently, the Digital Millennium Copyright Act, 105 PL 304) makes it illegal to download, upload, or distribute in any fashion copyrighted material in any form without permission or a license to do so from the copyright holder.

The Town respects the intellectual property of others and requests users of the Town's social media sites to do the same. In accordance with the DMCA and other applicable law, the Town has adopted a policy of terminating, in appropriate circumstances and at its sole discretion, users, subscribers, or account holders who are deemed to be repeat copyright infringers. The Town may also in its sole discretion limit access to its Town social media sites and/or terminate the accounts of any user who infringes any intellectual property rights of others, whether or not there is any repeat infringement.

The following notification shall be made accessible on all Town social media sites and on the Town's official website:

If you believe that any material on the Town's official website or Town social media site infringes on any copyright which you own or control, or that any link on the Town's social media sites directs users to another website that contains material that infringes on any copyright that you own or control, you may file a notification of such infringement with the Town's Designated Agent as set forth below. Notifications of claimed copyright infringement must be sent to the Town of _____, Vermont's Designated Agent, for notice of claims of copyright infringement. The Town of _____, Vermont's Designated Agent may be reached as follows:

Designated Agent:

Address of Designated Agent:

Telephone Number of Designated Agent:

Email Address of Designated Agent:

Section 10: Public Records Law – Compliance

All Town social media sites and their related social media content are subject to Vermont's Access to Public Records Law. Information that is produced or acquired in the course of Town business, including comments posted to Town social media sites, may be a public record – thus, there should be no expectation of privacy in regards to the information posted on these social media outlets.

All files, documents, data, and other electronic messages created, received, or stored on the Town's computer system are open to review and regulation by the Town and may be subject to the provisions of Vermont's Public Records Law. A public record consists of any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of Town business. Public records, regardless of format, are available for inspection and copying unless there is a specific statute exempting the record from public disclosure. Those records exempt from public inspection and copying are set out at 1 V.S.A. § 317(c).

The Town's official website and Town social media sites shall clearly indicate that any articles and any other content or comments posted or submitted for posting in whatever format are subject to public disclosure. Content related to Town business shall be maintained in an accessible format so that it can be produced in response to a public records request. Users shall be notified that public disclosure requests must be directed to the proper custodian of public records. The name, title, and contact information for the proper custodian of public records shall be posted on each Town social media site.

Section 11: Public Records Law – Retention

Relevant Town records retention schedules apply to content on the Town’s official website as well as to Town social media sites. Content posted or submitted for posting shall be retained pursuant to Vermont’s Public Records Law in its standard format and in accordance with applicable disposition orders and retention schedules as established by the Vermont State Archivist.

Section 12: Open Meeting Law

Vermont’s Open Meeting Law defines a public meeting as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action. All meetings of a public body are to be open to the public at all times unless otherwise exempted. Members (elected or appointed) of any Town public body should refrain from using Town social media sites to discuss the business of the public body or taking action by the public body in violation of Vermont’s Open Meeting Law. Furthermore, members of public bodies should refrain from commenting on or responding to inquiries related to quasi-judicial matters within the subject matter jurisdiction of their respective public bodies.

Public boards and committees may utilize Town social media for gathering of public input and fostering of public discussion related to the role with which it has been charged by statute or the Town Selectboard, provided that the use is authorized in accordance with and conforms to this policy.

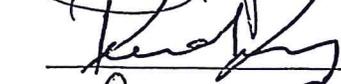
Information posted by the Town on its social media sites will supplement and not replace required notices and standard methods of providing warnings, postings, and notifications required to be made with regard to public meetings and hearings under Vermont law.

Section 13: Legal

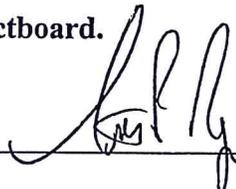
All comments posted to any Town social media site are bound by that site’s applicable statement of rights and responsibilities. The Town reserves the right to report any violation of that site’s statement of rights and responsibilities to the site provider with the intent of the provider taking appropriate and reasonable responsive action.

Adopted Feb 9, 2015 by the Thetford Selectboard.









**Addendum A to Social Media Policy:
Acknowledgement of Official Use by Authorized Town Officials**

I, _____, acknowledge that:

- A. I received a copy of the Town of Thetford's Social Media Policy on _____;
- B. I understand that it is my responsibility to ask questions if there is anything in the policy that I do not understand;
- C. I understand the language used in this policy;
- D. I acknowledge that the Town reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;
- F. I acknowledge that it is my responsibility to comply with I understand this policy and I agree that I will comply with all of its provisions.

Town Official's Signature

Date

Addendum E: Conflict of Interest Policy

ARTICLE 1. Authority.

Under the authority granted in 24 V.S.A. § 2291(20), the Thetford Selectboard hereby adopts the following policy concerning conflicts of interest.

ARTICLE 2. Purpose.

The purpose of this policy is to ensure that the business of the Town of Thetford will be conducted in such a way that no public official of the Town of Thetford will gain a personal or financial advantage from his or her work for the municipality and so that the public trust in municipal officials will be preserved. It is also the intent of this policy to ensure that all decisions made by municipal officials are based on the best interests of the Town of Thetford community at large.

ARTICLE 3. Definitions.

For the purposes of this policy, the following definitions shall apply:

a. "Conflict of interest" means a direct personal or financial interest of a public official, his or her immediate family, business associate, employer or employee, in the outcome of a cause, proceeding, application or any other matter pending before that official or before the public body in which he or she holds office or is employed. Conflict of interest also means a situation where a public official has publicly displayed a prejudgment of the merits of a particular quasi-judicial proceeding; however this shall not apply to a member's particular political views or general opinion on a given issue. Conflict of interest also means a situation where a public official has not disclosed ex parte communications with a party in a quasi-judicial proceeding. "Conflict of interest" does not arise in the case of votes or decision on matters in which the public official has a personal or financial interest in the outcome that is no greater than that of other persons generally affected by the decision, such as adopting a bylaw or setting a tax rate.

b. "Emergency" means an immediate threat or peril to the public health, safety, or welfare.

c. "Ex parte communication" means a direct or indirect communication between a public official and any party, party's representative, party's counsel, or a person interested in the outcome of any proceeding pending before the public official that occurs outside of a public proceeding, and concerns the substance or merits of the proceeding.

d. "Immediate family" means parents, step-parents, siblings, spouses, children, step-children, foster children, in-laws, grandparents, great grandparents, step-great grandparents, grandchildren, aunts, uncles, nieces, and nephews.

e. "Official action" means any legislative, administrative or quasi-judicial act performed by any elected or appointed officials or employee while acting on behalf of the Town.

f. "Public body" means any board, council, commission or committee of the Town.

g. "Public interest" means an interest of the community as a whole, conferred generally upon all residents of the Town.

h. "Public official" means any elected or appointed official or employee of the Town.

i. "Quasi-judicial proceeding" means a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunities to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, the result of which is appealable by a party to a higher authority.

ARTICLE 4. Disqualification.

a. A public official shall not participate in any official action if he or she has a conflict of interest in the matter under consideration.

b. A public official shall not personally or through any member of his or her household, business associate, employer or employee, represent, appear for, or negotiate in a private capacity on behalf of any person or organization in a cause, proceeding, application, or other matter pending before the public body in which the official holds office or is employed.

c. A public official shall not accept gifts or other offerings for personal gain by virtue of their public office that are not available to the public in general.

d. A public official shall not use resources not available to the general public, including but not limited to, town staff time, equipment, supplies, or facilities for private gain or personal purposes.

ARTICLE 5. Disclosure and Recusal

a. A public official who is a member of a public body and has reason to believe that he or she has or may have a conflict of interest but believes that he or she is able to act fairly, objectively and in the public interest in spite of the conflict of interest shall, prior to participating in any official action on the matter, disclose to the public body at a public meeting the matter under consideration, the nature of the potential conflict of interest and why he or she believes that he or she is able to act in the matter fairly, objectively and in the public interest.

b. The remaining members of a public body on which the official is a member shall have the authority to inquire of the official about a possible conflict of interest and suggest or recommend that the member recuse him or herself from the matter. Such inquiries, requests or suggestions shall not constitute a requirement that the member recuse him or herself.

c. In the case of a public official who is an appointee or employee, the person or public body

that appointed or employed that public official retains the authority to order that official to recuse him or herself from the matter, subject to applicable law.

d. A public official who recuses him or herself from a proceeding shall not sit with, deliberate with, or participate in that proceeding as a member of that public body.

e. If a public official recuses him or herself, the public body may recess the proceedings to a time and date certain, if after recusal it may not be possible to take action through the concurrence of a majority of the body. The public body may then resume the proceeding with sufficient members present.

ARTICLE 6. Enforcement.

In addition to all aforementioned disciplinary measures within this policy, the Selectboard may also take the following progressive actions to discipline an offending public official:

1. The Selectboard Chair shall meet informally, in private, with the official to discuss possible conflict of interest violations.
2. Executive session may be used for such discussion, in accordance with 1 V.S.A. §313 (a)(4). The official may request that this meeting occur in public.
3. The Selectboard may admonish the offending official in private or at an open meeting, and reflect this action in the minutes of the meeting. The official shall be given the opportunity to respond to the admonishment.
4. The Selectboard may request that the offending official resign from the public body to which they are a member.

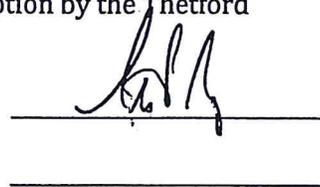
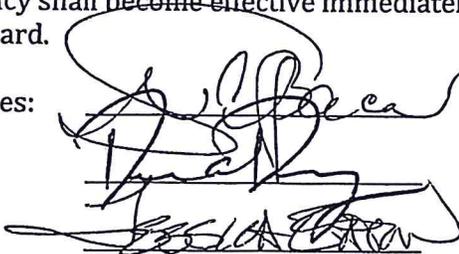
ARTICLE 7. Exception.

The provisions of Article 4 shall not apply if the Selectboard determines that an emergency exists and that actions of the public body otherwise could not take place. In such cases, a public official who has reason to believe he or she has a conflict of interest shall disclose such conflict as provided in Article 5.

ARTICLE 8. Effective Date.

This policy shall become effective immediately upon its adoption by the Thetford Selectboard.

Signatures:



Date: Feb 9, 2015