

**Town of Copake Highway Department
Employee Handbook**

November 8, 2013

I. INTRODUCTION

APPLICATION

This handbook will be reviewed, amended and approved by the Town Highway Superintendent as necessary. All highway employees will be issued a copy of the manual, updated to current status. Each recipient will acknowledge this action with a signed receipt.

Conduct

As a representative of the Town of Copake, you are required at all times to use your best efforts to perform assigned tasks promptly and efficiently and to be courteous and impartial in dealing with those we serve. Courtesy, tact and helpfulness on your part will do much to create the positive image town employees deserve. You have the right to be treated with dignity and respect, just as it is expected you will treat others the same way.

Employee Responsibility

It is the duty and the responsibility of every employee to be aware of and abide by existing rules and regulations. It is also the responsibility of every employee to perform his/her duties to the best of his/her ability and to the standards as set forth in; his/her job description or as otherwise established. Employees are encouraged to take advantage of all learning opportunities available and request additional instruction when needed.

II. EMPLOYEE WORK GUIDELINES

Probation Period

All new regular full-time employees shall serve a 1 year probationary period. During this time The Highway Superintendent will work closely with an employee and the employee is expected to demonstrate his ability to perform work as assigned. In the event that either the employee or the Highway Superintendent is dissatisfied employment can be terminated.

Attendance and Punctuality

It is your responsibility to see that you arrive at work promptly for your scheduled start time. To maintain a safe and productive work environment, the Town of Copake expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Town. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence. Attendance is an important part of your overall performance and is considered as part of the annual performance review process. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Absence from the Office

If you are unable to report to work, please notify your supervisor by 7:00 a.m. This procedure should be followed for each absence. In the case of a pre-scheduled absence from the office (e.g., doctor's appointments, etc.), you will need your supervisor's approval. Doctor and personal appointments should be scheduled for non-business hours whenever possible.

Snow Storms or Emergency Work

The Town of Copake Highway Department has a policy that, during the Snow Season (mid-November to April 1), its employees consider their employment with the Town their primary job. The employees will be available for any snow emergency, i.e. all nights, weekends and holidays. The employees will also be available for any emergency that occurs during the year. Any employee not so available shall notify the Superintendent of Highways and shall set forth a valid reason.

Drugs and Alcohol

a. Use of non-prescription drugs and alcohol are prohibited in the work place. All employees involved in any motor vehicle accident involving Town vehicles must be tested for drug and/or alcohol usage within 2 hours of the incident.

b. At the discretion of the Town Board, any employee testing positive will be placed on probation and must agree to undergo a State approved counseling program, or may be

terminated. Any employee convicted of a felony as a result of an accident involving the use of drugs or alcohol will be terminated.

c. Any employee-testing positive a second time within a five (5) year period will be terminated. The above disciplinary actions also apply to any employee testing positive to State initiated random drug and alcohol testing.

The above policy is in addition to all applicable Department of Transportation Regulations and Department of Motor Vehicle policies regulating CDL license holders.

Smoking

The use of tobacco in all its forms is a health hazard both to users and to those in the vicinity of the users. Therefore smoking and spitting of tobacco products is prohibited in all indoor places of employment of town employees including town vehicles under the jurisdiction and control of the Town of Copake. The town is also governed in this regard by the amended New York State Clean Indoor Air Act (Public Health Law, Chapter 45, Article 13-E) which prohibits smoking in virtually all workplaces.

Separation from Service

a. Employees are expected to report to work as scheduled and to perform their job to the best of their ability and to do so in a professional manner.

b. Upon discharge, the Employer shall pay all money due the employee, including any vacation or unused personal days. Upon quitting, with a two-week notice, the Employer shall pay all money due to the employee on the payday in the pay period next following such quitting or termination. Accrued vacation and personal days have been established here under shall be included in such payments.

c. Upon separation from employment, the Employee shall return to his immediate supervisor all Department property in his possession or assigned to him in substantially the same condition as when received, reasonable wear and tear excepted, or pay the fair and reasonable value thereof before last payday.

Work Days

The normal workweek shall be Monday through Friday.

The normal workday shall be eight (8) consecutive hours. The normal workweek shall be 40 hours Monday through Friday, 7am to 3:30pm. The normal summer workweek schedule shall start and end at the discretion of the Highway Superintendent and be Monday through Thursday,

10 hours per day, 6:00am until 4:30pm or 6:30am until 5pm also at the discretion of the Highway Superintendent.

1. Employees required to work in excess of 40 hours in a workweek will be paid at time and one half. (Holidays, Vacation and approved Personal Days will be considered time worked for the purpose of calculating overtime).
2. Employees called to work before or after the normal starting or quitting times will be paid a minimum of 3 hours at time and one half, call in pay starting at the time of notification. The employee shall make every effort to arrive within 30 minutes of notification.
3. The Highway time clock is the official clock of the Town.

Compensatory Time

Highway employees may be offered compensatory time instead of overtime pay at the same rate as the employee would have earned, up to a maximum of one hundred and sixty hours. Use of Compensatory time will be at the discretion of the Highway Superintendent.

Breaks

a. A ten-minute coffee break is permitted each morning and afternoon. The morning break will be taken at no time before 9:00 am or at the discretion of the Superintendent of Highways and/or his Deputy.

b. Lunch break is an unpaid half hour from 12:00 pm to 12:30pm, or at the discretion of the Superintendent of Highways and/or his Deputy.

Uniform Allowance

1. All Full-Time Highway Department Employees will be provided with uniforms. The employee understands that the uniforms are provided by the town, is the official uniform of the town, and shall be worn in the professional manner for which they were made and are not to be altered (example; Short sleeve tee shirts shall not be rolled up or have the sleeves cut off). Upon leaving the employment of the Town employees must return all uniforms within 7 days, to receive final payment of any monies due. Payment will be held up until the uniforms are returned. If not returned within 14 days the cost will be taken out of any monies owed the employee. If there is not enough money owed, the employee will be billed for the difference.

2. Safety Boot and Prescription Safety Glass allowances - Each full-time employee will receive on verification of receipt up to \$150 for work boots and \$150.00 for Prescription Safety Glasses each year of the agreement.

Safety Clothing

Each employee is furnished with certain safety clothing and equipment, and they are expected to use it under provisions of the Occupational Safety and Hazard Act and at the discretion of the Superintendent of Highways. Otherwise, the town asks that you dress in a manner suitable for your work and consistent with good taste and good personal hygiene.

Use of Town Vehicles and Equipment

a. Town vehicles may only be used for Official Town business.

Driver inspection

Before driving a motor vehicle, the driver shall:

- (a) Be satisfied that the motor vehicle is in safe operating condition;
- (b) Every driver shall at the start of each day's work, on each vehicle, inspect at least the following parts and accessories:
 - i. Service brakes, Parking brake, Steering mechanism, Lighting devices and reflectors, Tires, Horn, Windshield wipers, Rear vision mirrors, Wheels and rims, and Emergency equipment.
- (c) Fill out a report and hand in, only if defects or deficiencies were noted by the driver.

Seat belt policy

- a. All Town employees are required to wear seat belts while operating or riding in any vehicle while on Town business. This applies to personally owned vehicles, as well as the vehicles of others.
- b. In addition, passengers in vehicles operated by the Town while on Town business are required to wear seat belts. Unauthorized passengers are prohibited at any time.
- c. This requirement shall not apply to vehicles in which the manufacturer has not installed seat belts.
- d. Town employees are forbidden from disengaging or otherwise disarming automatic seat belt systems or alarms.
- e. Employees found violating this policy may be subject to disciplinary action.

III. EMPLOYEE LEAVE BENEFITS

Compensatory Time

Highway employees may be offered compensatory time instead of overtime pay at the same rate as the employee would have earned, up to a maximum of one hundred and sixty hours. Use of Compensatory time will be at the discretion of the Highway Superintendent.

Overtime

Employees will be paid one and one half times his/her regular hourly rate of pay for all hours actually worked beyond the fortieth hour in any given workweek (or on such basis as is otherwise required by state or local law).

Longevity Pay

Employees will be eligible for longevity pay that is a once a year lump sum payment, to be paid with the first payroll of December, according to the following schedule:

- a. Six (6) –ten (ten) years- \$400.00 each year
- b. Eleven (11) – fifteen (15) years- \$750.00 each year
- c. Sixteen (16) – twenty (20) years- \$1200.00 each year
- d. Twenty-one (21) - and beyond- \$1700.00 each year

Holidays

All employees covered hereunder shall be entitled to the following holidays:

New Year's Day, Floater, Presidents Day, Good Friday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, The Day after Thanksgiving, and Christmas Day.

A. When a Holiday falls on a Saturday, it will be observed on the preceding Friday. When a holiday falls on a Sunday it will be observed on the following Monday. If an employee works on

Christmas or Thanksgiving they will receive two (2) times the normal rate of pay for all hours worked.

Vacation Time

Vacation leave will be granted by seniority order. The Highway Superintendent shall grant vacation leave in order of seniority and with consideration of the needs of the town highway department.

A. Employees shall receive paid vacations as follows:

1 year of continuous service, 1 week, (40 hours with pay).

2 years – up to ten years of continuous service, 2 weeks (80 hours with pay).

10 years – up to 15 of continuous service, 3 weeks (120 hours with pay).

15 years or longer of continuous service, 4 weeks (160 hours with pay).

Employees shall receive one additional day of vacation for each year over 20 years of service.

B. Vacation time may be carried over into the following year not to exceed 5 days.

Employees who are separated from the service and who have accrued vacation leave to their credit, shall be paid the salary equivalent to the accrued vacation leave.

Sick Time

All employees covered hereunder shall be entitled to 8 sick days per year. Employees may utilize any accumulated vacation or personal leave days for a leave of absence with pay up to the accumulative leave granted. If the reason for the leave is the employee's illness or that of an immediate family member, then accumulated sick leave may be used; however, the employee must obtain a doctor's certificate. Any employee that does not use any sick days during the preceding year will be credited with 2 additional sick days. Sick days may be accumulated to a maximum of 200 days.

Fulltime employees shall be entitled to turn accumulated sick leave credits in blocks of 10 days subject to the following regulations:

For every 10 days turned in the employee will be paid five days at \$100.00 per day.

Employees must maintain a minimum of 12 accumulated sick days after the turn-in.

If an employee retires under the NYS Employees' Retirement System or retires and collects Social Security, an employee may convert their unused sick leave to a cash equivalent to be used by the Town for payment of his/her health insurance premium. The cash equivalent shall be computed at the rate for the position that the employee held at his retirement per unused sick leave days.

Doctors Certificate and Examination: The Town of Copake may require a physician's certificate for any absence of more than three days. Where the illness or disability is of long duration, a physician's certificate will be required for each thirty days of continuous absence. In any case, the Town of Copake may require an examination by a physician of the Town of Copake's choosing. In the event that a physical examination is required because of alleged illness the employer shall pay the expense thereof. Employees shall not be reimbursed for mileage in connection with this provision.

Where an employee has demonstrated a pattern of sick leave use, the employee shall be counseled by a representative of the Town of Copake, and shall be notified in writing that the employee may be required to provide a doctor's certificate for each absence if the pattern of sick leave continues.

Personal Time

Fulltime employees are eligible for 3 personal days per year. Personal leave may not be carried over. The employee shall make every effort to request personal leave at least 24 hours in advance to the Highway Superintendent when practical.

Bereavement Leave

1. All employees shall be entitled up to five (5) consecutive calendar days absence from employment with pay, commencing with the date of death, for death in the family; i.e. parents or step-parents of husband, wife, or domestic partner and children, to include step-children and spouse.

2. All Employees shall be entitled to three (3) consecutive calendar days of absence from employment with pay, commencing with the date of death, for death in the family: i.e. siblings to include brother and sister in law, daughter in law, son in law, grandparent or grandchild.

3. All Employees shall be entitled to one (1) day of absence from employment with pay, for the death in the family for bereavement and to attend ceremonial functions of an Aunt or an Uncle.

4. Bereavement leave is taken immediately following the death. However, there may be circumstances when the Highway Superintendent will recognize the need for flexibility, for example, if a memorial service is scheduled at a time in the future, complications due to travel and other extraordinary events.

5. The Town understands the deep impact that death can have on an individual or a family. Therefore, vacation, personal, sick, and leave without pay are also options that may be used to extend bereavement leave.

The Employer may request the employee to submit proof of death for the purpose of payment under this provision.

Jury duty

- a. Jury duty is considered a mandatory service to the community, state and nation and is of such an infrequent nature that employees are not to be penalized.
- b. Length of jury service shall be determined by the applicable court. Town employees shall be compensated for lost wages not to exceed one week's pay for a normal forty- hour workweek. Compensation paid shall equal the employee's base salary for the period in question, less any payments received from the applicable court for such service.

Military leave

- a. Training (National Guard; reserved forces). Any employee called for Armed Forces Reserve shall be excused from work for the duration of the employee's service and shall receive the difference between his/her regular pay and his/her reservist's pay, provided that the employee presents an official statement of pay received. The differential pay will apply only to the normal Monday through Friday workweek; it will not apply to weekends during which the employee is not regularly scheduled to work for the Town. All benefits shall continue to accrue during such absence, except for reserve service of duration longer than two (2) weeks. In instances of national mobilization, accrued benefits continue up to thirty (30) days.
- b. Active duty. An employee may be granted a formal leave of absence without pay for periods of extended active duty. A copy of military orders directing this duty will be filed with the Town Supervisor and placed in the employee's personnel file. The employee must make application for reinstatement upon release from active duty within the period specified by current federal law if he/she desires to seek reemployment. Application for reinstatement must be made within ninety (90) days of completion of active service as specified in Chapter 43 of Part III of U.S.C. Title 38.

Maternity leave

- a. In accordance with the Federal Pregnancy Act of 1978, pregnancy is to be considered a disability and therefore will be extended the same benefits and be subject to the same policies as any disability.
- b. Employees may request of their immediate supervisor a leave of absence for up to one (1) month, such request renewable at the discretion of the Town Supervisor for up to three (3) months cumulative leave. Employees may utilize any accumulated sick leave, vacation or personnel leave for a leave of absence with pay up to the cumulative leave granted. During such reasonable period of leave of absence, the employee shall continue to accrue vacation and sick leave, provided that he/she returns to work at the expiration of his/her temporary leave and works thereafter for the Town for a minimum of twelve (12) months. It shall be the policy of the Town to conform to applicable federal and state laws existing at the time of absence.

IV. INSURANCE BENEFITS

Full Time Employees

Fulltime employees will be eligible for health insurance (Major Medical, Prescription, and Dental) after 6 months of fulltime employment. The Town of Copake will pay 100% for health insurance coverage for the employee and immediate family. If the town chooses a high deductible health insurance plan the town will provide for the employee into a Health Reimbursement Account (HRA) a minimum of 50% of the maximum out of pocket deductible of the plan to be used for Major Medical and Prescription coverage only. In lieu of an eye glass rider, the Town shall reimburse covered employees and officials up to \$150 per year per family member towards the cost of eye exams, glasses or contacts. If the employer changes health insurance coverage at anytime it shall be equal to or comparable to the existing coverage. If an employee retires under the NYS Employees' Retirement System or retires and collects Social Security after 25 years of service with the town the town shall pay 75% of the employee and family's health insurance premium and after 30 years of service the town will pay 90% of the cost of the employee and family's health insurance premium. When a retired person who is receiving medical insurance benefits as set forth above becomes eligible for Medicare, the Town shall no longer provide medical insurance benefits, but instead, shall provide Medicare Supplemental Coverage.

If an employee who is receiving or is working and is eligible for this benefit becomes deceased, this benefit will be offered to his family for a period of 2 years or until the spouse remarries, whichever comes first. All new fulltime employees hired after January 1, 2011 will have 100% of their individual health insurance coverage paid for by the Town of Copake however, 25% of any additional 2 person or family coverage will be paid for by the employee.

Highway Department Health Insurance Buyout

Any employee who opts out of the town's health insurance program will be paid \$2500.00 per year for an individual plan or \$4500.00 per year for a family plan.