

Central Vermont Regional Planning Commission PERSONNEL POLICIES

The Executive Director shall have responsibility for the administration of the personnel policies. Authority to change these Personnel Policies rests with the Commission's Executive Committee. The Executive Committee shall inform the Commission of any changes made to these Personnel Policies.

It is the policy of this Commission that no person seeking employment with or employed by the Commission shall be discriminated against on the basis of national origin, creed, sex, age, marital status, sexual orientation, religious or political affiliation, or handicap, in accordance with applicable law.

These policies shall be applicable to all persons employed by the Central Vermont Regional Planning Commission. These policies and the provisions contained herein do not constitute a contract of employment in whole or in part. The Commission reserves the right to add, amend, or delete any benefit or policy stated herein at any time, except as otherwise committed to by formal contract agreements.

The Commission recognizes that its stability, success, and progress are based on the loyal cooperation and devoted interest and effort of the staff.

I. Employment Authority and Procedure

A. Administrative Staff: The Executive Committee shall be the Personnel Committee and will review applications for the position of Executive Director. The Committee will recommend approval and action by the Commission. The Committee shall solicit at least three references with one from a previous employer. The Committee may arrange a personal interview with selected candidates.

B. Other Staff: Authority to employ all other staff including directors of special projects, shall be delegated to the Executive Director, who shall accept and review applications, solicit references, and arrange interviews. Determination of organizational staff needs, allocation of staff resources, and position classification of individual employees within approved budgetary constraints shall rest with the Executive Director. The Executive Director may further delegate employment screening to specific project directors, but must approve selections prior to hiring.

Notification of Acceptance: Written notification shall be given by the Executive Director to the applicant giving the beginning date of employment, beginning salary, and other pertinent information. Personnel Policies and a job description will be a part of all employment agreements and a copy of each will be enclosed in the letter of notification. Written acceptance of the job description and terms of employment will be requested from the applicant and must be on file, along with a completed IRS W-4 form and any other required forms, before the employee is paid. Proof of citizenship or legal immigration status is required of all new Commission employees in conformance with Federal law.

Failure to provide such proof shall result in non-hiring or immediate dismissal.

D. Probationary Period: The probationary period for new employees shall be ninety (90) days. Employment may be terminated at the close of the probationary period if, in the judgment of the Executive Director, the employee is unable or unwilling to perform the duties of the position satisfactorily. During the probationary period, employees shall not have the right to appeal any disciplinary action or dismissal. Vacation time may not be taken during the probationary period.

E. False Statements: The Commission expects and requires applicants and employees to provide complete and accurate information regarding their previous employment, schooling and qualifications, and other information necessary to fully evaluate their current or past employment with the Commission. Providing false statements shall provide grounds for non-hiring or for immediate dismissal.

F. Employee Contracts: The Executive Director will sign all employee contractual agreements involving the Commission. Contracts will be required for any part time or Special Project staff, and will specify scope of work, scheduling, and compensation.

II. Employee Conduct: The Commission expects and requires employees to adhere to standards of conduct that are required for the effective functioning of the Commission. Failure to observe these standards can result in disciplinary actions and, in some situations, termination of employment. Conduct off the job is not specifically covered by these policies, and may not be a subject of disciplinary action, unless such conduct affects on the job ability and/or performance.

III. Pay

All employees will be paid bi-weekly. (usually 26 paychecks per year)

IV. Benefits

A. Social Security: All Commission employees are required to participate in the Social Security system. Both the employee and the Commission are required to contribute to Social Security. Employee and Commission contributions are determined by law and are subject to change.

B. Workmen's Compensation: As required by Vermont law, Commission employees are covered by worker's compensation insurance. This insurance provides coverage in the event of a work-related injury.

C. Group Health Insurance: The Commission reserves the right to change the insurance program depending upon cost and availability. The health insurance plan is available, at the employee's option, to all full-time employees and all permanent part-time employees who work a minimum of twenty (20) hours per week. Employees may enroll in the insurance program at the time of their initial appointment. A 30 day

waiting period before coverage begins is required. Employees should verify coverage start dates at the time of their enrollment.

Currently, the Commission's health insurance coverage is through CIGNA and is a health savings account/high deductible plan whereby the employee pays 100% of the required deductible (single, 2 person, or family coverage) and the Commission pays 100% of the premium.

Should a regular full-time employee elect not to receive health insurance coverage through CVRPC, CVRPC will make a cash payment equal to one-half of the annual CVRPC insurance contribution value, to the employee, subject to taxes.

D. Dental Insurance: Dental insurance is offered and paid in full by the Commission for full time employees and their families.

E. SEPP/Pension Plan: The Commission will make a contribution equal to 5% of the annual salary for each full time employee. Full time employees are eligible for the pension plan following one full year of employment.

F. All full time regular exempt and non-exempt and part-time regular non-exempt employees shall be eligible to participate in the VLCT sponsored Dependent Care reimbursement Plan and the Health Care reimbursement Plan upon successful completion of the probationary period.

V: Salary Adjustments and Performance Evaluations

A. The Executive Director, prior to the new fiscal year, shall conduct a written evaluation of the performance of all employees. The evaluation will be reviewed with, and a copy provided to, each employee. Staff evaluations will be discussed generally with the Executive Committee, but copies will not be provided to the Executive Committee unless the employee wishes to do so.

A. The Executive Director will review staff salaries upon completion of the performance evaluation. Within the limits of the budget, annual salary adjustments for each position will be considered.

A. The Executive Committee shall conduct the performance evaluation of the Executive Director prior to the new fiscal year. Any discussions or meetings pertaining to such evaluation shall be made in accordance with 1VSA 312-314. A copy of the evaluation shall be provided to the Executive Director, who shall have the opportunity to provide written comments prior to it being finalized.

Upon completion of the performance evaluation, the Executive Committee will review the Executive Director's salary and authorize adjustments.

A. All evaluations should provide the opportunity for input by the employee, be documented in writing, signed by the evaluator, and then be placed in the

employee's personnel file. If an employee disagrees with his/her evaluation, s/he may put a written statement explaining the disagreement in his/her personnel file. If the Executive Director or the employee's supervisor have concerns about certain aspects of the employee's performance, a performance improvement plan may be part of the evaluation.

VI. Work Schedule

A. Unless otherwise determined by the Executive Director, the standard working hours for fulltime employees are Monday through Friday, 8:30 a.m. to 5:00 p.m. The expected and budgeted work schedule is 52 weeks per year, which includes the employees' earned vacation time.

B. The standard time allowance for lunch will be one (1) hour daily. Lunch periods should be scheduled by the Executive Director so that adequate personnel are on duty throughout the normal office hours. It is recognized that the Executive Director may find it necessary to rearrange hours of work in consideration of the best service by the Commission.

C. Each employee must maintain an accurate record of hours worked each day using a form approved by the Executive Director. The Executive Director will review these time sheets prior to each pay period. Failure to submit time sheets in a timely manner could result in delay of the employee's paycheck.

VII. Compensatory Time

Due to the nature of the Regional Planning Commission's activities, non-standard meeting times are often required. Employees will be expected to participate in extra hour activities as assigned. Compensatory time is time worked outside of and in addition to the hours spent during standard work hours. All compensatory time off shall be taken with the approval of the Executive Director and shall not interfere with the smooth functioning of the Commission.

Compensatory time is considered time off. Executive, Administrative and Professional employees, who shall be considered exempt from the Federal Fair Labor Standards Act, must use their earned compensatory time, with approval of the Executive Director, within sixty (60) days after the actual time was worked. If a particular employee's compensatory time accrues to 10 hours for any reason, the employee and the Executive Director will meet to determine how the compensatory time may be taken. Exempt employees, upon termination or resignation, will be paid for any earned but unused compensatory time at a rate of one hour for every hour of compensatory time remaining.

Compensatory time for non-exempt employees will be given at a rate of 1 1/2 hours for every hour of compensatory time worked. No more than 160 hours of

compensatory time (equivalent to 240 hours of time off) can accrue in any given time period. When 160 hours of compensatory time (equivalent to 240 hours of time off) have accrued, the employee will be requested to take an equivalent amount of time off to reduce the balance below 240 hours of equivalent compensatory time.

Should employment with the Regional Planning Commission of non-exempt employees be terminated, accrued compensatory time will be paid at 1 1/2 times the employee's average hourly rate for the final three years of employment or at 1 1/2 times the employee's final hourly rate, whichever is higher.

VIII. Annual Vacation

Vacation leave will be computed from the date the employee commences work and is considered a part of the employee's workload. No vacation or annual leave will be granted employees whose regular working schedule is less than 20 hours per week. Vacation may not be taken until after six (6) months service. Employees will apply for vacation time and obtain the Executive Director's approval sufficiently in advance of the time of the vacation, so as not to impede the work of the Commission.

An employee accrues annual vacation time as follows:

<u>Years Worked</u>	<u>Vacation Earned</u>	<u>Maximum Accumulation</u>
0 - 3 years	10 days per year	Total accumulation may not exceed twenty (20) days
3+ - 8 years	15 days per year	Total accumulation may not exceed twenty-five (25) days
8+ years	20 days per year	Total accumulation may not exceed thirty-five (35) days

Permanent part-time personnel are entitled to a proportionate amount of vacation in accordance with the following schedule:

<u>Based on Years of Service As Above</u>	<u>Hours Worked Per Week</u>		
50% of full time leave allowance	20	-29	inclusive
	30	-35	inclusive

75% of full time leave allowance

Vacation leave credits may not be advanced for use prior to their being earned.

Two weeks is the maximum time allowed to be taken consecutively. If there is a need to take more than two weeks consecutively, an employee may petition the Executive Director. Employees may request to receive their vacation pay on the pay day immediately preceding the vacation.

Unused vacation time accrued by an employee separating from service shall be paid as a lump sum with the final payment for active service. An employee who fails to give at least thirty (30) days notice of resignation shall forfeit the number of unused vacation leave days by which his/her notice is deficient.

Accumulated sick leave shall not be used to extend a vacation. If a legal holiday falls within the vacation period, the vacation may be extended one (1) day.

IX. Leave of Absence

A leave of absence is an authorized absence from work without pay for a specified period of time, not to exceed six months. The Executive Committee will review requests for leave exceeding two (2) weeks. After the leave of absence has expired and the employee has not arranged to return, the position will not be held open. Sick, vacation, and holiday benefits do not accrue while an employee is on a leave of absence. Insurance may be continued through employee paid premiums due the first of each month.

X. Family and Parental Leave

- A. Parental leave of up to 90 days for the birth or adoption of a child will be granted. Any combination of vacation leave, sick leave and/or leave without pay may be used at the employee's choice. Leaves longer than 90 days may be granted upon request and upon approval of the Executive Director.
- B. Upon return from parental leave, an employee shall be offered the same or comparable job, at the same level of compensation, employment benefits and seniority existing on the day the parental leave began.
- C. An employee shall be entitled to maintain group health insurance coverage during the leave. To maintain uninterrupted coverage, the employee will have to continue to pay his/her share of insurance premiums.

XI. Holidays

Regular holidays include:

New Year's Day

Labor Day

Martin Luther King Day	
Third Monday in February	Columbus Day
(Lincoln's & Washington's Birthdays)	Veteran's Day
Town Meeting Day	Thanksgiving
Memorial Day	Friday after
Independence Day	Thanksgiving
	Christmas Day

Accumulated sick leave shall not be used to extend a holiday.

Employees must obtain the permission of the Executive Director before working on a scheduled holiday.

XII. Sick Leave

Leave with pay for sickness, family death, preventive medical, dental or professional care, or emergency, shall be granted to full-time employees at the rate of one (1) day per month worked and can be accumulated to a maximum of forty five (45) days. Regular part-time employees shall be granted one-half (1/2) day per month worked and may accumulate twenty-four (24) days maximum. No paid sick leave will be granted to employees whose regular working schedule is less than twenty (20) hours per week.

For any sick leave that extends beyond the tenth (10th) day, the employee shall provide the Executive Director with written documentation outlining the necessity for further leave.

If an employee is sick, the office must be notified by 9:00 a.m. for each day of sickness.

XIII. Military/Jury Duty

Military Training Duty: A fulltime employee who is a member of an active Armed Force Reserve Training unit or National Guard and must serve a tour of active duty each year must be granted the necessary time off, but not immediately preceding or following the employee's vacation period.

With the approval of the Executive Director, employees who are required to take a two week military tour of duty have the option of taking their tour of duty as a regular paid vacation or of taking their tour of duty without pay, as in an unpaid leave of absence, and scheduling their regular earned vacation later.

Jury Duty: Employees who are required to lose time from work to serve on jury duty are to be paid their regular salary, less any amount received for such service. An employee who receives notice of jury duty must notify the Executive Director immediately in order to cover the position. Employees are to return to work after jury duty if excused as a juror on any given day.

XIV. Expenses

- A. Employees, when on authorized business, will be reimbursed for necessary and reasonable expenses incurred for travel, accommodations, parking, tolls, meals, and other incidentals upon the Executive Director's approval and upon providing documentation of such business related expenses. Meal reimbursement (with receipts) shall be limited to \$30/day or \$5 for breakfast, \$10 for lunch, and \$15 for dinner.
- B. Reimbursement for privately owned vehicles used for official business will be based upon the state reimbursement amount.
- C. All expense accounts shall be approved by the Executive Director prior to payment.

XV. Termination of Employment

- A. Resignation: The Executive Director must submit written notice of resignation to the Executive Committee at least 30 days prior to the date of termination. Professional and administrative staff shall submit written notice of resignation to the Executive Director at least 30 days prior to date of termination. Failure to provide required notice shall result in forfeiture of accumulated vacation pay.
- B. Discipline/Dismissal: Termination of employment for cause shall be at the discretion of the Executive Director and without termination pay except for compensation for unused vacation time. When an employee fails to conform to the expected standards of work performance, the Executive Director shall endeavor to give the employee notice and an opportunity to correct the deficiency. If performance does not improve, the disciplinary steps set forth below may be instituted. Notwithstanding the disciplinary procedures set forth below, an employee may be terminated without full process for dishonesty, insubordination, misconduct, job abandonment, or other circumstances, which in the judgment of the Executive Director, require immediate termination.
- B. Actions subject to discipline: The types of behavior for which an employee may be disciplined include, but are not limited to:
 - 1. refusing to respond to appropriate requests made by the Executive Director;
 - 2. deliberately or recklessly violating personnel policies or other organizational regulations;
 - 3. neglecting or poorly performing professional obligations;
 - 4. stealing, lying, cheating or other similar behavior;
 - 5. being intoxicated or under the influence of illegal drugs, or abusing regulated drugs on the job;
 - 6. willfully destroying Commission or other's property;

7. being absent from work without appropriate excuse and notification;
8. violating state or federal laws relating to his/her job or to issues of public safety, including harassing or discriminating against another employee or a member of the public because of his/her sex, race, religion, sexual orientation, etc.

The following describes the steps and procedures for disciplinary action:

Verbal warning: In the event of misconduct, a verbal warning may be given with documentation citing a schedule for correction.

Reprimand: In the event of a second or subsequent occurrence, a written reprimand will be given in a meeting with the employee, citing date, time, situation, and means as well as a schedule for expected correction. Reprimands become part of the personnel file of that employee. With a written reprimand on file, any further misconduct may be grounds for probation or dismissal.

D. Staff may be reduced and employment terminated due to reduction or termination of funding, or curtailment of a program or task. Employees being terminated or reduced will receive notice as early as possible, but at least 30 days notice will be given.

E. Dismissal of the Executive Director shall be accomplished by the Commission upon recommendation of the Executive Committee. The Executive Committee must follow the policies of this section in establishing grounds for dismissal. Severance pay may be granted up to 45 days past the termination date.

XVI. Employee Grievances, Outside Employment

A. Outside Employment: No employee may engage in additional employment outside the official hours of duty unless approved by the Executive Director. The decision of the Executive Director shall be based on whether such outside employment will cause a conflict of interest or is otherwise incompatible with the employee's position.

B. Grievances: A grievance is a request by an employee or group of employees for relief in a matter causing dissatisfaction with the work situation, or discrimination or harassment.

Grievance Procedures:

A. Informal Grievance: The employee must first notify his/her supervisor of the concern and the relief s/he requests. The supervisor shall meet with the employee, discuss the problem, and respond to the relief requested. The supervisor may keep a written record of the meeting.

B. Formal Grievance: A formal grievance must be submitted to the Executive Director in writing, signed by the grieving party, and must contain an explanation of the alleged action or problem and the remedy or relief sought. The Executive Director will investigate the grievance, will meet with the employee, and will issue a written decision

within 15 working days of the grievance filing. Any appropriate witnesses identified by the employee or the supervisor may be contacted, and the employee's personnel file or other material presented by the employee or the supervisor may be reviewed. This written decision will be filed with the Commission Chair and a copy given to the grieving party.

C. Appeals: If either the supervisor or the employee disagrees with the decision in (B), s/he may appeal the decision to the Executive Committee by submitting a written letter of appeal within thirty (30) days. That letter should be addressed to the Executive Director who shall notify the Commission Chair of the appeal. (In the case of the Executive Director, the appeal should be made directly to the Commission Chair).

The Executive Director shall make all records of the grievance, including the employee's personnel file and any other material consulted, available to the Executive Committee. The Executive Committee shall convene a meeting to hear the grievance within 30 days of receipt of the written request. The employee, the Executive Director and the supervisor shall be expected to attend that meeting, and both have the right to present witnesses or evidence to the Committee. The Commission Chair will establish rules for the meeting.

After hearing the grievance, the Executive Committee may uphold the Executive Director's decision, may grant the relief requested in the appeal, or may specify an alternative solution. The decision will be made within 30 days of the hearing. A written record of all decisions made under this section shall be kept.

XVII. Sexual Harassment Policy

It is the policy of the Central Vermont Regional Planning Commission that all employees are responsible for insuring that the workplace is free from sexual harassment. Because of the Commission's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment, including:

- A) unwelcome sexual advances
- B) requests for sexual acts or favors
- C) other verbal or physical conduct of harassing nature.

Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, or visitors must bring the problem to the attention of the Executive Director. If the complaint involves someone in the employee's direct line of command, then the employee may go directly to the Executive Committee with the complaint.

Complaints of sexual harassment shall be investigated promptly. To the extent possible, care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as reasonably necessary to complete the investigation. 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 Executive Director/Executive Committee shall look at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. If sexual harassment is found to have occurred, the employee will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal.

XVIII. Drug-Free Workplace Policy

A. General Policy: Working under the influence of alcohol, illegal drugs or regulated drugs may endanger the public, co-workers and the employee and result in poor or inaccurate job performance. Employees who experience alcohol or drug abuse problems are encouraged to seek assistance in the treatment of their problems. Employees shall not engage in the unlawful manufacture, distribution, possession or use of controlled substances on the job or on any work site.

B. Prohibition of Working under Influence: Employees shall not work or be present at a work site or work function where business is conducted while under the influence of alcohol, illegal drugs, or a regulated drug, unless the drug is prescribed by and being taken pursuant to the directions of a duly licensed medical professional.

C. Disciplinary Action: An employee who violates this prohibition shall be subject to disciplinary action up to and including dismissal.

XIX. PRIVACY

An employee's personnel and medical records are generally not considered public records and will be shared only for legal basis. Employees should have no expectation of privacy in any other aspect of their employment, including desks, telephones, computers, e-mail accounts or other Commission property, which are to be used only for business purposes and limited personal use and may be monitored or used by supervisors. Employees should have no expectation of privacy during the limited personal use of desks, telephones, computers, e-mail accounts or other Commission property.

THESE PERSONNEL POLICIES MAY BE AMENDED OR ADDED TO at the discretion of the Executive Committee.

These Personnel Policies are effective on September 5, 2000, as amended January 2, 2007, and further amended by the Executive Committee November 30, 2015.