



# **PERSONNEL POLICY MANUAL**

**Adopted: December 12, 2018**  
**Amended: October 31, 2022**

## **History of Personnel Policies Amendments**

CVRPC's Personnel Policies were adopted September 5, 2000 and were amended by the Executive Committee on:

- January 2, 2007
- March 31, 2008
- February 2, 2009
- September 7, 2016
- December 5, 2016
- July 31, 2017
- January 2, 2018
- December 12, 2018
- September 7, 2021
- November 1, 2021
- December 13, 2021
- June 6, 2022
- September 6, 2022
- October 31, 2022

## WELCOME LETTER

Welcome to the Central Vermont Regional Planning Commission!

We are pleased that you want to work with our team. You were hired because we feel you will be a positive addition to our organization and we are confident that you will enjoy working with our highly talented and professional staff.

We want you to find your work rewarding and stimulating. Our wish is to create a work environment that develops and advances your skills while meeting the Commission's service and leadership needs. We hope that you will have a long-term relationship with our organization.

Central Vermont Regional Planning Commission (CVRPC) can achieve such success only through quality staff. The Commission and staff are a team, working together with Central Vermont's municipalities and stakeholders to plan for the future well being of the region.

Within this partnership, Commissioners are responsible for CVRPC's policies and governance, while staff provide the research, advice, and implementation necessary to accomplish CVRPC's mission and goals. The Commission respects the opinions of staff members and acknowledges that staff are professionals and the experts in the field. We welcome and value your input.

This manual provides an overview of our personnel benefits, programs and policies. After reading the material, please feel free to talk to us if you have any questions, now or throughout your employment.

Thank you, and once again, welcome to the team!

CVRPC Executive Director

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION  
PERSONNEL POLICY MANUAL**

**ACKNOWLEDGMENT FORM**

I have received a copy of the Central Vermont Regional Planning Commission *Personnel Policy Manual*. It is my responsibility to read it and be familiar with these policies and to conduct myself in accordance with them.

These policies and the provisions contained herein do not constitute a contract of employment in whole or in part.

This manual may be changed, amended, or supplemented at any time, with or without notice. Such changes will supersede these policies, although it is the practice of CVRPC to confer with staff in advance of any major changes.

CVRPC reserves the right to add, amend or delete any benefits or policy stated herein, except as otherwise committed to by formal agreement. CVRPC employees will be notified of changes or updates to this *Personnel Policy Manual*.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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# CENTRAL VERMONT REGIONAL PLANNING COMMISSION PERSONNEL POLICY MANUAL

## 1.0 INTRODUCTION

### 1.1 Purpose

This document summarizes the human resources policies and procedures that apply to all employees of the Central Vermont Regional Planning Commission (CVRPC). These policies highlight the programs developed to benefit employees and outline employee opportunities and responsibilities.

These policies apply to all regular full-time, part-time, probationary and, in some cases, temporary employees. Temporary employees, as well as contractors and volunteers working on premises, are subject to the standards of conduct as outlined in this manual.

These *Personnel Policies*, and the provisions herein, do not constitute a contract of employment in whole or in part. They do not guarantee employment with the CVRPC for any specific duration. Although we hope that your employment relationship with CVRPC will be long-term, each employee is an employee-at-will. This means that either you or CVRPC may terminate this relationship at any time, for any reason, with or without cause or notice.

Upon their adoption, these personnel policies supersede any and all past personnel policies or other employee understandings or standards, written or verbal, expressed or implied. CVRPC reserves the right to add, amend or delete any benefits or policies described herein, except as otherwise committed to by formal written agreement.

### 1.2 Authority to Adopt and Amend

The CVRPC Personnel Policy Manual may be amended at the discretion of the Executive Committee, and will be reviewed annually to assure that these policies are practical and in line with current procedures. Failure to review annually will not invalidate these policies. Before action by the Executive Committee, proposed changes to this Manual will be provided to employees through the Executive Director. Upon adoption by the Executive Committee, these policies supersede all others previously in effect. Adopted amendments become effective upon adoption. Each employee will need to sign an Employee Acknowledgment Form upon receipt of the changes.

### 1.3 Administration of Policies

CVRPC delegates administration of these policies to the Executive Director. The Executive Committee administers policies directly related to the Executive Director. The Executive Committee may direct the CVRPC Chair or Vice Chair to act on its behalf in implementing these policies as they pertain to the Executive Director.

### 1.4 Severability

If any provision of this Personnel Policy Manual or the application hereof to any person or a circumstance(s) is held invalid, this invalidity does not affect other provisions or applications of the personnel policies in this manual. For this purpose, these personnel policies are severable.

## **2.0 EMPLOYMENT**

### **2.1 Equal Opportunity Employer**

CVRPC is committed to providing fair and equal opportunity for employment and advancement to all employees and potential employees at CVRPC. All employment decisions will be made on the basis of qualifications, merit and competence. Employment practices will not be influenced nor affected by an individual's race, color, national origin, place of birth, religion, gender, gender identity, sexual orientation, age, marital status, veteran status, handicap status, genetic testing results, physical or mental disability, HIV status, or any other characteristic protected by state or federal law.

Any member of the organization may raise concerns related to employment opportunity or perceived acts of discrimination at any time, in strict confidence and without fear of reprisal, in writing to the Executive Director. If the Executive Director is the subject of any discrimination claim, the employee may raise concerns directly to the Chair of CVRPC. Please see Section 11.1, Discrimination Policy in this Manual for further information.

### **2.2 Employee Classifications**

Employee classifications are determined under the Fair Labor Standards Act, as defined by federal regulations (29 C.F.R. §541). The classifications most relevant to CVRPC are “exempt” and “nonexempt.”

Exempt Employees – “Exempt Employees” perform executive, professional, or administrative functions and are compensated on a salary basis at or above a minimum threshold. Exempt employees are not covered by the Fair Labor Standards Act overtime pay provisions.

Nonexempt Employees – “Nonexempt Employees” are not “exempt employees.” Nonexempt employees are required by the Fair Labor Standards Act to be paid overtime or provided compensatory time at a rate of one and one-half times the hours worked beyond the standard work week.

The Executive Director is responsible for determining whether an employee is considered “exempt” or “nonexempt” under the Fair Labor Standards Act. See Section 3.8, Compensatory Time and Overtime, for further information on overtime policies.

### **2.3 Employment Categories**

Regular Full-Time Employees – Regular full-time employees are scheduled to work forty (40) hours per week. Regular full-time employees are subject to all CVRPC's policies and receive all benefits provided by CVRPC, subject to the eligibility requirements and other terms and conditions of the various benefit plans.

Regular Part-Time Employees – Regular part-time employees are scheduled to work less than the normal 40-hour week. Regular part-time employees are subject to all CVRPC policies. Regular part-time employees who work twenty (20) or more hours per week receive the benefits provided by CVRPC on a pro-rated basis, subject to the eligibility requirements and other terms and conditions of the various benefit plans. Regular part-time employees who work fewer than 20 hours per week do not receive benefits.

Temporary Employees – Interim replacements, interns, and temporary supplements to the work force are considered temporary employees. A temporary employee may be either full-time or



part-time. Assignments in this category are of a limited duration, usually less than a year. Continued employment of a temporary employee beyond any initially stated period does not imply a change in employment status. At the discretion of the Executive Director, a temporary employee may be eligible to receive all or a portion of the benefit package subject to the terms, conditions and limitations of each benefit program.

## **2.4 Employment Authority**

Executive Director – The Executive Committee, is responsible for reviewing applications for the position of Executive Director. The Executive Committee will recommend a qualified candidate for approval and action by the Commission.

Staff – Authority to employ all other staff will be delegated to the Executive Director, within the number of positions and budget approved by the Executive Committee.

## **2.5 Job Opportunity**

It is the goal of CVRPC to establish a system through which eligible employees may investigate, apply for, and be considered for, job opportunities within the organization.

## **2.6 Employment Procedures**

Executive Director – The Executive Committee will appoint a Search Committee to screen applicants and recommend a limited number of qualified finalist candidates to the Executive Committee. The Search Committee may include members who are not on the Executive Committee, such as other Commissioners or staff. The Executive Committee will review the finalist applications, check references, select candidates for interviews, and will allow staff to meet and provide feedback on the interviewed candidates. The Executive Committee will make the final recommendation for the position to the full Commission. Approval by the full Commission is required before the Executive Committee can hire the Executive Director. Conditions of employment, salary, benefits and any perquisites will be established by the Executive Committee and may differ from those provided to other staff members.

Staff – All vacancies for new positions not filled by promotion or recall from layoff, will be circulated within the Commission and simultaneously posted and advertised. The Executive Director will post and advertise the position, receive written applications, and solicit references. The Executive Director will conduct a personal interview with as many qualified applicants as the Director deems necessary, at which time other pertinent documents may be requested or offered. The Executive Director may delegate employment screening to specific program managers or senior staff, but must approve selections prior to hiring.

## **2.7 Offer of Employment**

Offers of employment for staff positions will be made by the Executive Director. Offers of employment for the Executive Director position will be made by the CVRPC Chair. All offers of employment will be made in writing on CVRPC letterhead and include the beginning date of employment, starting salary, benefits provided, general job description and any other pertinent information. This *Personnel Policy Manual* will be a part of all employment offers, and a copy will be included with the offer of employment letter.

Written acceptance of the offer and terms of employment must be on file, along with the Personnel Policies Manual Employee Acknowledgment Form, a completed IRS W-4 form and any other required forms. Proof of citizenship or legal immigration status is required of all new

employees, in conformance with federal law. Failure to provide such proof will result in non-hiring or immediate dismissal.

## **2.8 Probationary Period**

The purpose of a probationary period is to provide time for CVRPC to assess whether a new employee is a good match with the position and the needs of the organization.

Newly-hired employees for regular full-time, regular part-time or temporary employment for over one year will be considered probationary until they have successfully completed six (6) months of work from the start date of employment. A probationary employee may be terminated at any point during the probationary period. Continued employment after the probationary period is at the discretion of CVRPC.

Before the end of the probationary period, the Executive Director will conduct an initial performance appraisal. The Executive Director will meet with the employee to discuss the appraisal, including recommendations towards improving the employee's performance where appropriate. Results of the initial performance appraisal will be documented, including the Executive Director's indication as to whether the employee has successfully completed the probationary period. A copy of the performance appraisal will be provided to the employee and a copy added to the employee's personnel file.

If, in the judgment of the Executive director, a probationary period does not allow sufficient time to thoroughly evaluate an employee's performance, the probationary period may be extended by written notification.

## **2.9 Job Descriptions and Wage Ranges**

CVRPC's job descriptions define the general duties, responsibilities and outcomes needed from employee performance in each position. Job descriptions consist of two components: a description of duties related to the assigned major areas of work, and a description of performance expectations for each position level.

The job descriptions are an important element of the performance development and evaluation process. An employee must demonstrate that the necessary knowledge, skills and abilities have been acquired, and the characteristic duties can be successfully performed before being promoted to a higher position.

Progression within positions is characterized generally by:

- Increasingly complex knowledge of one or more planning disciplines or, in the case of non-planning positions, by increasingly complex knowledge in the position's field;
- Increasingly complex knowledge of state and federal laws;
- The ability to tailor implementation tools to increasingly complex projects and programs; and
- The ability to manage increasingly complex work groups.

The job descriptions encourage employees to grow within their position and contribute increasingly over time to the Commission. An employee's job is subject to change for personal growth, the Commission's organizational development, and/or evolution of new technologies.

The Executive Committee, in consultation with the Executive Director, will adopt job descriptions and wage ranges for all staff positions with the Commission. The Executive Director will periodically review compensation offered by peer organizations and other relevant

factors in recommending revisions of the wage ranges for consideration by the Executive Committee. The approved salary ranges are shown in Appendix B. The job descriptions are included in Appendix C.

The Executive Committee should review the job descriptions and wage ranges for all positions every two years. Failure to review every two years will not impact the validity of the job descriptions or salary ranges.

Employees may request a re-evaluation of their position's job description and/or wage range prior to their annual review. Requests for re-evaluation should be made in writing and include the employee's justification for the re-evaluation request.

## **2.10 Compensation**

An employee's total compensation consists of salaried or hourly pay, applicable bonuses and required employer Federal Insurance Contributions Act (FICA) taxes, and all applicable benefits.

The Executive Committee will determine the compensation of the Executive Director. The Executive Director will make all other decisions regarding individual wage adjustments within the approved compensation pool budget and wage range for each position. The Executive Director will report decisions regarding salary adjustments to the Executive Committee.

As part of the annual budgeting process, the Executive Director will recommend to the Executive Committee a compensation pool for staff wage increases and bonuses, considering the results of annual staff performance evaluations, cost of living, budget considerations, and other factors.

Wage adjustments and bonuses are not guaranteed. Any increases in employee salaried or hourly wages or bonuses will be primarily based upon the Commission's ability to provide increases and employee performance as determined by the performance appraisal. Adjustments up or down in the wage range may be a factor in determining individual employee salary increases. The Executive Director may also consider market competitiveness in making appropriate individual salary adjustments.

Factors considered in determining wages may include, but are not limited to:

- The employee's qualifications for the position;
- The employee's demonstrated knowledge and skills;
- The employee's demonstrated performance; and/or
- Market factors, including salary premiums for special knowledge or technical skills.

Bonuses recognize one-time achievements or special efforts that support CVRPC's organizational capacity and/or program excellence. Bonuses are intended to supplement, but not be an ongoing component of, wages.

## **3.0 GENERAL WORK CONDITIONS**

### **3.1 Work Hours**

The office will be open to the public for business from 9:00 am to 4:00 pm, Monday through Thursday, with the exception of designated holidays.

Regular work hours consist of a 40-hour workweek, 8 hours per day, Monday through Friday. The 40-hour work week includes time worked at the CVRPC offices, time spent at work-related meetings and activities outside the CVRPC offices, travel to and from said meetings and

activities, and approved time worked while telecommuting. Employees may be required to work extra hours to ensure satisfactory completion of their assigned tasks.

Subject to coordination and approval by the Executive Director, each staff member may work a flexible schedule that will allow for the completion of their workday hours. However, all employees are expected to work during the core hours of 10:00 am to 3:00 pm unless other arrangements have been made between the employee and the Executive Director. The Executive Director may require a staff member to attend meetings and events scheduled at times other than CVRPC office hours and at locations other than at the CVRPC office.

The workweek will be defined to begin at 12:01 am on Saturday and end at 12 midnight on the next consecutive Saturday.

### **3.2 Weather Closure**

In the event of a serious weather event that results in the closure of state government offices in Montpelier, CVRPC's office will also be closed. The Executive Director, or designee, will attempt to communicate this closure by email, telephone or text to all employees. In the event that inclement road conditions are forecast, staff may elect to use flexible scheduling for that day, with notice to the Executive Director. VT Alert provides advance alerts of significant weather events.

### **3.3 Flexible Working Arrangements**

In accordance with 21 V.S.A Section 309, employees may request flexible working arrangements. The law does not change existing legal rights of employers and employees to create, terminate, or modify flexible working arrangements. Instead it provides the framework for meaningful dialogue about whether such arrangements would work for both parties.

As used in this policy, "flexible working arrangement" means intermediate or long-term changes in the employee's regular working arrangements, including changes in the number of days or hours worked, changes in the time the employee arrives at or departs from work, work from home, or job-sharing. "Flexible working arrangement" does not include vacation, routine scheduling of shifts, or another form of employee leave.

Employees should make a request for flexible work arrangements to the Executive Director. The request should be as specific as possible, and employees should be prepared to discuss how the arrangement would still allow the employer to meet business needs.

The Executive Director will discuss a request for a flexible working arrangement with the employee in good faith. The Executive Director and the employee may propose alternative arrangements during the discussion. The Executive Director will consider an employee's request for a flexible working arrangement and whether the request could be granted in a manner that is not inconsistent with its business operations or its legal or contractual obligations.

As used in this policy, "inconsistent with business operations" includes:

- Additional cost burdens on CVRPC;
- A detrimental effect on aggregate employee morale, unrelated to discrimination or other unlawful employment practices;
- A detrimental effect on the ability of CVRPC to meet grant, contract and/or customer service demands;

- An inability to reorganize work among existing staff;
- An inability to recruit additional staff;
- A detrimental impact on business quality or business performance;
- An insufficiency of work during the periods the employee proposes to work; and
- Planned structural changes to the business.

The Executive Director will notify the employee of the decision regarding the request for flexible work arrangements. If the request was submitted in writing, the Executive Director will state any complete or partial denial of the request in writing.

CVRPC will not retaliate against an employee for exercising his or her rights under this policy and applicable Vermont law.

### **3.4 Reporting Absences**

Employees should report their absence from work due to illness or injury to either the Executive Director or the Office Manager. This will be done at the start of a regularly scheduled workday, but not later than 9:00 am if possible. Unless there are extenuating circumstances, failure to report within this period can be considered justification for disallowing paid leave for that day. In the event of such extenuating circumstances, the employee, family member, or other person should notify the Executive Director as soon as possible.

### **3.5 Lunch Break**

Employees are allowed one (1) hour per day for lunch, generally between 11:30 and 1:30 pm. The Executive Director may require lunch periods to be scheduled so that adequate personnel are on duty throughout the normal office hours.

All employees are encouraged to take their full lunch break. Employees will not generally be asked to perform work tasks during their lunch break. Unless actual work tasks are being performed, the lunch break is not time worked for timesheet purposes.

### **3.6 Time Sheets and Supporting Documentation**

CVRPC uses time sheets and supporting documentation to track staff time spent on projects and activities. Time sheets and supporting documentation provide the basis for:

- Tracking project activities and progress milestones;
- Managing project costs and budgets;
- Invoicing clients and agencies for billable projects;
- Justifying contract or grant management and invoicing when CVRPC is audited;
- Managing and balancing staff workloads;
- Tracking staff time worked for payroll purposes; and
- Tracking staff sick time, vacation time and compensatory time.

It is important that all employees prepare their timesheets and supporting documentation to accurately reflect what projects were worked on, how much time was spent on each project, and what was done or accomplished. Employees must record all time worked; this is important to ensure compliance with CVRPC grants and contracts.

Timesheets and supporting documentation will be prepared in accordance with the following guidelines:

1. Employees will record their time on a CVRPC-approved timesheet and provide descriptions of what was done in the supporting documentation;
2. Each timesheet will reflect all hours worked during the pay period (time actually spent on the job performing assigned duties);
3. Compensated absences (holidays, vacation, sick time, etc.) should be clearly identified as such;
4. Employees will prepare weekly timesheets and submit it on the following Monday (or next business day);
5. Timesheets will be signed by the employee prior to submission;
6. Completed timesheets will be reviewed and approved by the Executive Director. The Executive Director's timesheet will be reviewed and approved by the CVRPC Chair (or Vice Chair, in the Chair's absence) at least monthly.

### **3.7 Pay Periods**

Employees will be paid every two weeks, on the Thursday following the pay period. Employees may choose to have wages deposited into the employee's bank account through direct deposit. Please see the Finance/Office Manager to set up these arrangements.

### **3.8 Compensatory Time and Overtime**

Employees are expected to participate in after hours meetings as assigned. However, all employees are encouraged to manage their time so that the normal 40-hours is not exceeded in any workweek.

The Federal Fair Labor Standards Act has different compensatory time standards for non-exempt and exempt employees:

- The law requires that non-exempt employees receive 1½ hours compensation for each hour of overtime. Governmental entities have the option of providing compensatory time in lieu of compensation. Non-exempt employees who have received permission from the Executive Director to work more than forty (40) hours in a workweek will receive 1.5 (one and a half) hours of compensatory time for each hour worked beyond 40 hours. Compensatory time may be accumulated up to 10 hours. Any overtime hours worked after ten hours of compensatory time has accumulated must be taken as overtime pay. Non-exempt employees will be paid for accumulated compensatory time at their regular rate of pay upon termination.
- The law considers an exempt employee's salary to cover all hours worked. However, it is CVRPC policy to provide exempt employees with one hour of compensatory time for each hour of overtime. Exempt employees who work evenings or weekends in addition to their regular work hours may receive compensatory time off on an equal time basis with the approval of the Executive Director. If an individual employee's compensatory time accrues to 10 hours for any reason, the employee and Executive Director will agree on a plan for taking the compensatory time. The Executive Director may require an employee to not work any overtime and cease accumulating compensatory time.

Compensatory time should be taken within sixty (60) days of when it is earned. An employee should inform the Executive Director when taking any compensatory time, and must inform the Executive Director in advance when taking more than eight hours of compensatory time.

Any compensatory time balance on the books as of the final pay period of the fiscal year will be paid to the employee at his or her current rate of pay. An employee leaving the employment of CVRPC will be reimbursed for any unused compensatory hours remaining at the employee's current rate of pay at the time of separation.

### **3.9 Travel and Expenses**

Except for routine trips within the state, employees must obtain prior approval from the Executive Director for all travel. When on authorized business, employees will be reimbursed for necessary and reasonable expenses incurred for travel, accommodations, parking, tolls, meals and other incidentals. When pre-approved by the Executive Director, necessary and reasonable travel expenses of volunteers will also be reimbursed in accordance with this policy.

Employees on CVRPC business will be reimbursed for use of a privately-owned automobile at the rate set annually as appropriate by the US Government Services Administration (GSA). Mileage expenses will be reimbursed for actual business miles traveled. Employees are reminded to deduct personal miles, such as normal commute and personal errands, from total miles traveled. Requests for reimbursement of travel costs must be accompanied by a daily trip mileage record and submitted with a CVRPC expense reimbursement form.

CVRPC will pay the reasonable actual cost of lodging and auto rental based on meeting location and convention room rates, plus the actual cost of transportation, taxi fares, telephone calls and similar items incidental to and necessary for the performance of official business while in travel status. If available, discounted government or corporate rates should be used when making travel arrangements.

Meal costs incurred by employees when traveling overnight or longer for CVRPC business, whether in-state or out of state, will be reimbursed at the per diem rate prescribed by the US GSA for that location (see <http://www.gsa.gov/portal/content/104877>). For travel shorter than overnight, meals will be reimbursed at actual cost, up to the GSA meal rate for that location.

For travel of three (3) consecutive days or more, the employee may request that the per diem rate be paid in advance.

Employees participating in meetings, seminars, conventions, training or conference sessions will be reimbursed for out-of-pocket meal expenses incurred, without regard to location or meal maximum, provided the meal is a necessary part of a pre-arranged or programmed meeting in which all the participants are served from a preselected menu with no control over the cost of the meal. "Necessary" means the employee must attend the meal and the employee must pay for the meal.

All expense reports, with appropriate receipts or expense documentation, will be submitted at least monthly, by the fourth day of the month, to the Executive Director for approval prior to payment. A CVRPC officer will approve the expense reports of the Executive Director. Failure to submit expense reports on a timely basis will delay reimbursement and may result in denial of reimbursement.

### **3.10 Accommodation for Disabilities**

In accordance with federal guidelines of the Americans with Disabilities Act (ADA), CVRPC will make reasonable accommodations where possible to enable an individual with a disability to perform the essential functions of the job. The US Department of Labor's Job Accommodation Network (<https://askjan.org/Erguide/>) and the ADA website ([http://www.ada.gov/ada\\_intro.htm](http://www.ada.gov/ada_intro.htm)) provide useful guidance.

### **3.11 Telephone Calls**

To the extent possible, CVRPC's telephones should be used for professional purposes only. Some personal calls during business hours may be necessary, but should be kept to a minimum. If an employee must make a personal long distance call, the employee will either use a personal mobile phone or calling card, or keep a call log and reimburse CVRPC for the cost of personal calls.

### **3.12 Personal Mail and Packages**

Opening and routing mail requires staff time, so employees should limit the amount of personal mail coming to the office. All mail and packages, including personal mail, delivered to CVRPC's address may be opened and routed to the addressee. Furthermore, all mail and packages received at CVRPC are subject to state and federal laws.

### **3.13 Computer Use**

CVRPC provides the computer network, personal computers, electronic mail and other communications devices for business use. All communications and information transmitted by, received from, or stored in these systems are the property of CVRPC and, as such, are intended to be used for job-related purposes only.

Employees will exercise good judgment and will conduct themselves according to existing policies and procedures while using the Internet and e-mail. Generally, during working hours, employees will use the Internet and e-mail only for business purposes. Employees may use Internet access and e-mail for personal use but these activities must be done on their own time and kept to a minimum, and will not reflect negatively on CVRPC.

Employees with Internet access are expressly prohibited from accessing viewing, downloading or printing pornographic or other sexually explicit materials. The e-mail system is not to be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations or other non-job-related solicitations. CVRPC's e-mail system and Internet service are not to be used to create any offensive or disruptive messages.

CVRPC may access and disclose all data or messages stored on its systems or sent over its electronic mail system. CVRPC reserves the right to monitor communication and data at any time, with or without notice. No confidentiality should be assumed, regardless of the content and nature of the message, although certain correspondence may be confidential under state and federal law.

### **3.14 Dress Code**

CVRPC's standard of dress is business-casual, except when conducting field work or in special circumstances that may require more formal business attire. Employee's manner of dress will be commensurate with his/her responsibilities and compatible with community standards for



equivalent positions in the private and public sector. Employees are asked to use discretion and judgment in their choice of attire.

CVRPC believes that personal cleanliness and appearance reflects on CVRPC when employees are representing CVRPC. If the Executive Director believes that an employee has not met the dress code requirements, or if an outside complaint has been made that the Executive Director deems valid, the Executive Director will inform the employee informally of the violation. Continued warning may be grounds for disciplinary action.

### **3.15 Smoke-Free Workplace**

CVRPC is a smoke-free workplace.

## **4.0 HOLIDAYS AND LEAVES**

### **4.1 Holidays**

CVRPC observes the following 12 paid holidays: New Year’s Day, Martin Luther King Day, Presidents’ Day (third Monday in February), Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and the day after Thanksgiving, and Christmas Day, and one floating holiday.

Any legal holiday which falls on a Saturday will be observed on the preceding Friday. Any legal holiday which falls on a Sunday will be observed on the following Monday. The annual holiday schedule will be posted in advance.

Employees may each choose the date of their floating holiday; however, the holiday must be scheduled and approved in advance by the Executive Director. Floating holidays are tracked on a fiscal year basis.

Employees are only allowed to work on a scheduled CVRPC holiday, and take the time off on a regular workday, when approved in advance by the Executive Director.

Unused holidays are not paid upon termination.

### **4.2 Vacation Leave**

CVRPC believes that paid vacation leave is important to employee well-being and productivity. Employees in certain job categories are entitled to vacation benefits.

The amount of vacation leave to which employees are entitled is based on the length of service schedule shown below. Employees are encouraged to take their earned vacation. Employees who have reached the maximum accumulation amount will cease to earn more vacation leave until the balance has been reduced below the maximum.

<b>Years of Service</b>	<b>Vacation Earned</b>	<b>Maximum Accumulation</b>
0 to 3 years	10 days/year	20 days
3+ to 8 years	15 days/year	25 days
8+ years	20 days/year	35 days

Regular part-time employees who work 20 hours per week or more are entitled to a pro-rated share of vacation based on their regular work schedules.

Vacation time is accrued with the pay period. Vacation time may not be taken prior to being earned. Vacation leave ceases to accrue during unpaid leaves of absence.

Requests for less than a week of vacation leave should be submitted in writing to the Executive Director for approval at least one week in advance; requests for a week or more vacation leave should be submitted in writing to the Executive Director a month in advance, if possible. Permission will be granted or denied based on factors including the current and anticipated workload and staffing requirements; however, every effort will be made to accommodate employee requests.

The maximum amount of vacation that may be taken consecutively is two weeks. If there is a need to take more than two weeks consecutively, special permission may be requested from the Executive Director. Observed holidays are not counted as vacation leave. If an observed holiday falls within the vacation period, the vacation may be extended one day.

An employee who leaves employment with CVRPC will be paid for accrued but unused vacation time, up to the maximum accumulation amount.

### **4.3 Sick Leave**

Paid sick leave may be used for illness or medical/dental appointments for the employee or an immediate family member, and for illness or death of the employee's spouse, domestic partner, children, parents and siblings.

Sick leave is accrued with the pay period based on the schedule below. Employees who have reached the maximum accumulation amount will cease to earn more sick leave until the balance has been reduced below the maximum.

<b>Employee Category</b>	<b>Sick Leave Accrued</b>	<b>Maximum Accumulation</b>
Regular Full Time (40 hrs/week)	1 day (8 hours)/month	45 days

Regular part-time employees who work 20 hours or more per week are entitled to accrue and accumulate prorated sick leave based on their regular work schedule.

Sick leave ceases to accrue during unpaid leaves of absence. Accrued sick leave may not be transferred to another employee.

A physician's statement may be required for extended or frequent illness, if requested by the Executive Director. Should the length of leave exceed accrued sick leave, accrued paid vacation leave may be used. If an absence exceeds available paid leave, the employee may request, but is not entitled to, an advance of sick leave. Requests for an advance of sick leave should be made to the Executive Director. The employee may also be eligible for disability insurance coverage. In extenuating circumstances, the Executive Committee may grant additional sick leave.

There is no payment to the employee for accrued sick leave when an employee ceases employment with CVRPC.

### **4.4 Parental, Family and Medical Leave**

The purpose of parental and family leave is to provide job-protected leave in specific parental and medical situations.

The federal Family and Medical Leave Act and Vermont Parental and Family Leave Law govern legally-required parental, family and medical leave. Both laws have employment thresholds for applicability and criteria for employee eligibility. CVRPC does not meet the employment threshold under the federal law. CVRPC meets the state employment thresholds for parental leave, but not the thresholds for family leave or short-term family leave.

The parental, family and medical leaves described in this policy are intended to provide for parental and family/medical leave benefits and to comply with the law as it currently applies to CVRPC.

Employees must meet eligibility criteria to qualify for parental, family or medical leave. An employee who has continuously worked for CVRPC for at least 12 months, and has worked an average of 30 hours/week during the past year, will be entitled to take unpaid leave under the following circumstances.

1. Parental leave: An employee may take up to 12 weeks of unpaid leave during any 12 month period during the employee's pregnancy, following the birth of an employee's child, or within a year following the initial placement of a child 16 years of age or younger with the employee for the purpose of adoption or foster care.
2. Family or medical leave: An employee may take up to 12 weeks of unpaid leave during any 12 month period for the serious health condition of the employee or the employee's child, stepchild or ward of the employee who lives with the employee, foster child, parent, spouse/civil union/domestic partner or parent of the employee's spouse/civil union/domestic partner.

The employee may substitute up to six (6) weeks of accrued paid leave (vacation and/or sick leave) for unpaid family/medical or parental leave. Employees may request substitution of more than six (6) weeks of accrued paid leave. The Executive Director will consider such requests, based on the financial impacts and business needs of CVRPC. Use of accrued paid leave does not extend the parental or family/medical leave.

If the parental or family/medical leave is foreseeable, the employee must give reasonable notice to the Executive Director of the intent to take leave. This allows CVRPC to make arrangements for staff replacements. Notice include the date the leave is expected to commence and the estimated duration of the leave. If the leave is not foreseeable, the employee must still give notice as soon as the employee is aware of the need to take it. If the requested leave is due to a serious health condition of the employee or family member, CVRPC may require the employee to provide medical certification to support the leave request.

In the case of leave taken for a medical emergency, the employee may also be required to provide medical information during the leave, along with periodic updates on the employee's status and intent to return to work. An employee may return from leave earlier than estimated upon Executive Director's approval.

Employees taking unpaid family/medical or parental leave will be entitled to maintain group health and other insurance coverage during the leave, under the same terms as when not on leave. CVRPC will continue to pay its portion of the insurance premium during the leave; employees taking parental, family/medical leave are responsible for continuing to pay their portion of the insurance premium contributions, if any. Note that if an employee fails to pay his or her portion

of the premium for more than 30 days, the coverage may lapse. Employees taking medical leave for their own injury or illness may be eligible for disability insurance benefits.

Upon return from parental or family/medical leave, an employee will be offered the same or comparable job at the same level of compensation, and employment benefits existing on the day the leave began. This will not apply if, prior to requesting leave, the employee had been given notice or had given notice that the employment would terminate. This will also not apply if CVRPC can demonstrate by clear and convincing evidence that:

1. During the period of leave, the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or
2. The employee performed unique services (i.e., is a "key employee") and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of intent to do so, was the only alternative available to CVRPC to prevent substantial and grievous economic injury to CVRPC's operation.

Employees not eligible for parental or family/medical leave may request, but are not entitled to, a regular leave of absence. See Section 4.6, Partial and Full Leave of Absence, for more information.

#### **4.5 Partial and Full Leave of Absence**

##### Partial Leave of Absence

If a regular, full-time employee is temporarily unable to work full-time, but is able to work part-time, s/he may submit a written request for a partial leave of absence. Approval of a partial leave of absence is arranged through, and requires the written approval of, the Executive Director. The time period for a partial leave of absence may not exceed six months. Pay, vacation, sick leave, insurance and other benefits for an employee on partial leave of absence will accrue consistent with the part-time status. If the employee on partial leave of absence works less than 20 hours per week, averaged over the month, s/he may continue health insurance coverage through CVRPC by paying CVRPC for the full insurance premium on the first of each month.

Documentation of the request and approval of a partial leave of absence will be placed in the employee's personnel file. If the reason for the partial leave of absence is medical, the employee may also be eligible for disability insurance coverage.

If the employee has not arranged to return to full-time status after the partial leave of absence has expired, the Executive Committee must approve whether CVRPC's organizational needs are best met by converting the position to regular part-time, job sharing, eliminating the position or dismissing the employee and hiring a full-time employee. Documentation of this decision will be placed in the employee's personnel file.

Under the Americans with Disabilities Act, other provisions for partial leave of absence may apply. See section 3.10.

##### Full Leave of Absence

A leave of absence, without pay, may be granted for a definite time period, not to exceed six months, to meet the personal or special needs of full- and part-time employees. Approval of leave will be arranged through the Executive Director and requires the approval of the Executive Committee. While on unpaid leave, vacation and sick leave credits cease to accrue, as do group

life insurance, disability insurance, and any other benefits paid by CVRPC. The employee may continue health and dental insurance coverage through CVRPC while on unpaid leave of absence; however, the employee must pay CVRPC for the full insurance premium on the first of each month. Documentation of the request for and approval of a full leave of absence will be placed in the employee's personnel file. If the employee has not arranged to return after the leave of absence has expired, the position will not be held open and documentation will be placed in the employee's personnel file.

Under the Americans with Disabilities Act, other provisions for partial leave of absence may apply. See section 3.10.

#### **4.6 Military Leave**

CVRPC grants unpaid leave for uniformed service in accordance with applicable federal and state law, and provides certain benefits to these employees.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) provides employees who are called up to perform military service with reemployment rights. USERRA includes provisions for maintaining health insurance and job reinstatement.

Vermont law (21 V.S.A. §§ 491-493) provides job reinstatement and benefit protection for reserve training and military duty.

A regular employee requiring time off for uniformed service will immediately notify the Executive Director. If an employee is unable to provide notice prior to leaving for uniformed service, then a family member should notify the Executive Director as soon as possible. Documentation of required military service and authorized military leave will be placed in the employee's personnel file.

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 taking their tour of duty without pay as an unpaid leave of absence and scheduling their regular earned vacation at another time.

#### **4.7 Jury Duty**

CVRPC recognizes that serving as a juror is a civic duty, and will provide paid leave for jury duty under the following procedures:

1. Upon receipt, the employee will present the subpoena or other document that gives instructions to report for jury empanelment. A copy will be retained for the personnel file.
2. Upon selection for jury duty, the employee will notify the Executive Director or designee in writing.
3. The employee will report for jury duty as instructed by the court. If the employee is released from jury service during normal working hours, the employee will be required to be at work when practical.

There may be cases where an employee's extended absence would seriously affect the operating efficiency of CVRPC. In such instances, if the Executive Director deems it necessary to request that an employee be excused from jury duty, the Executive Director will write a letter to the presiding judge or court clerk requesting that the employee be excused from jury duty or that his or her assignment be postponed.

## **5.0 BENEFITS**

It is the intent of CVRPC to provide comprehensive insurance benefits to protect eligible employees and their dependents. CVRPC continually evaluates the need to enhance our insurance benefit programs to ensure they continue to add value, maintain competitiveness, and meet the changing needs of CVRPC employees while balancing the financial costs and organizational impacts of such programs. CVRPC reserves the right to change, delete or amend such plans at any time. The Executive Committee approves any changes to employee benefits.

Each employee will receive an enrollment package for all insurance programs. Information provided in the enrollment packages should provide answers to most benefit questions; further questions should be directed to the Executive Director.

### **5.1 Health Insurance**

CVRPC offers group health insurance to all full-time employees and all regular part-time employees who work twenty (20) hours per week or more. CVRPC's insurance premium contribution for regular part-time employees will be pro-rated based on the standard full-time 40-hour week. The current health insurance benefits are described in Appendix A.

Employees may enroll in the insurance program at the time of their initial appointment, and at other times thereafter per the insurance program's requirements. Coverage begins on the first day of the month following a determination of eligibility. Employees should verify coverage start dates at the time of their enrollment.

Employees with a high deductible plan may make pre-tax payroll contributions to a Health Savings Account, up to IRS limits, which may be used to pay for ~~deductible or other~~ eligible medical expenses. CVRPC will deposit payroll contributions to employee Health Savings Accounts at least monthly.

Employees who are eligible for health insurance benefits may elect to opt-out of CVRPC health insurance benefits for a plan year (calendar basis) if they can show proof of health insurance coverage from another provider. If an employee opts out, they are eligible for compensation equal to one-half of the annual CVRPC insurance contribution value, subject to taxes.

Employees will elect to participate or opt-out of CVRPC-provided insurance benefits during the open eligibility period. Employees will sign a waiver stating that they are choosing to opt-out and accept responsibility for doing so. Should the employee lose other coverage, eligibility to return to CVRPC health insurance benefits is dictated by the insurance provider. Employees must notify CVRPC immediately if they lose their other coverage. If employees come back on the CVRPC plan, the opt-out compensation will be pro-rated.

### **5.2 Dental Insurance**

Dental insurance is offered by CVRPC for full-time employees and their families. The current dental insurance benefits are described in Appendix A. Employees are responsible for paying 100% of any deductible and any co-pay amounts.

### **5.3 Group Life Insurance**

CVRPC provides a group life insurance and accidental death and dismemberment for full-time employees under a group plan. The current life insurance benefits are described in Appendix A. Each eligible employee will name his or her beneficiary, which may be changed upon written

notification. CVRPC reserves the right to require an employee contribution toward the premiums, dependent on the Commission's budget.

#### **5.4 Disability Insurance**

CVRPC offers full-time employees a group short-term disability insurance plan and a long-term disability insurance plan. Regular part-time employees working at least 30 hours per week may also be eligible for disability coverage, subject to the requirements of the plan. The current disability insurance benefits are described in Appendix A. CVRPC reserves the right to require an employee contribution toward the premium, dependent on the Commission's budget.

#### **5.5 Retirement Plan**

Full-time employees are eligible to participate in CVRPC's retirement plan after one year of employment. The current retirement plan benefits are described in Appendix A. CVRPC will contribute an amount equal to 5% of the employee's annual salary to a SEP-IRA account established for each eligible employee; partial contributions will be made on a quarterly basis.

CVRPC encourages employees to may make their own, optional, pre-tax contributions to the SEP-IRA through payroll deduction. Employee contributions are limited by federal Internal Revenue Service regulations for Individual Retirement Accounts. Age, income or a spouse's retirement plan may affect the allowable pre-tax contribution, so employees should check the IRS website to determine the amount they can contribute.

The employee is responsible for managing their SEP-IRA account, as allowed by the plan. Employees pay all fees associated with their SEP-IRA accounts and investments.

#### **5.6 Professional Development**

CVRPC encourages staff to pursue professional development opportunities that benefit both the employee and the Commission. Professional development goals may include:

- Knowledge of a new subject relevant to CVRPC's mission;
- Mastering a skill that improves the employee's performance or CVRPC's effectiveness;
- Obtaining professional certification relevant to planning or the employee's job;
- Developing professional networks that increase the employee's or CVRPC's effectiveness; and/or
- Contributing to the planning profession in Vermont.

Professional development goals may be accomplished through a wide variety of activities. Some examples include:

- Working on a project that requires new knowledge or skills;
- Taking a leadership role on a grant application, for a project's development or implementation, or in project management;
- Being a mentor or mentee;
- Participating in professional activities, such as professional association committees or service on another organization's board or committee;
- Obtaining professional certifications, such as AICP, CFM, GISP, etc.;
- Independent reading/research on a topic of concern to CVRPC;
- Participating in job-related webinars or lectures; and/or
- Participating in job-related conferences, classes and short courses.

Employees are expected to take primary responsibility for their own professional development and to identify their own professional development goals and opportunities. Supervisors are expected to discuss professional development goals with direct reports, and to assist in identifying professional development needs and opportunities. Employees and supervisors are particularly encouraged to identify inexpensive professional development opportunities.

With the prior approval of the Executive Director, staff may attend job-related conferences, courses or training for professional development at CVRPC expense, within budgetary limits. Staff may receive regular pay while attending conferences or courses paid by themselves, with the approval of the Executive Director. Prior written approval by the Executive Director is required for conferences or other professional development activities requiring more than one day away from the office.

## **6.0 PERFORMANCE APPRAISALS**

### **6.1 Staff Performance Appraisal**

Each employee's performance will be formally appraised on a calendar basis. Performance appraisals will be in writing and will be the responsibility of the Executive Director or direct supervisor to carry out in conjunction with the employee. The completed appraisal will be placed in the employee's personnel file.

#### Performance Appraisal Objectives

The objective of the performance appraisal process is to provide a mechanism to:

- Clearly define job expectations;
- Ensure that all employees perform to the best of their abilities;
- Ensure communication between employee and supervisor;
- Align employee goals with the overall goals of CVRPC;
- Be consistent across CVRPC program areas;
- Identify employee training and professional development needs for the employee's professional growth;
- Establish clear-cut intervention strategies when performance does not meet identified job requirements; and
- Link performance with rewards, such as compensation increases, promotions, recognition, assignments, professional development opportunities and career advances.

#### Performance Appraisal Criteria

Criteria for appraisal may include, but are not be limited to, the following:

- Knowledge and skills required for the job;
- Quality of work;
- Productivity;
- Initiative and judgment;
- Teamwork;
- Flexibility;
- Work performance;
- Job responsibility;
- Resource management;



- Recordkeeping; and
- Adherence to policies.

### Goals for Upcoming Year

Each employee, working with the Executive Director or direct supervisor, will identify three to seven goals for the next year. Such goals will typically identify projects or program areas that the employee will undertake in the upcoming year, and may also include: areas in need of improvement; skills or knowledge to be acquired; professional development; employee development; and/or behavior or attitudes to be adjusted (if applicable).

### Mid-Year Appraisal

The Executive Director or direct supervisor will have an informal mid-year meeting with each employee to review progress towards the employee's goals, to make adjustments to the goals and action plan if needed, and to facilitate a constructive discussion about any performance issues, obstacles, or opportunities related to the employee's goals, professional development or performance. If the Executive Director or direct supervisor has concerns about the employee's performance, a performance improvement plan may be part of the appraisal. Any agreed-upon modifications to the employee's goals and action plan will be documented, signed by both the employee and Executive Director or direct supervisor, and used in the annual performance evaluation process.

### Periodic Appraisals

The Executive Director or direct supervisor may conduct a performance appraisal of an employee at any time, in addition to the mid-year and annual appraisals. While it is within the Executive Director's or direct supervisor's discretion when an appraisal may occur, an immediate appraisal is appropriate if the Executive Director or direct supervisor has concerns about the employee's performance, a performance improvement plan has been implemented, or an employee's job has materially changed since the annual appraisal.

### Annual Performance Appraisal

The Executive Director will provide each employee with the appropriate performance appraisal form at the beginning of the new calendar year.

The performance appraisal has three key elements: an employee self-appraisal, the direct supervisor's appraisal of the employee, and an appraisal meeting between the employee and direct supervisor.

Each employee will prepare a brief summary of the projects or programs for which the employee was responsible and what was accomplished during the previous year. The employee will appraise his or her own performance, using the mutually agreed upon goals for the previous year and the performance appraisal criteria. The employee will also identify at least five goals for the next year, including one goal related to professional development, and provide a short action plan for each goal. The self-appraisal and goal-setting document will be submitted to the Executive Director or direct supervisor by the requested date.

The Executive Director or direct supervisor will appraise the employee's performance using the goals established for the previous year and the performance appraisal criteria. The Executive Director or direct supervisor will provide the employee with a written copy of the appraisal approximately one week prior to the performance appraisal meeting.

The Executive Director or direct supervisor will schedule and conduct the performance appraisal meeting with each employee. At this meeting, they will review the performance appraisal together. They will also set the goals and action plan. If the Executive Director or supervisor has concerns about the employee's performance, a performance improvement plan may be part of the evaluation. At the meeting, the employee may make written comments, including any points of disagreement with the Executive Director's or direct supervisor's appraisal. Both the employee and the Executive Director or direct supervisor will sign the appraisal form at the meeting, acknowledging that the appraisal occurred. The employee and Executive Director or direct supervisor will also sign the goals and action plan that are agreed to for the next year.

The Executive Director will review all performance appraisals conducted by other direct supervisors. The Executive Director will provide a written summary to the Executive Committee on staff performance, including each employee's strengths, areas for improvement/growth/development, the appraisal conclusions, and whether the employee signed the performance appraisal.

## **6.2 Executive Director Performance Appraisal**

The Executive Committee is responsible for conducting an annual performance appraisal of the Executive Director. The objectives and criteria for the performance appraisal of the Executive Director will be based on objectives and criteria for all staff.

### Executive Director Performance Appraisal

The performance appraisal for the Executive Director has four key elements: a self-appraisal by the Executive Director, the compiled appraisal of the Executive Director by employees, the compiled appraisal of the Executive Director by the Executive Committee, and an appraisal meeting between the Executive Director and the Executive Committee.

At the beginning of the calendar year, the Executive Director will provide the Executive Committee with a brief summary of the projects or programs for which the Director was responsible and what was accomplished during the previous year. The Executive Director will appraise his or her own performance, using the mutually agreed upon goals for the previous year and the performance appraisal criteria. The Executive Director will also identify four to seven goals for the next year. Goals may relate to personal or organizational performance. The self-appraisal and goal-setting document will be submitted to the Executive Committee by the requested date.

At the beginning of the calendar year, the Executive Committee will arrange to distribute to staff a form for confidential employee appraisal of the Executive Director. Confidential employee appraisals of the Executive Director will be submitted to the Chair of the Executive Committee or designee by the requested date. The Chair or designee will compile the employees' appraisals in a manner that guarantees employee anonymity and will distribute the compilation to the Executive Committee. The Executive Committee will consider the compiled employee appraisals in their performance appraisal of the Executive Director. If necessary, the Executive Committee, through an appointed subgroup or as a whole, may meet in executive session with staff without the Executive Director present in order to discuss the Executive Director's performance.

A copy of the Executive Director's self-appraisal form will be distributed to each member of the Executive Committee, along with the compiled staff appraisals. The Executive Committee will

evaluate the Executive Director using the goals established in the previous year and the performance appraisal criteria, along with the confidential employee appraisals. Executive Committee members will complete their individual appraisal form and submit it to the Chair or designee by the requested date for compilation. The Executive Committee will meet in Executive Session to discuss and prepare a joint appraisal of the Executive Director and may add or modify goals for the upcoming year. The Executive Committee will provide the Executive Director with a written copy of the appraisal prior to the performance appraisal meeting.

The Executive Committee will conduct a performance appraisal meeting in Executive Session with the Executive Director. This meeting should occur prior to the end of the fiscal year. At this meeting, they will go over the performance appraisal. They will also discuss and agree on the goals and action plan. If the Executive Committee has concerns about the Executive Director's performance, a performance improvement plan may be part of the evaluation. At the meeting, the Executive Director may make written comments, including any points of disagreement with the Executive Committee's appraisal. Both the Executive Director and the CVRPC Chair will sign the appraisal form at the meeting, acknowledging that the appraisal occurred. The Executive Director and CVRPC Chair will also sign the goals and action plan that are agreed to for the next year.

### **6.3 Personnel Files**

Personnel files will be kept in a secure, locked location and maintained by the Executive Director or designee.

The following documents will be filed in each employee's personnel file, including the Executive Director:

- Letter of application and resume;
- Payroll/personnel information;
- W-4 form;
- Automatic payroll deposit (participants only);
- Benefits forms;
- Completion of probation;
- Performance appraisals;
- Promotions;
- Raises;
- Documentation of achievements (e.g., awards, certifications);
- Letters of commendation or other notices of employee recognition;
- Records of disciplinary action; and/or
- Records of resignation or termination.

Separate files will be maintained for workers' compensation claims, family or medical leave absences, and employment eligibility verification records (I-9 form). These files may only be accessed in accordance with applicable law.

Personnel files are the property of CVRPC and will be confidential, except to the extent necessary for business purposes or as permitted by law. Unless otherwise required, access will be permitted only to the employee, authorized CVRPC administrators, and members of the Executive Committee as appropriate. Employees will be permitted reasonable access to their own file during business hours in accordance with applicable law by request to the Executive

Director. No personnel files may be destroyed or removed from CVRPC offices, except as required by law.

## **7.0 PRIVACY AND CONFIDENTIALITY**

An employee's personnel and medical records are generally not considered public records and will be shared with supervisors or the Executive Committee only in accordance with state and federal law.

Employees should have no expectation of privacy in any other aspect of their employment, including their desks, telephones, computers, e-mail accounts or other CVRPC property.

## **8.0 EMPLOYEE CONDUCT**

### **8.1 Standards of Conduct**

To achieve a positive work environment, CVRPC encourages a responsible attitude towards work and courteous and respectful behavior towards other employees, outside business relationships/contacts, visitors and CVRPC property. Employees are expected to respect individual rights, privacy, and property of others and to treat information appropriately. Employees should not take actions that are harmful to another employee, outside parties or CVRPC property.

As public officials, CVRPC employees are required to work under a code of conduct that ensures that we exercise our fiduciary authority solely for the benefit of the public. CVRPC employees are to conduct themselves with the highest level of ethical and moral standards under public law in any dealings in which we represent CVRPC. In addition, CVRPC is subject to the requirements of the Vermont Open Meeting Law (1 V.S.A. §§310-314) and the Vermont Public Records Law (1 V.S.A. §§315-315). Failure to adhere to these standards may result in disciplinary action.

### **8.2 Conflict of Interest Policy**

A conflict of interest may exist when an employee has the authority or responsibility to act on some matter in which the employee has a substantial personal or financial interest that may inhibit or appear to inhibit the person's ability to act in the interest of the general public. Such an interest may be financial or may result from family or social relationships. A conflict does not exist when the person's interest is or appears to be no greater than that of any other person generally affected by the act for which the employee has authority or responsibility.

No CVRPC employee will participate in the selection, award, or administration of a contract supported by federal or state funds if a conflict of interest, real or perceived, could potentially be involved. Such a conflict could arise if any employee or immediate family member, or any organization in which immediate family members are employed, have a financial interest in the CVRPC selection and award process.

No CVRPC employee will solicit gifts, payments for services, favors, entertainment, special accommodations, gratuities, or anything with an associated monetary value or gain from contractors, potential contractors, or parties to sub-agreements. No CVRPC employee will accept same with a value in excess of \$25.00.

No CVRPC employee will engage in activities that directly compete or conflict with CVRPC's mission, values or actions.

Any CVRPC employee who has an outside interest that would have the potential to create a conflict of interest with his or her duties at CVRPC should disclose such interest to the Executive Director immediately, either verbally or in writing. Likewise, anyone else who believes that an employee has a real or perceived conflict of interest should report it to the Executive Director. The Executive Director will evaluate the situation, including a discussion with the employee and any reporting party, and determine if a conflict of interest may or does exist. This determination will be documented and placed in the employee's personnel file. The Executive Director reserves the right to require reassignment or a cancellation of the activity causing a real or perceived conflict of interest. The Executive Director is accountable for disclosing any potential conflict of interest to the Executive Committee.

CVRPC wishes to hire the most qualified individuals to fill a position, and to retain valuable employees. Relatives or domestic partners of employees will be interviewed and treated in the same manner as any other candidate for a given position. Relatives will not interview other relatives. They will be considered for employment as long as there are no management reporting relationships or potential conflicts of interest between the two relatives.

### **8.3 Political Activity**

Public sector planning is, by its nature, a political activity. In the Vermont context, effective planning at the local and regional level is best done if it is non-partisan. To maintain the highest possible credibility, CVRPC activity must be non-partisan.

Therefore, consistent with this policy and all relevant state and federal laws, no partisan political activity will be allowed within the CVRPC office. No posters, buttons, hats, clothing, or other partisan campaign paraphernalia are allowed in the office or on the employee while on CVRPC business. No overt partisan campaigning or fund solicitation is allowed in the office or while on CVRPC business.

This does not mean, however, that CVRPC employees are prohibited from engaging in partisan political activity on their own time, although provisions of the federal Hatch Act may limit such activity. The Hatch Act covers all state and local employees who are principally employed in connection with programs financed in whole or in part by loans or grants made by the federal government. Therefore, if your position is funded with any federal funds, you are subject to the Hatch Act.

Employees covered by the Hatch Act may:

- Vote;
- Freely express his or her opinions on all political subjects and candidates;
- Run for public office in nonpartisan elections;
- Campaign for and hold office in political clubs and organizations.
- Actively campaign for candidates for public office in partisan and nonpartisan elections; and
- Contribute money to political organizations and attend political fundraising functions.

Employees covered by the Hatch Act may not:

- Be a candidate for public office in a partisan election;
- Use official authority or influence to interfere with or affect the results of an election or nomination; or

- Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

#### **8.4 Outside Employment**

All employees are permitted to have other employment as long as it does not interfere with performance of their duties.

If an employee obtains another job while working for CVRPC, the Executive Director must be notified. Employees may not work for any entity where there is a real or perceived conflict of interest, as determined by the Executive Director.

Employees who have their own business must disclose such activity to the Executive Director in accordance with the Conflicts of Interest policy. CVRPC will not purchase from, or contract with, a business owned by one of its employees.

The Executive Director has final authority for determining if outside activity conflicts with the work of CVRPC.

### **9.0 OCCUPATIONAL SAFETY**

The active cooperation of all employees is necessary to provide a safe and healthy work environment. To accomplish this, safety precautions must be observed. It is expected that employees will respect their work areas and that of fellow employees. If there are any concerns or questions about the safety of the office environment or individual work areas, please see the Executive Director for necessary corrections or accommodations.

#### **9.1 Occupational Health and Safety**

CVRPC adheres to all relevant Occupational Safety and Health Administration (OSHA) safety programs for the protection of employees. This includes compliance with safety regulations and standards established by OSHA. Any questions should be directed to the Executive Director.

#### **9.2 Motor Vehicle Use**

This policy applies to all employees, whether they are driving a CVRPC vehicle, a rental vehicle for CVRPC business or a personal vehicle for CVRPC business.

Drivers must possess a valid driver's license for the type of vehicle to be operated, and keep the license(s) with them at all times while driving. Employees are obligated to immediately reveal any changes in the status of that license (i.e., revoked, suspended, or restricted) to the Executive Director.

Employees who use their personal vehicle for company business are required to carry and maintain an insurance policy and vehicle registration.

Employees are not permitted, under any circumstances, to operate a vehicle while conducting CVRPC business when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness or medication. An employee must immediately inform the Executive Director if such a situation arises.

Employees are required to adhere to the following basic vehicle operation principles:

- Drive in a safe and courteous manner;

- Abide by all traffic laws;
- Refrain from operating a vehicle while conducting CVRPC business and while under the influence of alcohol or drugs; and
- Immediately report to the Executive Director all accidents that occur in the course of CVRPC business, regardless of the extent of damage or lack of injuries.

CVRPC is not responsible for any traffic violations or parking tickets acquired by violation of city ordinance, state or federal laws regarding your driving habits and operation of your motor vehicle. Any ticket issued is the employee's responsibility, even if the ticket is issued while conducting business for CVRPC.

### **9.3 Reporting Accidents/Vehicle Accidents**

All job-related injuries, illnesses, and accidents must be reported immediately to the Executive Director, and, in turn, to CVRPC's Workers Compensation carrier. This includes any vehicular accidents that occur while conducting business on behalf of CVRPC during business hours. Depending on the severity of the injury, a written report may be required providing details and the nature of the injury. On-the-job injuries requiring medical attention are to be promptly reported to the Executive Director.

It is preferred that first aid be administered by authorized personnel only. If injured on the job, CVRPC will use the best means possible to provide transportation to the hospital.

Employees who are involved in a vehicular accident involving a personal vehicle while conducting CVRPC business must attempt to obtain the names, addresses and telephone numbers of all people involved, including witnesses. Any damage or injuries will be reported to the Executive Director.

### **9.4 Workers Compensation**

CVRPC has Workers' Compensation Insurance for all employees. Employees who suffer an injury or occupational disease arising out of, and in the course of, employment are entitled to payment of medical services for treatment for that injury or illness, in accordance with applicable state laws. To expedite the receipt of benefits, employees must report any absences or accidents immediately. Proper paperwork must be filled out to process a claim.

## **10.0 ALCOHOL AND DRUG FREE WORKPLACE**

CVRPC is committed to providing a safe, healthy and efficient working environmental for all employees, and the people the organization serves. To help achieve this goal, employees are prohibited from:

- Reporting to work under the influence, or appearing to be under the influence of alcohol or non-prescribed drugs to any degree, at any time, on CVRPC property or while performing work for CVRPC;
- Abusing inhalants or prescription drugs on CVRPC property or while performing work for CVRPC;
- Unlawfully using, selling, dispensing, distributing, possessing, or manufacturing alcohol, illegal drugs, controlled substances, or narcotics on CVRPC premises or property, or while performing work on behalf of CVRPC; and

- Off-premises/off-duty abuse of alcohol and prescription/over-the-counter-drugs, as well as the possession, use or sale of illegal drugs, when these activities adversely affect job performance, job safety, or CVRPC's reputation in the community.

The legal and proper use of prescription and over-the-counter medication is permitted during work hours if it does not impair an employee's ability to perform the essential functions of his/her job effectively and in a safe manner.

CVRPC reserves the right to search and inspect all areas of the workplace and its premises for the maintenance of safe and healthy workplace. CVRPC reserves the right to conduct drug tests in accordance with federal and state laws.

Violations of this policy will result in disciplinary action, which, at CVRPC's discretion and depending on the severity of the violation, may range from required participation and successful completion in a rehabilitation program to termination of employment. Depending on the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against a staff member who violates this policy.

In accordance with the Drug Free Workplace Act, as a condition of employment, staff must notify the Executive Director within five (5) days of a conviction for any criminal drug violation occurring in the workplace. Failure to do so will result in immediate termination of employment. CVRPC, in turn, will, as required by law, report such convictions within ten (10) days of our learning of the conviction to the appropriate federal agency providing grant or contract support of the employee's position.

There may be CVRPC-sponsored, management approved occasions where alcoholic beverages will be served. Management must authorize these occasions in advance, and will be the only exception to this policy.

The Executive Director is responsible for the overall and day-to-day administration of this policy, as well as communication of the terms of this policy to employees and applicants. Any contact with law enforcement under this policy is also the responsibility of the Executive Director. In the case of this policy applying to the Executive Director, responsibility for administration of the policy rests with the Executive Committee.

## **11.0 RESOLVING WORKPLACE PROBLEMS**

### **11.1 Open Door Policy**

CVRPC has adopted an open door policy for all employees. The purpose of this open door policy is to encourage open communication, feedback, and discussion about any matter of importance to an employee. Our open door policy means that employees are free to talk with their supervisor or the Executive Director at any time about any topic.

Whether you have a problem, a complaint, a suggestion, or an observation, CVRPC wants to hear from you. By listening to you, CVRPC is able to improve, to address complaints, and to foster employee understanding of the rationale for practices, processes, and decisions.

#### Responsibilities Under an Open Door Policy

CVRPC wants to enable each employee to identify, address and resolve work concerns. If an employee is unable, or uncertain of how, to resolve a work concern on their own, the employee has a responsibility to address the concern with their supervisor or the Executive Director.



### Using the Open Door Policy

Some concerns can be resolved directly by the employee. Constructive and open communication with co-workers or clients can help identify or clarify concerns and lead to mutually agreeable solutions.

If an employee is unable, or uncertain of how, to resolve a work concern on their own, the employee should address the concern with their supervisor or the Executive Director. This does not mean that the supervisor or Executive Director will necessarily solve the problem for you. It does mean that the supervisor or Executive Director will listen and help you identify ways that you can first try to solve the problem for yourself.

Supervisory concerns should be solved in discussion with your direct supervisor or the Executive Director. If an employee has a concern or complaint about the Executive Director that they believe cannot be addressed directly with the Executive Director, the employee should bring their concern to the CVRPC Chair or the Chair's designee.

### Benefits of the Open Door Policy

By helping to solve problems, CVRPC gains valuable insight into possible problems with existing methods, procedure and approaches. While there may not be an easy answer or solution to every concern, the open door policy provides CVRPC employees the opportunity at all times to be heard.

## **11.2 Policy Against Discrimination, Harassment and Related Retaliation**

CVRPC is committed to providing and preserving a work environment free from unlawful discrimination or harassment. CVRPC prohibits unlawful discrimination and harassment because of age, ancestry, color, genetic information, disability, HIV-positive status, national origin, place of birth, race, religion, sex, pregnancy, sexual orientation, gender identity and expression, or military service/veteran status, and any other protected characteristics, recognized and as defined by applicable law. CVRPC will not tolerate harassment or discrimination by supervisors, co-workers, or others.

For the purposes of this policy, "discrimination" is defined as making decisions about the terms or conditions of a person's employment on the basis of their possessing a protected characteristic, or on the basis of related stereotypes or biases.

"Harassment" is defined as statements or conduct of a verbal or physical nature which create an unreasonably abusive or offensive work-related environment for an employee, and which would adversely affect a reasonable employee's ability to do his or her job, because of that employee's legally protected characteristic. Examples of inappropriate harassment include, but are not limited to, the following:

- Jokes, derogatory expressions or comments reasonably offensive to someone having a particular protected characteristic;
- The display or communication of graphics, cartoons or objects reasonably offensive to someone having a particular protected characteristic;
- Directing abusive, harassing, inappropriate or intimidating behavior, comments or communications toward an individual because the individual has a protected characteristic;
- Sending electronic mail messages or attachments that are offensive for the reasons described above; or

- Other conduct reasonably offensive to someone having a particular characteristic because of that characteristic.

“Sexual harassment” is a particular type of unlawful harassment which is characterized by unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to such conduct is made, either explicitly or implicitly, a term or condition of employment; submission to or rejection of such conduct by an employee is used as a component of the basis for employment decisions affecting that employee; or the conduct has the purpose or effect of substantially interfering with an employee’s work performance or creating an intimidating, hostile or offensive work environment because of the employee’s gender.

Examples of inappropriate sexually harassing activity include, but are not limited to, the following:

- Jokes, derogatory expressions, email (including attachments) or comments of a sexual nature;
- The display or communication of gestures, graphics, cartoons, email or objects of a sexual or sexually degrading nature;
- Unwelcome physical contact, flirtation or advances of a sexual nature;
- Statements or threats which imply a link between an employee’s sexual conduct and his or her employment status, advancement potential, salary treatment or other employment actions;
- Basing an employment decision such as hiring, promotion, retention, or compensation on whether an employee or applicant submits to sexual advances.

Unlawful sexual harassment may occur regardless of the genders of the employees involved. Victims can be bystanders or the individual at whom the unwelcome sexual conduct is directed. Harassment by an employee that occurs off-duty and off-premises which falls within the above definitions and which affects the work environment as described above may also constitute harassment prohibited by this policy.

Retaliation for an employee’s having filed a good faith complaint or having participated in an investigation of a complaint of harassment or discrimination is unlawful, is strictly prohibited, and will be considered a violation of this policy.

It is the primary responsibility of the person who feels harassed or discriminated/retaliated against to bring these concerns to CVRPC’s attention, as encouraged here in and in our Discrimination, Harassment and Retaliation Complaint Procedure. However, co-workers are also encouraged to report incidents or patterns of prohibited harassment, discrimination or retaliation to appropriate personnel.

### **11.3 Discrimination, Harassment and Related Retaliation Complaint Procedure**

Any employee who has a complaint of work-related discrimination, harassment, sexual harassment or related retaliation by anyone, including co-workers, supervisors, volunteers, or third parties, is urged to bring the matter to the attention of CVRPC immediately so that we may investigate and deal with the problem. Violation of CVRPC’s policies on equal employment opportunity, anti-discrimination, anti-harassment and anti-retaliation will result in disciplinary action or termination of employment.

Employees should first bring their complaint to the Executive Director, unless the complaint involves that individual or you are not otherwise comfortable making a complaint to that individual, in which case the complaint should be brought to the attention of the CVRPC Chair. CVRPC will request that a written description of the complaint be provided so that it will have a

clear understanding of the nature of the complaint. CVRPC will initiate an investigation and will endeavor to handle such complaints expeditiously.

The complaint and the investigation will be handled and treated as confidentially as possible. Disclosure will only be made on a need-to-know basis or as reasonably necessary to carry out the investigation. All employees are expected to cooperate fully with any investigation. Failure to fully cooperate as required may result in discipline or termination of employment.

When the investigation ends, a determination will be made and the results communicated to the complainant, the alleged offender, and as appropriate, to others directly involved. Based on the results of the investigation, appropriate and effective remedial action will result.

If the complainant is dissatisfied with CVRPC's action, or is otherwise interested in doing so, the complainant may file a complaint by writing or calling one of the following governmental agencies:

- **Vermont Attorney General's Office**, Civil Rights Unit, 109 State Street, Montpelier, VT 05609, (802) 828-3171 (voice/TDD).
- **Equal Employment Opportunity Commission**, 1 Congress Street, Boston, MA 02114, (617) 565-3200 (voice), (617) 565-3204 (TDD).

#### **11.4 Workplace Violence Policy**

CVRPC is committed to providing a safe workplace for all employees and the public. CVRPC will not tolerate acts of violence committed by or against its employees or members of the public while on CVRPC premises, or while performing CVRPC business in other locations.

CVRPC intends to use reasonable legal, managerial, administrative, and disciplinary procedures to secure a workplace free of violence and to reasonably protect employees and members of the public.

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Persons engaged in violent acts on CVRPC premises will be reported to the proper authorities and may be fully prosecuted.

In the interest of maintaining a workplace that is safe and free of violence, possession or use of a weapon is prohibited in CVRPC premises, except by law enforcement personnel.

##### Prohibited Conduct

CVRPC does not tolerate any type of workplace violence committed by or against employees. For purposes of this policy, workplace violence means an act or behavior that:

- Constitutes physical assault, disturbance, breach of the peace or stalking;
- A reasonable person would perceive as obsessive or intently focused on a certain person or persons and is reasonably likely to result in harm or threats of harm to people or property;
- Consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;
- A reasonable person would perceive as potentially physically harmful to an individual;
- A reasonable person would perceive as harassing or cause a reasonable person to fear unlawful sexual conduct, unlawful restraint bodily injury or death, including but not limited to verbal threats, written threats, vandalism, or non-consensual physical contact;

- Involves carrying or displaying dangerous weapons that are not exempt from this policy, destroying property or throwing objects in a manner reasonably perceived to be threatening; or
- Consists of communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual or to destroy property.

### Responsibilities

Employees and management share responsibility for ensuring that CVRPC's workplace is safe and free from violence. Employees are responsible for:

- Being generally aware of personal safety at CVRPC premises, both during working hours and after hours;
- Being generally aware of personal safety while on CVRPC business off-site;
- Bringing concerns about personal safety while conducting CVRPC business to the attention of the Executive Director. For example, this might include safety in the office, safety in the building, or safety at off-site locations where CVRPC business is conducted;
- Having a confidential discussion with the Executive Director about personal safety concerns on the job that are related to personal issues or domestic situations; and
- Refraining from acts of violence.

It is difficult to CVRPC to be proactive in ensuring a safe and violence-free workplace if employees do not communicate safety concerns to management.

The Executive Director is responsible for assessing situations, making judgments as to the appropriate response, responding to reports or knowledge of violence, and initiating the investigation process. The Executive Director is also responsible for procedures designed to reasonably:

- Achieve a prompt and appropriate response to any act of workplace violence;
- Promote accountability among employees for acts of violence committed in the workplace;
- Establish oversight of investigations of violence;
- Establish protocols to provide immediate response to serious incidents;
- Develop avenues of support for employees who experience violence; and
- Ensure that all employees are informed of this policy.

Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. Parties involved in a situation will be counseled and the results of investigations will be discussed with them.

### Dangerous/Emergency Situations

For non-emergency situations, employees should notify their direct supervisor and/or the Executive Director.

Employees who feel that their safety is threatened in the office or at a third-party site should leave if they feel that they can do so safely, go to another location where they feel safe, and inform the Executive Director as soon as possible.

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should call 911 and notify the Executive Director of the need for assistance, if it can be safely done without endangering the employee or others.

### Risk Reduction Measures

While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and inform the Executive Director if any employee or non-employee exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

- Bringing a weapon to the workplace;
- Displaying overt signs of extreme stress, resentment, hostility, or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior.

The Executive Director will maintain a confidential list of employees who have been determined to be at risk for becoming victims of violence because of the nature of their job or because they are subject to harassment, violence, or threats from a non-employee including family members. This list will include employees who self-identify that they are at-risk, and employees for whom the Executive Director becomes aware that possible violence may be a concern. The Executive Director will design a plan with at-risk employees to prepare for possible emergency situations.

## **12.0 DISCIPLINARY ACTIONS**

The Executive Director has the responsibility and authority to carry out any disciplinary action, including dismissal.

Disciplinary action will be taken to notify an employee of conduct that is improper, as outlined in these Personnel Policies, with the goal of:

- Ending such conduct and continuing his or her employment;
- Informing an employee that the employee is performing at an unsatisfactory level of service;
- Warning or deterring other employees who may be considering similar conduct; and/or
- Dismissal, when it is in the best interest of CVRPC to do so.

### **12.1 Actions Subject to Discipline**

If the Executive Director determines that an employee's behavior or job performance does not meet the standards of CVRPC, the Executive Director may take disciplinary action against the

employee. Disciplinary action may be taken for reasons that include, but are not limited, to the following:

- Neglecting or poorly performing professional responsibilities;
- Insubordination (including failing to respond to appropriate requests made by the employee's supervisor or the Executive Director);
- Fighting, swearing or otherwise acting in an unprofessional manner on the job;
- Stealing, lying, cheating or similar behavior on the job;
- Willfully destroying CVRPC or another's property;
- Unauthorized or excessive tardiness;
- Absence from work without an appropriate excuse;
- Abuse of overtime and compensatory time;
- Abuse of sick leave;
- Abuse of vacation time;
- Being intoxicated or under the influence of alcohol, illegal drugs or other substances on the job;
- Using, threatening to use, or attempting to use political influence or exerting pressure on any CVRPC employee or official in securing promotion, increased pay or other benefits;
- Violating state or federal laws related to the employee's job or to issues of public safety, including discrimination, harassment, sexual harassment, workplace violence, etc;
- Generally unacceptable conduct which adversely affects the work capability of CVRPC;
- Conviction of a felony or any criminal conviction that tends to bring CVRPC into disrepute;
- Any violation of written CVRPC policies and procedures;
- Failure to discharge public obligations; or
- Any other act of misfeasance, malfeasance or nonfeasance.

## **12.2 Disciplinary Action for Staff**

All employees are employees-at-will and may be suspended or dismissed without any prior notice, cause, or reason.

Whenever possible, the Executive Director will not resort to formal disciplinary measures until informal attempts to correct the problem have failed; however, the Executive Director may decide to proceed immediately to disciplinary action.

Disciplinary action may include, but is not limited, to the following:

- An oral warning that an employee's behavior or performance needs improvement (this may include an oral or written performance improvement plan with specific dates of review)
- A written warning;
- Suspension from employment, with or without pay;
- Denial of promotion and/or raises;
- Demotion;
- A probationary period; and/or
- Dismissal.

Generally, lesser offenses will receive lesser consequences; repeated offenses will receive more serious consequences. However, the Executive Director will determine the appropriate consequence and may impose any consequence deemed appropriate. Different consequences

may be imposed for similar actions (or inactions) depending on the circumstances, the individual employee's job record, the business needs of CVRPC at the time, or other considerations.

Verbal warnings will be documented. The Executive Director will prepare a memo specifying the date of the occurrence and subject matter of a verbal warning. This memo will be added to the employee's personnel file.

Written warnings will include the date of the violation, description of the violation, indication of necessary improvement, and information concerning further disciplinary action that may result from failure to show improvement. Documentation of written warnings will be signed by the Executive Director and the employee and kept in the employee's personnel file. The signature of the employee indicates only receipt of the document, not necessarily his or her agreement with it.

### **12.3 Disciplinary Action for the Executive Director**

The Executive Director is subject to discipline for the actions identified above. The Executive Committee will follow the procedures identified above in disciplining the Executive Director. Dismissal of the Executive Director requires action of the Commission, upon recommendation of the Executive Committee. The Executive Committee may, at its discretion, negotiate a severance package.

## **13.0 RESIGNATION AND TERMINATION**

### **13.1 Resignation**

Exempt employees who intend to resign are asked to notify the Executive Director in writing a minimum of one month in advance. Non-exempt employees are asked to give a minimum of two (2) weeks written notice. In the case of the Executive Director, written notice should be given to the CVRPC Chair.

Employees resigning voluntarily will receive their final paycheck on the next regular payday following their effective resignation date. Payment for accrued but unused vacation time, up to the maximum accumulation amount, will be included with the final paycheck.

### **13.2 Termination**

All employees are employees-at-will and may be suspended or dismissed without any prior notice, cause, or reason.

#### Staff Reductions

Occasionally, staff reductions may occur at the discretion of the Commission, because of circumstances such as a lack of sufficient funding for programs, lack of need for programs, or program reorganization.

If CVRPC decides to reduce staff members, affected employees will receive notice as early as possible, but at least 30 days notice will be given. Affected employees are encouraged to apply for any openings in other CVRPC programs for which the employee qualifies. If there are no suitable openings for which the employee is qualified, or if the employee applies for and is not hired for any openings that exist, the employee will be terminated. Payment for accrued but unused vacation time, up to the maximum accumulation amount, will be included with the final paycheck.

### Involuntary Dismissal

An employee may be involuntarily dismissed at will. Notwithstanding the disciplinary procedures set forth above, an employee may be dismissed without full process for dishonesty, insubordination, misconduct, job abandonment or other circumstances, which in the judgment of the Executive Director, require immediate dismissal.

Employees who are involuntarily discharged will receive pay for the time worked up to the date of discharge and any applicable benefits within 72 hours of the discharge, per Vermont law.

### **13.3 Exit Process**

All resigning or terminated employees will have an exit meeting with the Executive Director, or his or her designee, during the last week of employment. During the meeting, the employee will complete and sign all necessary forms and arrange to relinquish possession of keys. The employee will verify his or her current address and telephone number and arrange for release of a final paycheck.



**APPENDIX A**  
**Central Vermont Regional Planning Commission**  
**Summary Description of Benefits<sup>1</sup>**

*Effective 01/01/22*

Eligibility for these benefits is outlined in CVRPC’s Personnel Policies Manual. CVRPC reserves the right to change, delete or amend these plans or CVRPC’s contributions at any time. The Executive Committee approves any changes to employee benefits. Benefits are pro-rated based on regular work hours.

**Health Insurance**

CVRPC offers full choice of plans available plans through MVP and Blue Cross Blue Shield of Vermont (BCBSVT) to meet the specific needs of you and your family. A description of plans is available upon request.

CVRPC contributes premium amounts equal to 100% of the premium for the MVP HDHP Gold 3 Plan for employees and family members. This is plan qualifies for a Health Savings Account (see Flexible Spending Account). The value of this benefit is:

Single	2 Person	Parent/Child(ren)	Family
\$8,198.88	\$16,397.76	\$15,823.80	\$23,038.80

Employees may choose a higher value plan and contribute the cost difference through payroll deduction.

Employees are responsible for paying 100% of any deductibles and co-pay amounts required by individual plans.

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 the annual CVRPC insurance contribution value to the employee based on the employee’s eligibility, subject to taxes, through regular payroll contributions.

**Dental Insurance**

CVRPC offers dental insurance through Northeast Delta Dental’s Group B2 program. A description of the plan is available upon request.

CVRPC pays 100% of the premium for employees and family members. The value of this benefit is:

1 Person	2 Persons	3 or More Persons
\$ 431.76	\$812.76	\$1,436.76

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<sup>1</sup> Any ambiguity, conflict or inconsistency between the description of benefits in the main body of this Personnel Policy Manual or benefit plan policy and this Appendix shall be resolved according to the following order of precedence: a) benefit plan policy, b) CVRPC Personnel Policy Manual main body text, and c) Appendix A.

Employees are responsible for paying 100% of any deductibles and co-pay amounts required by individual plans.

### **Flexible Spending Account**

CVRPC's Flexible Spending Account Plan allows employees to have money deducted from their paycheck, on a pre-tax basis, which can then be used throughout the year to reimburse themselves for certain out-of-pocket health care and/or dependent care expenses. Because this money is taken from an employee's salary before taxes are deducted, it allows the employee to pay these expenses tax-free.

*Health Saving Account* – Employees participating in high deductible health plans may elect to establish a health savings account as allowed by the Internal Revenue Service, and may contribute funds through pre-tax payroll deductions at the employee's expense. This account provides reimbursement for most health care expenses not covered by insurance. Examples include: copayments, deductibles, dental expenses, and vision care expenses. For CY 2022, employees can have up to \$8,300 deducted for their Health Care Account depending on their eligibility.

*Dependent Care Account* – This account provides reimbursement for eligible dependent care<sup>2</sup> expenses to pay for dependent care (child or elder) while you are working. Examples include: Daycare services, after school care, baby-sitting fees, adult day-services, and preschool. For 2022, employees can have up to \$5,000 deducted for their Dependent Care Account depending on their tax filing status.

### **Retirement**

CVRPC provides a Simplified Employer Pension (SEP) Plan. CVRPC contributes 5% of the annual salary for each full time employee. Contributions are made quarterly. Full time employees are eligible for the pension plan following one full year of employment. Employees pay all fees associated with their accounts and investments.

Through the convenience of payroll deduction, employees may invest part of their income in a tax-deferred, self-directed investment program. CVRPC participates in the State of Vermont Deferred Compensation Plan (457 Plan.). Deferred Compensation is a savings and investment plan for retirement. The Vermont State Retirement System oversees the investment options and established the plan. All contributions can be made on a pre-tax or after tax basis depending upon the accounts selected by the employee. Participation in the Deferred Compensation plan is voluntary. The employee determines how much the employee wishes to contribute to the plan. That amount is then deducted from the employee's paycheck and transferred directly to the employee's Deferred Compensation account.

### **Life Insurance**

CVRPC provides life insurance of \$50,000 per employee for employees working 30 or more hours. CVRPC pays 100% of the premium.

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<sup>2</sup> Dependent care typically means childcare. It also can mean a spouse or other adult who can be claimed as a dependent on the employee's federal tax return.

**Disability Insurance**

CVRPC provides short and long-term disability insurance of up to \$500 per week depending on an employee's salary for employees working 30 or more hours. CVRPC pays 100% of the premium.

**Remuneration Benefit**

Remuneration benefits related to compensatory time, holiday, sick and vacation time are outlined in CVRPC's Personnel Policies.

**APPENDIX B**  
**CVRPC Wage Ranges**

*Adopted October 31, 2022*

<b>Job Title</b>	<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>
Executive Director	\$90,000	\$105,000	\$120,000
Finance Manager	50,000	65,000	80,000
Bookkeeper	34,770	49,530	60,000
Office Manager	40,000	47,500	55,000
Program Manager	55,000	67,500	80,000
Senior Planner	50,000	60,000	70,000
Planner	40,000	49,000	58,000
Assistant Planner	38,000	41,500	45,000
Planning Technician	27,000	31,500	36,000

**APPENDIX C**  
**Job Descriptions**

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### JOB DESCRIPTIONS INTRODUCTION

The Central Vermont Regional Planning Commission's job descriptions articulate the most important outcomes needed from employee performance within each position. The job descriptions are a tool to inform employees where their job leaves off and the job of another employee begins, where their job fits within the overall organizational framework, and what to expect from other employees

Job descriptions for planners and program managers include the basic description plus one or more major area(s) of work as noted in each description. Staff may have a special project related to a major area of work without it being assigned as a major area.

The job descriptions are an integral piece of the performance development and appraisal process. An employee must demonstrate the requisite skills and abilities have been required within an existing position and characteristic duties of a position can be successfully completed before being promoted to a higher-level position.

Progression within positions is characterized generally by:

- increasingly complex knowledge of one or more planning disciplines or, in the case of non-planning positions, by increasingly complex knowledge in the position's field;
- increasingly complex knowledge of state and federal law;
- the ability to tailor implementation tools to increasingly complex circumstances;
- the ability to conceptualize, plan, carry out, and manage increasingly complex projects and programs; and
- the ability to manage increasing complex work groups.

The job descriptions encourage employees to grow within their position and contribute over time to CVRPC. An employee's job is subject to change for personal growth, CVRPC's organizational development, and/or evolution of new technologies.

CVRPC will provide opportunities for professional development. It will work to assist its staff to acquire skills and knowledge within a position and provide coaching to enable progression to the next position. Development opportunities may include, and are not limited to:

- access to employees doing the job currently;
- training classes and professional conferences;
- on-the-job developmental opportunities;
- job shadowing;
- mentoring;
- promotions;
- coaching from supervisor; and
- a formal succession planning process.

Employee initiative is a large part of professional development. Employees are expected to maintain, and progress in, professional skills and knowledge, and to apply that knowledge for the benefit of CVRPC, its member communities, and its partners and funders.

*Adopted: 5/2/16*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Cross-Discipline Duties

##### *Public and Community Engagement*

- Serve as staff support and a technical resource for standing and advisory committees established by CVRPC and for various modal or project based committees, including conducting orientation meetings with new committee members.
- Develop draft correspondence, reports, presentations, publications, newsletter, press releases, and digital media articles.
- Prepare contact lists, surveys, databases, and mailings, and coordinate printing and distribution as necessary.
- Establish and maintain effective working relationships with government officials at all levels, private groups, the press, and the public.
- Attend meetings with local and regional officials, boards, and committees as needed.
- Work with, and be responsive to, local officials and the public on matters of local and regional planning.
- Respond to requests for information and data.
- Serve on committees of statewide or regional focus to represent CVRPC's interests.
- Represent the region on regional and state projects during their development.
- Conduct informational meetings and public hearings.
- Prepare and implement public engagement plans for Major Area of Work.

##### *Training and Education*

- Organize and/or conduct trainings, conferences, and educational workshops for local officials, regional commissioners, and/or the general public.
- Develop handbooks, templates, and model documents for use by local boards and officials.
- Maintain and update CVRPC's digital and hard copy files, federal and state data, and library resource materials.
- Monitor relevant legislation and inform the Executive Director and other staff of legislation development and potential impacts.

##### *Municipal Technical Assistance*

As they relate to Major Areas of Work, provide technical assistance to member municipalities in areas including, but not limited to:

- comprehensive plan and bylaw development and adoption;
- local bylaw administration and project reviews;
- municipal ordinances and policies;
- growth management;
- project development including use of non-regulatory tools to achieve Major Area of Work and community development goals;
- grant writing, project development, and grant administration;
- special studies; and
- proper procedures and compliance with state and federal law.

### ***Regional Planning***

- Participate in, assist with, and/or serve as project coordinator/manager for special projects and regional planning efforts as assigned, including but not limited to: data collection, analysis, and report/draft preparation associated with regional plan development and updates, other Commission work areas, and special studies.
- Participate in state planning efforts. Review state agency plans, policies and programs for conformance with regional planning efforts. Prepare draft responses to public and agency correspondence for review by the Executive Director.
- Coordinate local and regional planning activities with state and federal agencies.
- Provide primary technical planning support to other Commission staff, CVRPC and its standing and advisory committees, and other groups as assigned.
- Undertake professional technical analysis, prepare written reports, and/or make public presentations as needed.
- Identify municipal and regional needs, develop projects and funding applications to meet those needs, and manage implementation projects.
- Develop project budgets, administer bidding process, and verify contract expenditures and compliance as needed.
- Work with the Finance/Office Manager and Executive Director on administration and management of relevant planning program, including, but not limited to:
  - preparing and administering project proposals, funding applications, work plans, budgets, and contracts; and
  - soliciting, managing, and supervising contractors.
- Carry out the Local Liaison Role as outlined in the DEMHS/RPC Memorandum of Understanding when requested by CVRPC's emergency management staff.

*Adopted: 5/2/16*



## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Land Use

##### *Municipal Technical Assistance*

- Provide technical assistance to member municipalities regarding proper procedures and compliance with 24 V.S.A, Chapter 117.
- Conduct municipal consultations and the municipal plan regional approval process per 24 V.S.A., Chapter 117. Serve as staff support and a technical resource for CVRPC's Town Plan Review Committee.

##### *Regional Planning*

- Serve as staff support and a technical resource for CVRPC's Regional Plan Committee.
- Conduct project reviews and participate on behalf of CVRPC in state regulatory proceedings, including but not limited to Act 250 and Section 248 hearings. Serve as staff support and a technical resource for CVRPC's Project Review Committee.
- Maintain and update CVRPC's planning and permit tracking databases and files and US Census and other federal and state data.
- Carry out activities in CVRPC's Agency of Commerce and Community Development performance-based agreement.

*Adopted: 5/2/16*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Transportation

##### *Municipal Technical Assistance*

- Provide technical assistance to member municipalities regarding proper procedures and compliance with state and federal transportation law.
- Collect and evaluate data that assists municipalities to inventory, assess, and address deficiencies in transportation infrastructure, and to plan for future transportation needs. Activities include, but are not limited to: traffic, bicycle and pedestrian, and park-and-ride counts; infrastructure assessments; road erosion inventories; and speed studies.

##### *Regional Planning*

- Consult with Vermont citizens and local officials on transportation policy, planning and project development and carry out activities in CVRPC's Transportation Planning Initiative agreement.
- Serve as staff support and a technical resource for the region's Transportation Advisory Committee.
- Work with the Finance/Office Manager and Executive Director on administration and management of the regional transportation planning program, including, but not limited to preparing and administering project proposals, work plans, budgets, and contracts, and soliciting, managing, and supervising consultants.
- Assist in the development of short- and long-range studies and Regional Plan updates.
- Consult with other staff on project reviews as they relate to transportation issues, including but not limited to Act 250 and Section 248 hearings and state facility siting.
- Participate in multi and intermodal transportation planning and policy development.
- Provide transportation planning support to special projects in all areas of community and economic development.
- Staff the State Emergency Operations Center when activated by the Department of Emergency Management and Homeland Security.
- Carry out activities in CVRPC's Transportation Planning Initiative agreement with the Vermont Agency of Transportation.

*Adopted: 5/2/16*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### **Geographic Information Systems**

In addition to the knowledge and skills outlined elsewhere, progression within this position range is characterized by increasingly complex knowledge of GIS applications and land use planning, and by increasing ability to envision planning objectives and to translate planning issues into GIS applications, to prepare GIS analysis and present comprehensive reports, and to conceptualize, prepare and administer technical projects, work plans, budgets and contracts.

#### ***Geographic Information Systems Services***

- Plan for the long-range GIS needs of the region, including the maintenance and improvement of CVRPC's spatial databases and related map products.
- Provide GIS services, including comprehensive spatial analyses, to CVRPC, the region's municipalities, and other stakeholders.
- Complete map production activities in accordance with VCGI standards.
- Work with other regional planning commissions and local, state, and federal GIS stakeholders to enhance the region's GIS databases and educational programs.
- Coordinate with the Executive Director and other staff regarding related GIS, technical and financial contract elements, grant proposals, requests for proposals. Prioritize, execute and/or technically oversee GIS projects.
- Ensure the quality and timeliness of GIS-related work performed by CVRPC.
- Staff the State Emergency Operations Center when activated by the Department of Emergency Management and Homeland Security.

#### ***IT Administration***

- Manage CVRPC's IT infrastructure.
- Develop CVRPC's digital equipment replacement plan and oversee the purchase and maintenance of all IT equipment, products, and software.
- Manage CVRPC's website, workstations, network, internet access, server and printers including backups, upgrades, replacements and limited repairs.
- Interface with CVRPC's Internet Service Provider, telephone and computer-related vendors.
- Provide IT support to other staff, including user education.

*Adopted: 5/2/16*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Emergency Management

In addition to the knowledge and skills outlined elsewhere, progression within the position range is characterized by increasing ability to knit emergency preparedness activities and hazard mitigation initiatives into other municipal and regional initiatives.

##### *Municipal Technical Assistance*

- Provide technical assistance to member municipalities regarding proper procedures and compliance with state and federal hazardous materials law.
- Assist communities with the incorporation of federal government's National Incident Management System (NIMS) and Incident Command Structure (ICS) into emergency management operations.
- Assist communities with the development of Local Emergency Operations Plans to ensure consistency with the State of Vermont Emergency Operations Plan and federal NIMS requirements.
- Work to secure purchases of equipment via Homeland Security Funds, following appropriate federal and state procurement guidelines.
- Serve as liaison between local first response agencies and Vermont Public Safety officials to ensure State Emergency Management objectives are met.
- Assist communities with the development of Local Hazard Mitigation Plans following FEMA and Vermont Department of Emergency Management and Homeland Security (DEMHS) guidelines. Provide technical assistance to integrate those plans into municipal and regional comprehensive plans.
- Assist municipalities to maintain and increase their Emergency Relief Assistance Fund (ERAF) rating.
- Conduct infrastructure assessments that assist municipalities to inventory, assess, and address deficiencies in emergency response infrastructure, and to plan for future infrastructure needs.
- Educate municipalities and other stakeholders about the National Flood Insurance Program (NFIP) and the Community Rating System (CRS). Provide assistance to meet program requirements.

##### *Regional Planning*

- Carry out activities in CVRPC's Emergency Management Performance Grant agreement with the Department of Emergency Management and Homeland Security.
- Serve as staff support and a technical resource for Local Emergency Planning Committee (LEPC) #5 to ensure its statutory responsibilities for hazardous materials planning under Title III of the Superfund Amendments and Reauthorization Act (a.k.a. SARA Title III or Emergency Planning and Community Right-to-Know Act) are met.
- Develop and/or distribute emergency preparedness messages for the public to/for local media outlets.
- Coordinate all-hazards emergency planning efforts with local Public Service District (PSD)-A organizations, municipalities, public safety departments, hospital, Vermont Department of Health, Vermont Agency of Transportation, and Vermont Department of Emergency Management and Homeland Security.

- Provide project management for delivery of LEPC-related hazardous materials exercises.
- Meets with staff from municipalities, schools, hospital, public health, fire, law enforcement, rescue, and businesses to provide assistance in developing emergency plans for facilities and to coordinate use of county resources during an emergency.

***State Support***

- Participate in required and optional trainings and exercises to expand knowledge and skills for various emergency management roles.
- Staff the State Emergency Operations Center when activated by the Department of Emergency Management and Homeland Security.
- Carry out the Local Liaison Role as outlined in the DEMHS/RPC Memorandum of Understanding.
- Ensure CVRPC meets its performance requirements for the Agency of Commerce and Community Development's Business, Agriculture, Historic and Cultural Damage Assessment online information collection system.

*Adopted: 5/2/16*

# CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## MAJOR AREAS OF WORK

### Natural Resources

- Draft and update local and regional natural resource plans, gather local and regional data, assist municipalities to draft and implement natural resource conscious land use regulations and policies, and design and implement projects and programs to protect, conserve, and use natural resources.
- Provide assistance to municipalities and engage with stakeholders to enhance and protect critical forest blocks, wildlife habitat and habitat connectors, agricultural lands, and water and mineral resources; to address invasive species impacts; and to foster robust forest and agricultural products and mineral resources economies.
- Assist member municipalities with meeting the requirements of Act 64, the Lake Champlain Total Maximum Daily Load Plan, and state and federal water quality rules, procedures and law.
- Engage municipalities in design and implementation of Green Stormwater practices and in adopting Green Infrastructure policies and practices.
- Develop strategies and tools for regions and municipalities to maintain and enhance environmental health.
- Work with local and regional partners to develop and implement projects to support natural resources and community health.
- Design and deliver educational and outreach programs and engage stakeholders in regional conversations about state and local natural resource initiative, natural resource goals, and actions that can be taken to address them.
- Work with the Office Manager, Accountant, and Executive Director on administration and management of the Clean Water Service Provider program.
- Prepare and administer project proposals, grant applications, work plans, budgets, and contracts.
- Solicit, supervise, and manage consultants and subcontractors.
- Prepare and present comprehensive reports.
- Manage projects by developing and monitoring budgets, planning activities, preparing requests for qualifications and proposals, reviewing contracts, managing vendors, ensuring robust communication, completing reporting, and participating in the invoicing process.
- Assist municipalities and the region to measure and track metrics for success.
- Monitor federal, state and/or local regulations and guidance and recommend actions to achieve compliance with climate and energy policies and practices.
- Serve on committees of statewide or regional focus to represent the interests of the CVRPC and the region.
- Prepare and administer project proposals, grant applications, work plans, budgets, and contracts.
- Prepare and present comprehensive reports.

*Adopted: 11/01/21*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Brownfield Redevelopment

##### *Community Engagement*

- Serve as staff support and a technical resource for CVRPC's Brownfield Advisory Committee and site-based committees.
- Develop marketing materials targeting private and public property owners, lenders and developers.
- Conduct marketing to leverage developer/lender interest in properties.
- Hold and facilitate public meetings related to program goals and site specific public engagement needs.

##### *Site Assessment and Management*

- Develop and actively manage a portfolio of brownfield sites.
- Provide technical assistance and support to site owners and prospective developers, including obtaining required site documentation, liaising with municipal, state and federal officials and staff, and anticipating and responding to inquiries.
- Assist the Advisory Committee to rank and prioritize sites.
- Verify site eligibility in accordance with program requirements.
- Hire, manage, monitor, and evaluate environmental contractors.
- Hire, manage, monitor, and evaluate attorneys and other service professionals.
- Conduct planning meetings with state and federal staff and environmental contractors.
- Ensure environmental studies are completed in accordance with state and federal requirements.
- Review and comment on Quality Assurance Project Plans and site specific reports, plans, and other documents.
- Perform public outreach and involvement in site specific cleanup and reuse planning.
- Support site assessment and redevelopment by tracking grant and financing opportunities and assisting in preparing applications.

##### *Regional Planning*

- Carry out activities in CVRPC's Brownfield Cooperative Agreements.
- Develop and revise plans, codes, standards, and ordinances which relate to environmental protection and assist communities to avoid future brownfields and their potential impacts.

*Adopted: 5/2/16*

## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Climate and Energy

- Draft and update local and regional energy and climate action plans, guide municipalities and the region through renewable energy siting, gather local energy/carbon data, and assist municipalities to draft and implement energy and climate conscious land use regulations and policies.
- Research and recommend to municipal and regional officials key energy implementation measures necessary to reduce energy use, increase use of renewable energy, and decrease fossil fuels use in the heating, transportation, and electricity sectors.
- Research and recommend to municipal and regional officials key climate change implementation measures necessary to mitigate and adapt to climate change, build community resiliency, and manage risk that results from climate change.
- Design and deliver educational and outreach programs and engage stakeholders in regional conversations about state and local initiatives; about energy efficiency, conservation, and development; and about climate change resilience and risk management; energy and climate goals; and actions that can be taken to address them.
- Design and implement projects and programs that have a transformative effect on individual and community energy use and respond to the social and biological impacts of climate change.
- Manage projects by developing and monitoring budgets, planning activities, preparing requests for qualifications and proposals, reviewing contracts, managing vendors, ensuring robust communication, completing reporting, and participating in the invoicing process.
- Assist municipalities and the region to measure and track metrics for success.
- Monitor federal, state and/or local regulations and guidance and recommend actions to achieve compliance with climate and energy policies and practices.
- Serve on committees of statewide or regional focus to represent the interests of the CVRPC and the region.
- Prepare and administer project proposals, grant applications, work plans, budgets, and contracts.
- Prepare and present comprehensive reports.

*Adopted: 11/01/21*



## CENTRAL VERMONT REGIONAL PLANNING COMMISSION

### MAJOR AREAS OF WORK

#### Other Areas of Work

CVRPC continually strives to increase the breadth of services to its member municipalities and State and Federal agencies. The following areas represent additional areas of work for CVRPC that may evolve into Major Areas of Work in the future.

#### *Housing*

- Support public awareness campaigns related to housing, housing issues, and partnerships concerned with the availability and affordability of housing.
- Work with abutting regional commissions to understand growth pressures and plan to mitigate possible impacts.
- Craft regional policies with the understanding that choices on transportation, economic development, basin planning, etc. impact the supply and cost of housing.
- Review development plans to ensure that projects create housing, and do so in an appropriate way and in an appropriate location.
- Assist municipalities in addressing the location, type, scale, energy efficiency, and density of housing in local plans and regulations.
- Assist municipalities with public sewer and water improvement projects, environmental due diligence, housing planning and construction grants, and revisions to regulations to allow the adaptive reuse of space in abandoned or underutilized buildings for housing and to increase housing density as desired.

#### *Agriculture and Food Systems*

- Support local and regional food systems planning.
- Assist communities to develop and support agricultural and agripreneurism enterprises.
- Facilitate municipal and agricultural transition to composting requirements.
- Develop and implement strategies and tools for regions, municipalities, and landowners to maintain and enhance agricultural viability.

#### *Healthy Communities*

- Assist the health community and municipalities to implement a Health in All Policies approach aimed at improving community health outcomes.
- Work with local, state, and national partners to prevent chronic diseases and reduce health gaps through development and promotion of lasting strategies that help people make healthy choices where they live, learn, work, and play.
- Design and implement projects and programs that have a transformative effect on community health.

#### *Community and Economic Development*

- Provide technical assistance to member municipalities and non-profit partners for facility and service projects that further community development, such as health care, libraries, schools, social services, cultural institutions, water and wastewater, housing, and a positive civic ethic that promotes growth, cooperation, and inclusion.

- Assist residents, governments, businesses, organizations, and institutions to pursue and utilize broadband infrastructure and technology.
- Assist in the creation of new cross sector partnerships, the identification of broadband technology gaps, and the creation of regional and statewide strategies and actions.

*Adopted: 12/5/16*

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION**  
**EXECUTIVE DIRECTOR**

**Job Description**

FLSA Status: Exempt

Reports To: Executive Committee

**SUMMARY**

The Executive Director provides overall leadership and management of the organization's activities and builds relationships with member municipalities, community stakeholders, government agencies, and the legislature to achieve regional goals. The Executive Director assists the Board with policy and program development and implementation; trains, guides, and evaluates staff and represents staff interests before the Board; and acts as the Commission's principal representative. The Executive Director may have professional planning and production obligations.

The Executive Director takes direction from, and is responsible to, the Board of Commissioners and the Commission's Executive Committee.

**DUTIES AND RESPONSIBILITIES**

- Provide organizational leadership to support the Board of Commissioners and the Executive Committee in establishing policy, setting priorities, and updating bylaws.
- Manage services and resources to achieve organizational priorities.
- Develop and maintain effective relationships with member municipalities, regional organizations, State and Federal agencies, the Vermont General Assembly, the Governor's office, and the public.
- Manage human resources, including preparation of position descriptions, assignment of responsibilities, and recruitment, employment, development, evaluation, and release of staff; supervise the staff of the organization, either directly or indirectly through senior staff.
- Design, implement, and manage an annual work program and budget; manage preparation of monthly and annual reports of Commission activities, income and expenditures.
- Develop or review, and oversee contractual and grant agreements entered into by the Commission, in accordance with federal and state requirements.
- Assess trends and legislation, introduce new ideas, and manage change within the organization while evidencing a commitment to overarching concerns, such as social equity, climate change, and community sustainability, and resilience.
- Encourage and implement diversity, equity, inclusiveness, and belonging in the organization and the planning process.
- Attend professional meetings and conferences as time and financial resources permit.

**SKILLS, ABILITIES, & KNOWLEDGE**

- Effective leadership, appropriate to all levels of staff, Commission, government entities, and public.
- Proven management skills and ability to manage day-to-day operations.
- Ability to present ideas and findings, both written and orally, clearly and concisely.

- Ability to establish and maintain effective working relationships with a variety of individuals and groups.
- In-depth knowledge of public governance processes and managerial best practices.
- Ability to prepare, administer, and implement adopted policies and objectives, complex projects, plans and grant programs.
- Strategic thinking and analytical skills.
- Strong problem-solving and negotiation skills.
- Knowledge of the theory, principles, and techniques of the planning profession and development process.
- Knowledge of federal, state, and local laws, ordinances, and codes pertaining to planning topics.
- Knowledge of principles of personnel management, including supervision, training, and performance evaluation.
- Knowledge of the principles of budgeting and finance.
- Knowledge of computer applications, including Microsoft Office, Internet applications, and GIS as a planning tool.

### **PREFERRED QUALIFICATIONS**

- Proven expertise as an Executive Director or in leadership or managerial positions. Master's degree in planning, public administration or closely related fields with 10 years of progressively responsible planning and management experience preferred. A Bachelor's degree and 12 years of experience may be substituted for a Master's degree. Five years of experience in supervisory roles preferred.
- Experience in developing strategies and plans.
- Demonstrated ability to work with people, information, and agencies in problem solving and program development is essential.
- Direct experience with budget formulation and management.
- Ability to supervise staff and support staff effectively.

### **WORK ENVIRONMENT/CONDITIONS**

- Duties are primarily indoors in an office setting; may include limited field work.
- Work will be required throughout the region with occasional meetings and events in other locations.
- Attendance at evening meetings and occasional weekend meetings or events is required.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or lawfully authorized to work in the United States.

### **DISCLAIMERS**

- The above information is intended to describe the general nature of this position and should not be considered a comprehensive statement of duties, activities, responsibilities, and requirements. Additional duties, activities, responsibilities, and requirements may be assigned, with or without notice, at any time.
- This job description is neither an employment contract nor a promise of work for any length of time.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Central Vermont Regional Planning Commission is an Equal Employment Opportunity employer. Employees must be committed to working effectively with diverse community populations and are expected to strengthen such capacity.

*Adopted 10/31/22*

## **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

### **OFFICE MANAGER**

#### **Job Description**

##### **GENERAL DESCRIPTION**

The Office Manager position improves the Commission's customer service and staff retention by creating a productive work environment and ensuring our team gets the support it needs. The Office Manager creates, monitors, and continually seeks to improve office operations, procedures, and resources. This position requires an attention to detail, the skills of a diplomat, and the ability to respond quickly to changing workloads.

The Office Manager works independently under the general direction of the Executive Director and provides administrative support to planning staff and Commission. It is the position's responsibility to deal regularly with, and represent the Commission to, a variety of outside institutions, government and insurance agencies, and vendors.

Work is primarily at the CVRPC office and attendance at limited evening meetings is required. Limited field work may be required. This is a part-time position for ~24-28 hours per week.

##### **CHARACTERISTIC DUTIES**

- Develop, administer, and improve business management processes, systems, and policies, such as employee benefits, insurance, contracts, fixed assets, leases, and purchases.
- Review and implement procedural and policy changes to improve operational efficiency and maintain compliance with state and federal laws and best practices.
- Work with the Executive Director and staff to ensure an accurate, timely, efficient, and transparent process for the entire grant life cycle, from proposal to close; develop, administer, and train staff on policies, systems, and documentation to ensure grant compliance; surface and address issues.
- Maintain digital and hard copy filing and record-keeping systems; assist planners with database entry, record keeping, and filing.
- Maintain the condition of the office, arrange for necessary repairs, and secure and manage office-related contractors.
- Maintain office equipment; coordinate purchase and installation of equipment.
- Order and manage inventory of office supplies.
- Maintain mailing lists and records, manual and computerized; coordinate mailings; retrieve, and distribute mail.
- Organize staff, Commission, and other meetings as assigned by arranging meeting locations, distributing/posting agendas, and taking minutes.
- Oversee recruitment and training of new staff, including facilitating the hiring process, completing on-boarding activities, and training on office policies and procedures.
- Serve as principal receptionist; answer phone and greet visitors; take messages; answer basic questions related to Commission functions, services, policies, and procedures.
- Fill requests for information; assist in data collection and analyses and report production; provide clerical support, including the photocopying and distribution of materials.
- Edit newsletters and reports; prepare annual reports; prepare special reports and projects.

- Manage social media and website.
- Pursue professional development opportunities that expand knowledge and skills.
- Support accounting functions by making bank deposits, entering account payables, tracking paid time off, and assisting finance staff with capital budgets for municipalities.

### **TYPICAL KNOWLEDGE**

- Considerable knowledge of data, administrative management, and business principles and practices and procedures.
- Knowledge of clerical practices and procedures.
- Demonstrated knowledge of human resources management practices and procedures.
- Knowledge of OMB's Uniform Guidance at 2 CFR Part 200 and Vermont Agency of Administration policy, procedure, and guidance.
- General knowledge of computer systems, office software packages,
- Familiarity with the operations and management of typical office equipment and office support systems.

### **TYPICAL SKILLS**

- Attention to detail.
- Ability to prioritize duties and work on several issues simultaneously to meet firm deadlines.
- Ability to develop and implement administrative procedures and evaluate their effectiveness.
- Ability to supervise and to exercise discretion in applying policies.
- Ability to communicate effectively orally and in writing and to work independently.
- Ability to be proactive to initiate actions as needed.
- Self motivated to learn new concepts and to participate in new projects.
- Strong administrative, analytical, and communication skills.
- Ability to problem solve with computers and manage computer files.
- Comfort working in a fast-paced environment.

### **MINIMUM QUALIFICATIONS**

- Associates degree in business or equivalent required (B.A. or B.S. preferred) and at least 3 years of similar administrative experience in an office setting or a high school diploma with at least 6 years of similar experience.
- Proficiency in Microsoft Office suite required.
- Strong administrative, analytical, and communication skills essential.
- Ability to work effectively with staff, board members, and the public essential.
- Relevant knowledge of grant management and contract administration highly desirable.
- Working knowledge of QuickBooks desirable.
- US citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 1/2/18*

## **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

### **FINANCIAL MANAGER**

#### **Job Description**

#### **GENERAL DESCRIPTION**

The Financial Manager position performs professional level accounting work in the maintenance, review, and reconciliation of financial records to ensure compliance with accepted accounting principles and standards. This position is responsible for all fiscal operations for the Commission including budget development, analyzing financial reports, programs, costs, payments and/or accounting processes, sub-recipient audits, and coaching and monitoring staff in conformance with federal and state program fiscal requirements.

The Financial Manager works independently under the general direction of the Executive Director, and provides administrative support to planning staff and the Commission's Treasurer. It is the position's responsibility to deal regularly with, and represent the Commission to, a variety of outside financial institutions, government agencies, vendors, and accountants.

Work is required primarily at the CVRPC office and attendance at limited evening meetings is required. Limited field work may be required, primarily in association with sub-recipient and contractor monitoring. This is a part-time position for ~16-24 hours per week.

#### **CHARACTERISTIC DUTIES**

- In consultation with the Executive Director and the Commission's Treasurer, plan and oversee all financial management systems of the Commission, including accounting, employee payroll and benefits, grants and contracts, fixed assets, cash flow, investment, loans; develop and/or modify financial systems and policies in accordance with government regulations and organizational needs.
- Perform a full range of professional bookkeeping, accounting and financial analysis functions, including account balancing and reconciliation; payroll and tax reporting; cash flow, investment, and loan management; end-of-year account auditing and closing functions; indirect proposal preparation; and data compilation and analysis as part of budget planning.
- Prepare financial statements, summaries, and a wide variety of fiscal/business reports for internal use and as required by outside agencies.
- Prepare for, coordinate, and manage the annual external audit and financial reviews.
- Develop and monitor the budget, and prepare budget and other financial forecasts.
- Provide financial support and interact with outside organizations served by the Commission, such as the Wrightsville Beach Recreation District, Cross Vermont Trail Association, Local Emergency Planning Committee #5, and any new customers.
- Examine financial and legal documents to verify accuracy and adherence to financial regulations and acceptable financial principles.
- Develop or recommend solutions for problems or situations.
- Serve as the Commission's expert on state and federal grant compliance and interpretation; translate requirements into operational policies and systems and ensure compliance.
- Train staff as it relates to grant administration, federal and state guidance and compliance policies, and organizational financial policies.



- Design and manage the due diligence and monitoring process for sub-recipients; surface and address issues; provide technical assistance as necessary.
- Assist municipalities with development and update of capital budgets and programs.
- Prepare special reports and projects as requested.
- Pursue professional development opportunities.

### **TYPICAL KNOWLEDGE**

- Thorough knowledge of accounting and budgeting principles, practices, and procedures.
- Considerable knowledge of administrative practices.
- Considerable knowledge of state and federal grant administration and compliance monitoring.
- Considerable knowledge of computerized financial management information systems.
- Considerable knowledge of computer applications to grant administration.

### **TYPICAL SKILLS**

- Ability to make mathematical computations with speed and accuracy.
- Ability to analyze, interpret and evaluate accounting problems.
- Ability to develop checkpoints to maintain over-all integrity of the financial system.
- Ability to interpret and apply rules and regulations of considerable complexity.
- Ability in preparing accurate financial and statistical reports.
- Ability to establish and maintain effective working relationships.
- Ability to prioritize duties, work on several issues simultaneously, and meet firm deadlines.
- Ability to develop and implement financial procedures and evaluate their effectiveness.
- Ability to communicate effectively orally and in writing.
- Ability to work independently and as part of a team is essential.
- Ability to be proactive and initiate actions as needed, and to present complex financial data clearly to non-finance audiences.
- Ability to see the larger financial picture and simultaneously pursue a high degree of accuracy in work and to apply judgment to balance them.
- Proficiency in QuickBooks and Microsoft Office products.
- Self motivated to learn new concepts and to participate in new projects.

### **MINIMUM QUALIFICATIONS**

- Bachelor's degree in accounting or related discipline and three to five years in a similar position; master's degree in accounting, business or financial management preferred.
- Broad base of technical knowledge and skills in accounting theory and methods.
- Relevant knowledge of state and federal grant management and contract administration highly desirable.
- US citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 1/2/18*

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION  
PROGRAM MANAGER**

**Job Description**

**GENERAL DESCRIPTION**

The Program Manager position is reserved for Senior Planners who supervise and participate in advanced, highly complex professional planning activities.

A Program Manager works independently under the general direction of the Executive Director and, in consultation with the Executive Director, manages specific Commission programs .

The Program Manager typically manages other staff and is expected to work closely and effectively with other staff as part of a strong interdisciplinary planning team. The position requires significant and on-going contact, communication, and coordination with municipal representatives, and regional and state organizations and State and Federal agencies.

Work is required throughout the region and state; considerable in-state travel may be required. Attendance at a substantial number of evening meetings and some weekend meetings is required. Limited field work may be required.

**MAJOR AREAS OF WORK**

Major areas of work will vary among Program Managers. Major areas of work are assigned prior to the hiring/promotion process. Initial areas of work will be documented in an employment offer or employee promotion letter. Major area(s) of work will also be included as an attachment to the job description in an employee's personnel file.

The Commission may modify or add to major areas of work and/or may assign special projects or duties outside major areas based on its needs. Special projects and duties outside major areas of work typically would constitute no more than 30% of the Program Manager's workload. The Commission may designate a Program Manager to function as Acting Director, but in no case will an employee function in this capacity without written documentation in the employee's personnel file.

**CHARACTERISTIC DUTIES**

- Perform and manage complex and sensitive professional planning projects, research, and analysis.
- Provide overall management of program-related planning issues.
- Advise various councils, boards, commissions and elected officials in planning-related issues.
- Assign work to professional staff and ensure appropriate training is provided.
- Evaluate operations and activities of assigned responsibilities.
- Prepare reports on operations and activities, recommending improvements and modifications.
- Develop and administer program-specific budgets and workplans; monitor and control expenditures; insure deliverables meet deadlines.
- Review and understand all relevant documents and conditions pertaining to the program; monitor and ensure compliance with local, state and federal laws.
- Present planning and programming to internal and external parties.

- Establish and define any job-oriented program control procedures and identify the level of resources required to operate them.
- Review overall program status with the program team and Executive Director and recommend corrective action where necessary.
- Supervise the activities of the program team both in their productivity and the technical adequacy of their output.
- Liaise with other Program Managers and Senior Planners at all meetings relevant to program operations and ensure that the time and cost plans are updated to reflect latest information.
- Handle sensitive personnel matters.
- Pursue professional development opportunities.

### **TYPICAL KNOWLEDGE**

- Thorough knowledge of planning and development, and local government policies and procedures.
- Thorough knowledge of one or more areas of specialization, including but not limited to the Commission's Major Areas of Work.
- Well-developed knowledge of research methods and statistical principles related to growth and development.
- Well-developed knowledge of methods and techniques of effective technical report preparation and presentation.
- Thorough understanding of pertinent federal, state and local laws, codes and regulations including recent changes and how they are to be applied.
- Knowledge of principles and practices of supervision, training and personnel management.
- Knowledge of budgeting procedures and technique, including knowledge of budgeting relationship between and among projects/programs.
- Well-developed knowledge of recent developments, current literature and sources of information related to regional and municipal planning and administration.
- Knowledge of CVRPC, regional commission and local government procedures and practices.
- Thorough knowledge of citizen involvement techniques and processes.
- Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, econometric or transportation modeling, database management, or GIS.

### **TYPICAL SKILLS**

- Must be innovative, detail-oriented, experienced in highly visible/controversial projects.
- Capable of managing multiple, high-priority assignments.
- Strong interpersonal skills to develop good working relationships at various levels and to resolve complaints.
- Strong analytical skills to interpret research data for reports and apply mathematic techniques in practical situations.
- Reading comprehension to understand technical and legal materials.
- Experienced in management of contractors and stakeholders.
- Experienced in developing workplans and budgets for multiple types of projects.
- Demonstrated ability to work on several projects or issues simultaneously.
- Demonstrated ability to manage projects effectively and meet firm deadlines.

- Demonstrated ability to be a role model for planners and lead by example.
- Demonstrated ability to solve problems and introduce innovation.
- Demonstrated ability to assess risks and opportunities.
- Demonstrated ability to work under own initiative to deadlines.
- Demonstrated ability to manage and follow-up on the duties and performance of planning teams.
- Demonstrated ability to lead, support, supervise and train other planners.

#### **MINIMUM QUALIFICATIONS**

- Degree in planning or closely related field and ten years of professional experience in planning or related field.
- AICP or similar professional certification preferred. CFM, GISP or other program-specific certification preferred.
- Three or more years of supervisory experience preferred.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 5/2/16*

# CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## SENIOR PLANNER

### Job Description

#### GENERAL DESCRIPTION

The Senior Planner position is multi-faceted, requiring advanced professional planning experience of high complexity and variety, and broad knowledge of municipal and regional comprehensive planning, federal and state planning law, and a variety of regulatory and non-regulatory implementation tools.

The Senior Planner works independently under the general direction of the Executive Director and, in consultation with the Executive Director, may oversee specific Commission programs. The Senior Planner is expected to work closely and effectively with other staff as part of a strong interdisciplinary planning team. The position requires significant contact, communication, and coordination with volunteer groups, municipal representatives, and regional and state organizations and agencies.

Work is required throughout the region and attendance at a substantial number of evening meetings and some weekend meetings is required. Limited field work may be required.

#### MAJOR AREAS OF WORK

Major areas of work will vary among Senior Planners. Major areas of work are assigned prior to the hiring/promotion process. Initial areas of work will be documented in an employment offer or employee promotion letter. Major area(s) of work will also be included as an attachment to the job description in an employee's personnel file.

The Commission may modify or add to major areas of work and/or may assign special projects or duties outside major areas based on its needs. Special projects and duties outside major areas of work typically would constitute no more than 25% of the Senior Planner's workload. The Commission may designate a Senior Planner to function as Acting Director in the absence of a Program Manager, but in no case will an employee function in this capacity without written documentation in the employee's personnel file.

#### CHARACTERISTIC DUTIES

- Perform advanced professional work related to a variety of planning assignments.
- Manage complex planning studies, review development applications, and review consultant proposals and deliverables.
- Develop and review complex long-range plans, studies, analysis, and policies.
- Develop project budgets, administer bidding process, verify contract expenditures and compliance.
- Conduct research and prepare statistical reports on land use, physical, social and economic issues.
- Provide professional planning assistance to member communities on varied planning projects.
- Work in regional-level program areas relating to major area(s) of work.
- Schedule and conduct meetings with advisory groups, local boards, and elected officials.

- Present reports and other findings to municipal boards and officials and State and Federal agencies. Serve as liaison to project and program committees.
- Write funding applications.
- Work on statewide project teams with staff from other Regional Planning Commissions, when designated.
- Supervise more junior planners within the organization.
- Pursue professional development opportunities.

### **TYPICAL KNOWLEDGE**

- Advanced knowledge of the philosophies, principles, practices and techniques of planning.
- Well-developed knowledge of one or more areas of specialization, including but not limited to the Commission's Major Areas of Work.
- Knowledge and experience in construction processes.
- Knowledge of principles, methodology, practices of research and data collection.
- Knowledge of effective writing techniques.
- Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, and GIS.
- Knowledge of spatial structure or physical design and the way in which cities and rural areas work.
- Extensive knowledge of plan-making and project evaluation.
- Well-developed understanding of local, state, and federal government programs and processes, including regulations that guide those programs.
- Well-developed understanding of the social and environmental impact of planning decisions on communities.
- Sufficient understanding of the legal foundation for land use regulation to review and comment on proposed legislation and state and federal policy.
- Understanding of the interaction among the economy, transportation, health and human services, and land-use regulation.

### **TYPICAL SKILLS**

- Excellent oral and written communication skills for preparing and presenting planning reports and projects.
- Excellent interpersonal skills for facilitating relationships with elected/appointed officials or other decision-makers.
- Mastery of techniques for involving a wide range of people in making decisions.
- Group facilitation skills for use with community workshops, including the ability to function as a mediator or facilitator when community interests substantially conflict.
- Creative problem-solving skills to gather relevant information to solve less well-defined planning problems.
- Ability to analyze demographic information to discern trends in population, employment, and health, and to frame policies to influence those trends.
- Ability to work with the public and articulate planning issues to a wide variety of audiences.
- Ability to envision alternatives to the physical and social environments in which we live and develop projects and policies to achieve those alternatives as appropriate.
- Demonstrated ability to work on several projects or issues simultaneously.

- Demonstrated ability to manage projects effectively and meet firm deadlines.
- Experience in providing effective supervision and staff management to achieve team goals.

#### **MINIMUM QUALIFICATIONS**

- Degree in planning or closely related field and seven years of professional experience in planning or related field.
- AICP or similar professional certification preferred. CFM, GISP or other program-specific certification is preferred.
- Supervisory experience is preferred.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 5/2/16*

# CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## PLANNER

### Job Description

#### GENERAL DESCRIPTION

The Planner position requires professional planning work of moderate difficulty. To progress within this position, employees must develop in-depth knowledge within one or more planning specialties, and increasing knowledge of municipal and regional comprehensive planning, federal and state planning law, and a variety of regulatory and non-regulatory implementation tools.

The Planner works independently under the general direction of the Executive Director and, in consultation with the Executive Director, may oversee specific Commission programs. Although more senior staff closely reviews the work of the Planner, employees in this position receive considerably less immediate supervision than an Assistant Planner.

The Planner is expected to work closely and effectively with other staff as part of a strong interdisciplinary planning team. The position requires contact, communication, and coordination with volunteer groups, municipal representatives, and some contact with regional and state organizations and agencies.

Work is required throughout the region and attendance at a substantial number of evening meetings and some weekend meetings is required. Field work may be required.

#### MAJOR AREAS OF WORK

Major areas of work may vary among Planners. Major areas of work are assigned prior to the hiring/promotion process. Initial areas of work will be documented in an employment offer or employee promotion letter. Major area(s) of work will also be included as an attachment to the job description in an employee's personnel file.

The Commission may modify or add to major areas of work and/or may assign special projects or duties outside major areas based on its needs. Special projects and duties outside major areas of work typically would constitute no more than 50% of the Planner's workload.

#### CHARACTERISTIC DUTIES

- Interpret and apply applicable state and local codes, ordinances and regulations.
- Initiate actions necessary to correct deficiencies or violations of regulations.
- Assist with updates and maintenance of the Regional Plan, municipal plans, and local land development regulations.
- Assist with review of Act 250 and Section 248 applications based on major work area.
- Conduct extensive research in specific or general project areas.
- Write and present formal and technical reports, working papers, and correspondence.
- Identify community problems, issues, and opportunities in particular communities that could be mitigated through better community planning.
- Develop draft plan language or long range plans for communities with common developmental issues.
- Develop strategies to promote economic and community development or efficient land use consistent with regional and community goals.
- Evaluate adequacy of community facilities in meeting current and projected needs.



- Recommend priorities, schedules, and funding sources to implement public improvements plans.
- Write, or assist in writing, a variety of ordinances and regulations relating to development controls.
- Write funding applications.
- Assist with planning decision-making processes and with tailoring them to achieve specific outcomes.
- Pursue professional development opportunities.
- Depending on the skills of the employee, duties may extend to the management of social media.

### **TYPICAL KNOWLEDGE**

- Well-developed knowledge of planning principles and practices with implementation at the local and regional levels.
- In-depth knowledge of one or more planning specialization, such as land use planning, community development, transportation planning, environmental planning, emergency preparedness or hazard mitigation planning or working lands planning.
- Knowledge of principles, methodology, practices of research and data collection
- Knowledge of effective writing techniques.
- Knowledge of, or experience in, community redevelopment and environmental remediation, and knowledge of relevant Federal programs.
- Statistical, algebraic, or geometric knowledge and ability to apply such knowledge in practical situations.
- Knowledge of state and federal government programs and processes.
- Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, econometric or transportation modeling, database management, or GIS.

### **TYPICAL SKILLS**

- Effective written and verbal communication and interpersonal skills, including the ability to translate planning concepts, research findings, data and technical language into a form that is meaningful and accessible to Commissioners and local officials.
- Creative problem-solving skills to gather relevant information to solve less well-defined practical problems.
- Ability to review plans and apply provisions of ordinances, codes and policies to determine compliance with such regulations and to apply regulations to field conditions.
- Group facilitation skills for use with community workshops.
- Demonstrated ability to work on several projects or issues simultaneously.
- Demonstrated ability to work independently or in a team environment as needed.
- Ability to attend to details while keeping big-picture goals in mind.
- Ability to represent the Commission in its work with local municipalities, state agencies, other regional groups, citizens' organizations, and the general public.
- Ability to plan less complex projects effectively and meet firm deadlines.

## **MINIMUM QUALIFICATIONS**

- Master's degree in planning or closely related field and 3 years of professional planning experience, or a bachelor's degree in planning or closely related field and 5 years of professional planning experience.
- AICP, CFM or other program-specific certification is preferred.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 5/2/16*

# CENTRAL VERMONT REGIONAL PLANNING COMMISSION

## ASSISTANT PLANNER

### Job Description

#### GENERAL DESCRIPTION

The Assistant Planner is the entry-level, professional planning position. It allows a relatively new graduate to complement formal education with valuable experience gained by working with other professional staff, and recognizes the potential for advancement within the organization. With regular supervision, the Assistant Planner provides supplementary staff assistance to other staff and various boards and committees to assist in the collection of field data, the development of planning studies, local and regional plans, ordinances and regulations, and other similar projects.

The Assistant Planner works under the direction of the Executive Director, and may also receive considerable supervision from senior planners. Employees in this position will begin by working together with an experienced planner and may assume primary staff responsibilities based on evaluation of performance. The position involves professional-level duties and judgment as well as routine administrative tasks.

Work may be required throughout the region and attendance at evening meetings and some weekend meetings is required. Typically, field work is required.

#### MAJOR AREAS OF WORK

This position provides general planning assistance to more experienced staff. The intent of this position is to introduce an early career employee to a variety of planning disciplines and to build a broad base of knowledge and skills. Typically, no pre-identified major area of work is assigned to an Assistant Planner prior to hiring.

When major areas of work are assigned, they will vary among Assistant Planners. Major areas of work may be assigned as the Assistant Planner's knowledge and skills grow. If assigned, major area(s) of work will be included as an attachment to the job description in an employee's personnel file.

The Commission may modify or add to major areas of work and/or may assign special projects or duties outside major areas based on its needs.

#### CHARACTERISTIC DUTIES

- Gather and maintain demographic data and other related statistics.
- Assist with or conduct field inventory and assessments.
- Participate in the research, analysis, and interpretation of social, economic, population and land use data and trends.
- Compile information and make recommendations on special studies.
- Prepare technical reports.
- Make presentations to committees, community groups and outside agencies.
- Prepare staff reports and graphic displays.
- Research and draft documents for review.
- Attend a variety of meetings and participates in professional meetings.

- Maintain awareness of new trends and developments in the field of municipal and regional planning.
- Incorporate new developments as appropriate into programs.
- Assist with grant writing.
- Complete GIS mapping and prepare printed resource materials.
- Pursue professional development opportunities.

### **TYPICAL KNOWLEDGE**

- Knowledge of the principles and practices of planning.
- Knowledge of a relevant specialization, such as transportation, land use, or affordable housing, is desired.
- Knowledge of principles and practices of research and data collection.
- Knowledge of effective writing techniques.
- Statistical, algebraic, or geometric knowledge and ability to apply such knowledge in practical situations.
- Knowledge of computer hardware and software programs, which may include Microsoft Office, Internet applications, and GIS.

### **TYPICAL SKILLS**

- Ability to present ideas and findings (both written and oral) clearly and concisely.
- Ability to establish and maintain effective working relationships.
- Creative problem-solving skills to gather relevant information to solve vaguely defined practical problems.
- Ability to review plans and apply provisions of the ordinances and codes to determine compliance with such regulations and to apply regulations to field conditions.
- Ability to create graphic designs and development strategies, and to render site plans via sketches and/or computer graphics is highly desirable.
- Ability to work on several projects or issues simultaneously, both independently or in a team environment.
- Ability to attend to details while keeping big-picture goals in mind.
- Ability to work proficiently in a Microsoft Office environment, including word processing, spreadsheets, and databases.

### **MINIMUM QUALIFICATIONS**

- Master's degree in planning or closely related field and 1 year of experience, or a bachelor's degree in planning or closely related field and 3 years of professional planning experience. The experience may include internships as determined relevant by the Commission.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 5/2/16*

## **CENTRAL VERMONT REGIONAL PLANNING COMMISSION**

### **PLANNING TECHNICIAN**

#### **Job Description**

#### **GENERAL DESCRIPTION**

The Planning Technician position is an internship-level position. The length of the internship, hours per week, expected tasks, amount of supervision, and areas of specialization vary with each position. The position may be by stipend, paid or unpaid, and does not include any benefits except for worker's compensation coverage.

Work may be required throughout the region and attendance at evening meetings may be required. Typically, field work is required.

#### **MAJOR AREAS OF WORK**

Major areas of work will vary among Planning Technicians. Major areas of work are assigned prior to the hiring/promotion process. Initial areas of work will be documented in an employment offer or employee promotion letter. Major area(s) of work will also be included as an attachment to the job description in an employee's personnel file.

The Commission may modify or add to major areas of work and/or may assign special projects or duties outside major areas based on its needs. Special projects and duties outside major areas of work typically would constitute no more than 25% of the Planning Technician's workload.

#### **CHARACTERISTIC DUTIES**

- Provide support to a team of community planners.
- Assist staff in collecting and preparing data for various planning projects.
- Create and mail Commission and committee meeting packages; post notices in accordance with Vermont Open Meeting Law.
- Conduct field work, collect parcel data and search land records.
- Prepare maps and planning reports of limited or variable complexity.
- Produce sketches and renderings of limited or variable complexity.
- Assist planning staff at community meetings.
- Present report findings at community meetings.
- Research funding sources and write grant proposals.
- Conduct basic office functions as needed, such as data entry, file management, and customer service.
- Pursue professional development opportunities as funding permits.

#### **TYPICAL KNOWLEDGE**

- Basic understanding of planning principles.
- Specific knowledge relating to pertinent specialty, such as affordable housing, transportation, or land use.
- Competency in various computer software programs, such as Microsoft Office and Internet applications.

## **TYPICAL SKILLS**

- Strong written and oral communication skills.
- Strong research and analytical skills.
- Motivated self-starter able to work independently.
- Ability to work effectively in a team environment.
- Flexibility and desire to work on varying planning projects.

## **MINIMUM QUALIFICATIONS**

- Interest in the planning profession and relevant planning specializations. Depending on the nature of the intended workload, the specific position may request undergraduate or graduate students. A degree in planning or a related field is not required for this position.
- The employee must be flexible in their scheduling and have their own means of transportation.
- Must be a U.S. citizen or otherwise lawfully authorized to work in the United States.

*Adopted: 5/2/16*

## APPENDIX D

### 2018 Modifications to Vermont State Law

Section 4.0, HOLIDAYS AND LEAVES, is hereby amended to incorporate modifications to Vermont law made in 2018.

#### Section 4.3 Sick Leave

Paid sick leave may be used for the following reasons:

- Illness or injury of employee;
- Employee is obtaining professional diagnostic, preventive, routine or therapeutic health care;
- Employee is caring for a sick or injured parent, grandparent, spouse, civil union partner, child, brother, sister, parent-in-law, grandchild or foster child (including assistance with obtaining diagnostic, preventive, routine, or therapeutic health treatment);
- Employee is accompanying the employee's parent, grandparent, spouse, civil union partner, or parent-in-law to an appointment related to his or her long-term care;
- Employee is arranging for social or legal services or obtaining medical care or counseling for the employee or the employee's parent, grandparent, spouse, civil union partner, child, brother, sister, parent-in-law, grandchild, or foster child who is a victim of domestic violence, sexual assault, or stalking; or Employee is caring for parent, grandparent, spouse, civil union partner, child, brother, sister, parent-in-law, grandchild or foster child because the school or business where that individual is normally located during employee's workday is closed for public health or safety reasons (i.e. snow days).

#### Section 4.4 Parental, Family and Medical Leave (amended to add the following)

##### Short-Term Family Leave

If an employee meets minimum requirements, the employee can take unpaid leave for qualifying activities. Qualifying activities related to certain preschool/school activities, medical/dental appointments, professional services for care and well being, and medical emergencies. The leave must be taken in no less than a 2-hour block. The law includes more caveats, including employer notification. Employees who need to use this type of leave should contact the Executive Director to learn more as soon as the employee identifies a potential need for short-term family leave.

#### Section 4.8 Leave For Voting

Employees are provided with time off to vote. Employees must inform the Executive Director at least five days in advance of their intent to take such time off.

#### Section 4.9 Town Meeting Leave

Subject to the essential operating needs of CVRPC, an employee may take unpaid leave for the purpose of attending the employee's annual town meeting, provided the employee notifies the

Executive Director at least seven days prior to the date of the town meeting. Paid time off also may be used to attend town meeting.

#### **Section 4.10 Crime Victim Leave**

A crime victim is a person who has:

- obtained a relief from abuse order against a family or household member,
- obtained a court order against stalking or sexual assault,
- obtained a court order against abuse of a vulnerable adult, or
- sustained physical, emotional or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by law enforcement official with a prosecuting attorney. This also includes the victim's child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim's spouse, provided that the individual is not identified in the affidavit as the defendant.

Eligible employees who are "crime victims" may be entitled to take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- a criminal proceeding when the employee has a legal right or obligation to appear at the proceeding,
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff, or
- hearings concerning an order against stalking or sexual assault, when the employee seeks the order as plaintiff.

While on crime victim leave, employees may use any accrued sick leave, vacation leave, or any other paid leave. Employees will continue to receive employment benefits while on leave, and have the right to return to their same job or a comparable position upon return.



## APPENDIX E

### Addendum for Employees Located in New York State

#### New York Paid Family Leave

The Commission provides its employees working in New York with paid leave benefits. PFL is designed to enable eligible employees to take time off from work to care for family members under circumstances as outlined below. Employees taking PFL will receive partial wage replacement through an insurance policy that is funded by weekly, post-tax employee payroll deductions (established annually in accordance with state law). Payroll deductions will begin on the employee's first day of employment. Participation in the PFL program is mandatory for all employees, except for those individuals eligible for a waiver (explained below).

#### Employee Eligibility

An employee regularly scheduled to work at least 20 hours per week is eligible to take PFL after he/she has been employed by the Commission for 26 consecutive weeks.

An employee regularly scheduled to work less than 20 hours per week is eligible to take PFL after working for Commission for 175 days.

*Note:* Time spent on paid time off (e.g., vacation and sick time) will count towards an employee's eligibility determination, provided deductions were taken during that period of paid time off. However, time that an employee spends on New York State Disability Leave or unpaid leave will *not* be counted towards an employee's eligibility determination.

#### Qualifying Reasons for Leave Under PFL

Eligible employees may apply to take PFL for the following qualifying reasons:

1. **Caring:** To provide care for their child (regardless of age), parent (including parent-in-law), grandparent, grandchild, sibling (effective January 1, 2023), spouse and/or domestic partner with a "serious health condition".
  - *"Providing care"* includes: necessary physical care, emotional support, visitation, assistance in treatment, transportation, arranging for a change in care, assistance with essential daily living matters, and personal attendant services.
    - *Note:* During the leave, the employee must be in close physical proximity to the identified family member who is receiving care.
  - *"Serious Health Condition"* means: an illness, injury, impairment or physical or mental condition that involves either in-patient care or continuing treatment (or supervision) by a health care provider. Questions regarding the definition of "serious health condition" should be directed to the Executive Director.
    - *Note:* Absent complications, the common cold, the flu, an earache, an upset stomach, a minor ulcer, a headache (other than a migraine), a routine dental procedure / orthodontia problem, a periodontal disease, etc. *does not* typically constitute a serious health condition.
2. **Bonding:** To bond with their child following the child's birth, adoption or placement in foster care.
  - In the case of adoption or placement, PFL may be taken prior to the adoption or placement if the employee's absence is necessary for the placement or adoption to

proceed. PFL taken for these circumstances must be used within one year of the first day of leave, or within one year of the adoption / placement, whichever is earlier.

- In the case of the birth of a newborn child, PFL taken to bond with the child must be used within the first year following the child's birth.
3. **Preparing:** To prepare for, or attend to, a qualifying exigency arising out of their family member's military service.
- "Family member", as applied to this particular provision, shall include the employee's spouse, domestic partner, child or parent who is currently on active duty or has been notified of an impending call to active duty in the Armed Forces of the United States.
  - "Qualifying exigency" shall have the same meaning and interpretation under PFL as the term is currently used under the federal Family and Medical Leave Act ("FMLA"). Questions regarding the definition or application of "qualifying exigency" should be directed to the Executive Director.

***PFL is not available for the employee's own disability or serious health condition.*** Disability, or non-FMLA medical leave may be available in those circumstances. Please see the Commission's Short-Term Disability and other medical leave or leave of absence policies for additional information.

#### Waivers

Employees have the opportunity to waive PFL benefits under the following limited circumstances:

- The employee's regular work schedule is 20 or more hours per week, but the employee will not work for the Commission for 26 consecutive weeks.
- The employee's regular work schedule is less than 20 hours per week and the employee will not work for the Commission for 175 days during a consecutive 52-week period.

If an employee elects to waive PFL coverage, the Commission will not take PFL payroll deductions from that employee. However, if an employee elects to waive PFL coverage and his/her regular schedule changes such that he/she works for either 26 consecutive weeks or 175 days in a consecutive 52-week period, the employee's waiver will be automatically revoked under the law. When such a waiver is revoked, the Commission will notify the employee regarding his/her contribution obligations. Thereafter, the Commission may begin taking PFL payroll deductions from the employee, including any retroactive amounts from the employee's date of hire or the amount necessary to prevent the Commission from having to pay the applicable PFL insurance premium.

#### Amount of PFL Leave Available

Eligible employees are entitled to up to 12 weeks of leave during a 52-week period. The 52-week time period is calculated by measuring backwards from each day for which PFL is taken. PFL may be taken in daily or weekly increments. In the event that an employee also collects New York State Disability Leave Benefits ("DBL") for his/her own disability, the maximum amount of time that can be taken for both DBL and PFL can total no more than 26 weeks during a 52-week time period.

The Commission will not permit more than one employee to use PFL to care for the same family member at the same time.

Example: If both spouses work for the Commission, the Commission may deny PFL to one spouse *if* both employees have requested to take PFL during the same period of time to bond with the same child. However, both spouses could take PFL at different times to bond with the same child.

### PFL Benefit Levels

Employees do not continue to receive their full pay from the Commission during PFL. Rather, they will receive a partial wage replacement benefit payment which will be paid directly from the Commission's insurance carrier. Employees will receive 67% of their average weekly wage, up to a cap of 67% of the current Statewide Average Weekly Wage. NYS sets the Statewide Average Weekly Wage each year.

If PFL leave spans across calendar years, the employee's benefit amount / rate is set at the time the PFL leave begins and does not increase during the leave period.

### Intermittent Leave

PFL may be taken on either a weekly or intermittent basis (*i.e.*, separate blocks of time). Intermittent PFL must be used in full-day increments.

### Employee Notice Requirements

Employees must provide the Commission with notice regarding the need for PFL before the start of the leave; notice should be given to the Executive Director. Employees are required to provide sufficient information and notice to inform the Commission of the qualifying event, the anticipated timing, and the duration of leave.

- If the need for PFL is foreseeable (*i.e.*, planned medical treatments / appointments, to bond with a child, a qualifying military exigency, etc.), the employee must provide the Commission with at least 30 days' advance notice, or as soon as the need for leave becomes known.
- If the need for PFL is not foreseeable because of a medical emergency, change in circumstances or lack of advance knowledge, the employee must notify the Executive Director as soon as practicable under the circumstances. It should be practicable for the employee to follow the Commission's usual and customary call-in procedure, which requires employees to personally notify their supervisor or the Executive Director of their absence as soon as possible, but no later than one (1) hour before the start of their shift.
- If an employee fails to provide 30 days' advance notice of foreseeable PFL and provides no reasonable excuse for the delay, the insurance carrier may partially deny the claim for a period of up to 30 days from the date the notice is given.
- If leave is taken on an intermittent basis, the employee must provide notice as soon as is practicable before each day taken as intermittent leave.

When the need for PFL is foreseeable, including intermittent leave, employees are encouraged to consult with their supervisor and the Commission regarding leave scheduling so as to minimize operational disruptions to the Commission.

### Applying for PFL Benefits

Employees needing PFL should notify the Executive Director. In order to receive income replacement benefits while on PFL, an employee must submit a claim form to the Commission's PFL insurance carrier using the applicable *Request for Paid Family Leave* forms. The claim form(s) will provide details regarding the documentation that will be required to support the request for PFL benefits. These forms may be obtained from the Executive Director.

Employees are responsible for timely filing their own PFL claim(s) with the Commission's insurance carrier. While employees have 30 days from the date PFL is taken to file the claim, employees should consider filing the claim as quickly as possible to ensure prompt payment of PFL benefits if the claim is ultimately approved. The Commission will not file a claim on an employee's behalf. In addition, an employee will not receive any PFL benefits until the claim has been fully submitted and approved by the insurance carrier. The insurance carrier has 18 days, from the date of submission, to make this decision.

An employee who is absent from work and whose PFL claim is later denied by the insurance carrier, may be authorized for leave, if eligible, under one of the Commission's other leave of absence policies. If the employee is not eligible under any other leave of absence policy, the employee will be required to apply any accrued, unused paid time off (PTO/PSL). If the employee does not have any accrued, unused paid time off, the employee's absence may be treated as unexcused and subject to the Commission's attendance policy.

### Substitution of Paid Time Off

An employee has the option to supplement his/her PFL benefit with accrued paid time off (*e.g.*, vacation, sick and personal time) in order to receive full pay. In no event can the combination of PFL benefits and paid time off result in the receipt of more than 100% of an employee's regular wages.

### Maintenance of Health Benefits

While an employee is out of work on an approved PFL, the Commission will maintain the employee's health benefits as if the employee continued to be actively employed. Specifically, the Commission will continue to pay its portion of the group health insurance premium (where applicable) while the employee is on PFL.

The employee will be responsible for continuing to contribute his/her portion of the health insurance premium(s) and is expected to make arrangements with the Executive Director to ensure timely payment. If payment is more than 30 days late, the employee's health insurance coverage may be dropped for the duration of PFL. The Commission will provide 15 days' notice prior to terminating coverage.

### Restoration of Employment

An employee who returns to work at the conclusion of an approved period of PFL will be restored to the same position or to a comparable position (with comparable pay, benefits and other terms and conditions of employment). If the employee has exhausted all weeks of available PFL and is still unable to return to work, the employee is no longer provided with any job restoration rights under PFL, unless other job protections apply.

### Appeal Rights

If an employee's request for PFL has been denied by the insurance carrier, the employee has the right to appeal the determination through an arbitration proceeding. Information regarding the appeal process is available from the insurance carrier.

### Protection from Discrimination and Retaliation

The Commission will not discriminate and/or retaliate against any employee for inquiring about, applying for, or using PFL benefits. Employees who believe they have experienced discrimination and/or retaliation should immediately notify their supervisor, or the Executive Director, or any other member of management.

### Fraud

An employee who fraudulently obtains PFL, or who uses PFL in an improper manner, is subject to disciplinary action, up to and including termination.

### Questions

An employee who has questions concerning PFL is encouraged to contact the Executive Director for more information, clarification and/or appropriate guidance.

### **Sick Leave Policy**

In accordance with the New York State Sick Leave law, New York employees are entitled to accrue and use paid sick leave benefits in accordance with this policy.

### Definitions

The following definitions are applicable to this policy:

- *Confidential Information* means individually identifiable health or mental health information, including but not limited to, diagnosis and treatment records from emergency services, health providers, or drug and alcohol abuse prevention or rehabilitation centers. Confidential information also means information that is treated as confidential or for which disclosure is prohibited under another applicable law, rule, or regulation.
- *Domestic Partner* shall have the same meaning as Domestic Partner, as set forth in section 2961(6-a) of the New York Public Health Law.
- *Family Offense* includes any offense enumerated in section 812(1) of the New York Family Court Act, where such acts are between current and former members of the same family or household, as defined therein.
- *Human Trafficking* means an act or threat of an act that may constitute sex trafficking, as defined in section 230.34 of the Penal Law, or labor trafficking, as defined in section 135.35 and 135.36 of the Penal Law.
- *Mental Illness* shall have the same meaning as mental illness, as set forth in section 1.03(20) of the New York Mental Hygiene law
- *Preventative Medical Care* means routine health care including but not limited to screenings, checkups, and patient counseling to prevent illnesses, disease, or other health problems.
- *Sexual Offense* means any act, or threat of an act, specified within Article 130 of the New York State Penal Law.

- *Stalking* means any act, or threat of an act, that constitutes the crime of stalking as defined by Article 120 of the New York State Penal Law.

### Accrual of Leave

Sick leave will accrue at a rate of 1.38 hours per every thirty (30) hours worked by the employee, up to a maximum of ninety-six (96) hours in each fiscal year (July 1 – June 30). Part-time employees are entitled to accrue and accumulate prorated sick leave based on their regular work schedule. Leave will begin to accrue on an employee's first day of work. Leave may be used as soon as it is accrued.]

Employees may not take leave under this policy in increments shorter than one quarter of an hour (.25 hours).

### Rate of Pay

Leave will be paid at the employee's regular rate of pay.

### Qualifying Reasons for Leave

An eligible employee may take leave under this policy for the following reasons:

1. The mental or physical illness, injury, or health condition of the employee, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave, as well as the diagnosis, care or treatment of the same;
2. The mental or physical illness, injury, or health condition of an employee's family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave, as well as the diagnosis, care or treatment of the same;
3. An absence from work when an employee or an employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking, including leave to:
  - a. Obtain services from a domestic violence shelter, rape crisis center, or other services program;
  - b. Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or the employee's family members;
  - c. Meet with an attorney or social services provider to obtain information and advice on, and prepare for and participate in, any criminal or civil proceeding;
  - d. File a complaint or domestic incident report with law enforcement;
  - e. To enroll children at a new school;
  - f. Meet with a district attorney's office; and
  - g. Take any other actions necessary to ensure the health or safety of the employee or the employee's family member, or to protect those who associate or work with the employee.

\*\*An employee who has committed domestic violence, a family or sexual offense, stalking, or human trafficking is not eligible for leave under 3(a)-(g), nor may this leave be used on behalf of an employee's family member who has engaged in any of these.

For purposes of this policy, "family member" is defined as an employee's child (including biological child, adopted child, foster child, a legal ward, or a child for whom the employee

stands “in loco parentis”), spouse, domestic partner, parent (including biological parent, foster parent, step-parent, adoptive parent, legal guardian, or an individual who stood “in loco parentis” to the employee as a minor child), sibling, grandchild or grandparent, and the child or parent of an employee’s spouse or domestic partner.

#### Notice Requirements

The Commission requires notice of the need for sick leave as soon as possible, but in all cases, notice must be given prior to taking sick leave. Notice can be given orally or in writing. Employees should contact the Executive Director at 802-229-0389 or via email if they need to use leave.

#### Documentation Requirements

An employee may be required to provide medical documentation supporting their need for use of sick leave, amount of leave needed, and return date when they are absent for three or more consecutively scheduled shifts. Alternatively, employees may be required to submit an attestation verifying that their use of leave complies with New York Paid Sick Leave. If an employee is charged a fee for required paperwork by a medical provider, the employee will be reimbursed for that amount by informing the Executive Director via email of the expense. Employees will not be required to disclose confidential information to use paid sick leave.

#### Carryover of Leave

An employee’s unused sick leave will be carried over to the next fiscal year. However, employees will not be permitted to use more than 45 days (360 hours) of sick leave in any fiscal year. Maximum use of sick leave for part-time employees is pro-rated based on their regular work schedule, but in no case shall be below 40 hours per year.

#### Improper Use

Employees who are dishonest and take sick leave for a non-qualifying reason will be subject to discipline, up to and including termination.

#### Interaction with Other Types of Leave

In addition to leave provided under the policy, employees may also be entitled to leave under other Commission policies.

Employees may substitute up to six (6) weeks of accrued paid leave (vacation and/or sick leave) with the New York Paid Family Leave Act to supplement their wages up to 100% of their normal wages when applicable and to the extent permitted by law. Employees may request substitution of more than six (6) weeks of accrued paid leave. The Executive Director will consider such requests, based on the financial impacts and business needs of CVRPC. Use of accrued paid leave does not extend the parental or family/medical leave.

#### Notice of Available Balance

In accordance with NY PSL, upon request by an employee, the Commission will provide a summary of the amounts of sick leave accrued and used by the employee in the current calendar year and any previous calendar year within 3 business days of the receipt.

### Restoration to Employment

At the conclusion of an employee's use of sick leave, the employee will be returned to the employee's previously held position.

### Separation from Employment

There is no payment to the employee for accrued sick leave when an employee ceases employment with CVRPC.

### Retaliation

Any form of discipline, reprisal, intimidation, retaliation, or discrimination against any individual for requesting or taking sick leave, or filing a complaint for violations of this policy is strictly prohibited.

The Commission is committed to enforcing this policy and prohibiting retaliation against employees who request or take sick leave under this policy, or who file a related complaint. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Executive Director.

### Questions

Any questions or concerns regarding this policy should be directed to the Executive Director.

## **Sexual Harassment Policy**

### Introduction

The Central Vermont Regional Planning Commission (CVRPC) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of CVRPC's commitment to a discrimination-free work environment. Sexual harassment is against the law<sup>3</sup> and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with CVRPC. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

### Policy:

1. CVRPC's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with CVRPC. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint.

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<sup>3</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity or expression, familial status, predisposing genetic characteristics, and criminal history.



CVRPC will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of CVRPC who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>4</sup> working in the workplace who believe they have been subject to such retaliation should inform the employee's supervisor, manager or the Executive Director. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject CVRPC to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. CVRPC will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. CVRPC will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. CVRPC will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Executive Director.
8. This policy applies to all employees, paid or unpaid interns, and non-employees, such as contractors, subcontractors, vendors, consultants or anyone providing services in the workplace, and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

#### What is "Sexual Harassment"?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

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<sup>4</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment. Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

#### Examples of Sexual Harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:

- Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
- Sabotaging an individual’s work;
- Bullying, yelling, name-calling.

### Who Can Be a Target of Sexual Harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

### Where Can Sexual Harassment Occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

### Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

### Reporting Sexual Harassment

**Preventing sexual harassment is everyone’s responsibility.** CVRPC cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Executive Director. Anyone

who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Executive Director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Executive Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### Complaint and Investigation of Sexual Harassment

**All** complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. CVRPC will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Executive Director will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If the individual refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and
  - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
  - Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
  - Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

### Legal Protections And External Remedies

Sexual harassment is not only prohibited by CVRPC but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at CVRPC, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

#### State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year (three years beginning Aug. 12, 2020)** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to CVRPC does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State. The DHR also maintains a confidential and toll-free sexual harassment hotline for individuals to receive advice regarding sexual harassment. The number for the hotline is 1-800-HARASS-3 (1-800-427-2773), and which is available Monday through Friday, 9:00 am to 5:00 pm.

### Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **Military Spouse Leave Policy**

### Statement of Policy

In accordance with New York Labor Law § 202-i and the terms of this Policy, CVRPC will provide unpaid leave for employees who are military spouses. As set forth below, this Policy lays out the parameters for leave eligibility and entitlement, the process for taking leave, and other rules governing the use of such leave.

### To Whom the Policy Applies

This Policy covers all employees of CVRPC who work an average of twenty (20) or more hours per week (hereinafter, “eligible employee”).

### Definitions

“Period of military conflict” means a period of war declared by the United States Congress, or in which a member of a reserve component of the armed forces is ordered to active duty pursuant to applicable law.

### Policy and Procedures

#### *Leave Entitlement*

An eligible employee who is the spouse (including same-sex spouses) or registered domestic partner of a member of the armed forces of the United States, National Guard, or reserves who has been deployed during a period of military conflict to combat theater or combat zone of operations, shall be allowed up to ten (10) days of unpaid leave per deployment. Leave can be taken continuously or intermittently in days.

Such leave shall be used only when the employee’s spouse or domestic partner is on leave from the armed forces of the United States, National Guard, or reserves while deployed during a period of military conflict to combat theater or combat zone of operations.

#### *Anti-Retaliation*

Retaliation against an employee for requesting or obtaining such leave is prohibited.

#### *Other Laws & CVRPC Policies*

This leave does not affect or prevent the granting of any leave for military spouses afforded by the federal Family and Medical Leave Act (FMLA) or under any other applicable law or CVRPC policy, and may run concurrently.

While on military spouse leave, employees may use any accrued compensatory time and/or vacation leave.

### **Leave Time for Victims of Domestic Violence**

#### Definition

A victim of domestic violence is a person meeting the definition found in Social Service Law § 459-a. This includes any person who is the victim of a crime committed by a family or household member, and also includes any person who is the parent of a child who is a victim.

#### Policy

CVRPC does not discriminate against a victim of domestic violence in hiring for a job, job advancement, or other terms, conditions or privileges of employment. To the extent allowed by law, CVRPC will maintain the confidentiality of any information regarding an employee's status as a victim of domestic violence.

Reasonable accommodations will be provided if time off is needed because of domestic violence, so long as it is not an undue hardship for CVRPC. Health insurance will be continued during such time off. Such time off is for the accommodation of the following needs:

- Medical attention for the victim, or a child who is the victim;
- Obtaining services from a domestic violence shelter, program or rape crisis center;
- Obtaining psychological counseling, including for a child who is a victim;
- For safety planning, or taking action to increase safety, including temporary or permanent relocation;
- Obtaining legal services, assisting with prosecution, or appearing in court.

The employee should give reasonable advance notice when possible, or if that is not possible, CVRPC may require documentation later in the form of a police report, order of protection, court document, or documentation of counseling or medical treatment.

### **Leave For Voting**

Employees are provided with time off to vote. Employees must inform the Executive Director at least five days in advance of their intent to take such time off. CVRPC may provide up to two hours of paid time off to vote in an election that an eligible employee is entitled to vote in for the purposes of going to vote in said election when the employee does not have “sufficient time” to vote outside of working hours. Sufficient time is defined as at least 4 hours between opening of polls and start of the employee’s regular work hours, or end of the employee’s regular work hours and closing of polls.

### **Witness and Crime Victim Leave**

NY law protects witnesses and victims of certain crimes and entitles them to unpaid time off to appear for certain proceedings, etc. This policy applies to any CVRPC employee who is the victim of a criminal offense or exercises their rights as a victim (as provided under the applicable sections of the New York criminal procedure law and executive law), or who is subpoenaed to attend a criminal proceeding as a witness (pursuant to the applicable section of the New York criminal procedure law) (collectively, “covered employees”). A “victim” includes the aggrieved party, or the aggrieved party's next of kin if the aggrieved party is deceased as a result of the offense; the representative of a victim (as defined in the applicable section of the New York executive law); a good Samaritan (as defined in the applicable section of the New York executive law); or a person pursuing an application or enforcement of an order of protection (under the applicable sections of the New York criminal procedure law or the family court act). In accordance with New York Penal Law § 215.14 and the terms and conditions herein, CVRPC may not discharge or otherwise penalize a covered employee for the employee’s absence from work where the employee notifies the Executive Director prior to taking leave of the employee’s intent to appear as a witness in a criminal proceeding, to consult with the district attorney, or to exercise the employee’s rights as a victim (as provided in the applicable sections of the New York criminal procedure law, family court act and executive law). Leave taken pursuant to this policy is unpaid unless otherwise provided below.

Upon request of CVRPC, a covered employee shall provide verification of the employee’s time out the office from the party who sought the attendance or testimony.

While on witness and crime victim leave, employees may use any accrued compensatory time and/or vacation leave.

CVRPC will not retaliate against a covered employee for requesting or obtaining leave under this policy.

### **Emergency Responder Leave of Absence**

During the time that an emergency exists following a declaration of such emergency pursuant to New York State law, an employee may request and shall be granted a leave of absence while engaged in the actual performance of the employee’s duties as a volunteer firefighter or an enrolled member of a volunteer ambulance service, unless providing the leave would impose an undue hardship on the conduct of CVRPC’s business operations as defined by paragraph (d) of subdivision ten of section two hundred ninety-six of the executive law.



To be eligible for emergency responder leave,

- CVRPC previously must have received written documentation from the head of the employee's volunteer fire department or volunteer ambulance service, as applicable, notifying CVRPC of the employee's status as a volunteer firefighter or member of a volunteer ambulance service.
- The employee's duties as a volunteer firefighter or member of a volunteer ambulance service must be related to the declared emergency.
- The head of the volunteer fire department or volunteer ambulance service, as applicable, must provide a notarized statement certifying the period of time(s) that said employee responded to any emergency pursuant to this section.

While on an unpaid emergency responder leave of absence, employees may use any accrued compensatory time and/or vacation leave.

### **Employee Blood Donation Leave**

CVRPC provides unpaid leave time to employees for the purpose of donating blood. Leave provided is at least one leave period per calendar year of three hours duration during the employee's regular work schedule. Any additional leave time taken by employees in connection with off-premises blood donation shall be subject to all other rules and guidelines governing leave established by CVRPC. Off-premises blood donation leave does not accrue if it is not used during the calendar year.

CVRPC requires employees to give reasonable notice of their intended use of leave time for blood donation to assist CVRPC to meet New York State's legal requirements for record keeping. Employees must provide at least three working days notice prior to the day on which leave will be taken for off-premises blood donation. In cases where the employee fills a position essential to CVRPC's operations and three days notice is insufficient to allow CVRPC to fill the employee's position during the donation, CVRPC may require longer notice to feasibly fill the position, but in no case longer than ten working days. CVRPC shall notify all covered employees of this extended notice requirement in compliance with the notice requirements of these guidelines. Should an employee experience an emergency requiring that the employee donate blood for the employee's own surgery or that of a family member, CVRPC will provide reasonable accommodations for a shorter notice period.

CVRPC may require employees making off-premises blood donation to show proof of their blood donation in the form of notice of blood donation or a good faith effort at blood donation from the blood bank or some other proof sufficient to the purpose.

CVRPC encourages employees to donate blood regularly. To the extent permitted by the employee's work duties and with permission from the Executive Director, employees may temporarily modify their regular work schedule or use any accrued compensatory time and/or vacation leave to donate blood.

### **Employee Bone Marrow Donation Leave**

A New York employee who works an average of 20 or more hours per week and wants to donate bone marrow may take an unpaid leave of absence up to 24 hours in duration for the purposes of bone marrow donation. Although this leave of absence is unpaid, the employee may, at his/her option, use any accrued unused vacation time in lieu of unpaid leave.

An employee who wants time off to donate bone marrow should request the leave in

writing to his or her supervisor. The employee may determine how to allocate the amount of available leave, but should give as much notice as is feasibly possible so that the company may schedule work and plan for business requirements. The Commission may also require verification by a physician for the purpose and length of each leave requested for bone marrow donation.

Leave for bone marrow donation is available only to the extent that it does not conflict with the requesting employee's work schedule. Employees who undergo bone marrow donation outside their regular work schedule do so on their own time.

### **Reproductive Health Decision Making**

CVRPC does not discriminate in hiring, promotion, continued employment or any other terms, conditions or privileges of employment based on an employee's or a dependent's reproductive health decision-making, which includes, but is not limited to, the decision to use or access a particular drug, device or medical service. CVRPC will not:

- access an employee's personal information regarding the employee's (or the employee's dependent's) reproductive health decisions, without the employee's prior informed affirmative written consent.
- discriminate or take any retaliatory personnel action against an employee with respect to compensation, terms, conditions or privileges of employment because of or based on the employee's (or the employee's dependent's) reproductive health decisions.
- require an employee to sign a waiver or other document that purports to deny employees the right to make their own reproductive health care decisions.

New York State law permits an employee to bring a civil action in any court of competent jurisdiction. Remedies available for violations of this law exceed those normally available in other discrimination cases. Those remedies include but are not limited to back pay, benefits, and reasonable attorney fees and costs, as well as injunctive relief and reinstatement against any employer that "commits or proposes to commit" a violation of this law. Additionally, a court may award liquidated damages "equal to one-hundred percent of the award for damages ... unless the employer proves a good-faith basis to believe that its actions ... were in compliance with the law." Separately, the law provides for an additional award of civil penalties against any employer that retaliates against an employee for bringing a complaint under the law. Retaliation is defined as "discharging, suspending, demoting or otherwise penalizing" an employee for "making or threatening to make a complaint to an employer, a co-worker, or to a public body" or for "instituting a proceeding ... providing information to or testifying before any public body conducting an investigation, hearing or inquiry into any such violation."

### **Alcohol and Drug Free Workplace**

As a recipient of federal funds, CVRPC is responsible for maintaining safe, efficient working conditions for its employees by providing a drug free workplace and is required via federally-funded grant agreements to maintain a zero tolerance drug policy. Section 10.0, Alcohol and Drug Free Workplace, provides information about CVRPC's policy. In summary, employees shall not engage in the unlawful manufacture, distribution, possession or use of controlled substances (drugs) on the job or on any CVRPC work site. An employee who is under the influence of any drug on the job may pose serious safety and health risks not only to the user but to co-workers and the general public at large.

In addition to the provisions set forth in the Commission's Alcohol and Drug Free Workplace policy, the following disclosures relate to New York employees.

### Medical Marijuana

The Commission recognizes that New York's Compassionate Care Act legalizes a physician's prescription of marijuana for individuals with certain medical conditions. An employee who qualifies as a patient under the laws and complies with its regulations may be entitled to a reasonable accommodation. An employee who believes that they qualify for these protections and needs a reasonable accommodation should contact the Executive Director. The Commission may request supporting documentation including but not limited to a copy of the individual's medical marijuana card, documentation from an employee's medical provider, including an assessment of what, if any accommodations may be appropriate and necessary. It is the Commission's policy not to discriminate against a qualified individual with a medical marijuana prescription with regards to any terms or conditions of employment. Employees are reminded, however, that use of, possession of, or impairment by marijuana during working time and on Company premises or while engaged in Commission business is still generally prohibited.

### Adult Use of Recreational Marijuana (NY Employees)

The Commission recognizes that effective March 31, 2021, New York legalized adult recreational use of marijuana (cannabis). In accordance with state law, the Commission will not refuse to hire, employ, or will not discharge an employee, or otherwise discriminate against an individual in terms, conditions, or privileges of employment because of an individual's lawful off-duty use of consumable cannabis products or for engaging in lawful off-duty cannabis related recreational activities, in accordance with state law.

However, the following conduct is still explicitly prohibited:

- Possession, purchase, sale, cultivation, or use of marijuana (cannabis) during work hours (including during meal or break periods), on Commission premises, and/or while using Commission equipment or Commission-owned property (including Commission owned vehicles or vehicles used in the course of conducting Commission-business).
- Working while impaired by the use of marijuana (cannabis), meaning the employee manifests specific articulable symptoms while working, which may include a decrease or decline in the employee's performance of the duties or tasks of their position, or which interfere with the Commission's obligation to provide a safe and healthy workplace,
- Driving while impaired by the use of marijuana (cannabis) while engaged in Commission business.
- Smoking marijuana (cannabis) in any location where smoking tobacco is prohibited.
- Engaging in conduct that otherwise endangers others.

The Commission reserves the right to require employees who exhibit articulable symptoms to submit to a drug test, in accordance with applicable law. The Commission may take appropriate action, including discipline up to and including termination, based on a violation of this policy in compliance with applicable law and regulations.

Nothing in this policy prohibits or limits the Commission from taking action as required by state or federal statute, regulation, ordinance, or other governmental mandate. Moreover, nothing in this policy requires the Commission to commit any act that would cause it to be in violation of federal law, or which would result in the loss of a federal contract or federal funding.

Employees should be aware that lawful off-duty use of marijuana may also create a material conflict of interest related to CVRPC's business interest if lawful off-duty use by an employee damages CVRPC's reputation in the community as a knowledgeable and respected leader in the federal grants arena or would result in the loss of a federal contract or federal funding. Any questions or concerns regarding this policy should be directed to the Executive Director.

### **Notice of Electronic Monitoring Pursuant to NY Civil Rights Law § 52-C**

The Central Vermont Regional Planning Commission is committed to maintaining a transparent, fair, and secure workplace. Under New York law, employers are required to provide employees with notice of electronic monitoring. Therefore, employees are hereby advised that any and all telephone conversations or transmissions, electronic mail or transmissions, or internet access or usage by an employee by any electronic device or system, including but not limited to the use of a computer, telephone, wire, radio or electromagnetic, photoelectronic or photo-optical systems ("Employee Activity"), may be subject to monitoring at any and all times and by any lawful means.

Electronic devices and systems used for Commission business pursuant to Commission policy may be monitored, intercepted, reviewed, or disclosed to the extent such device is used for any Employee Activity. Such devices include but are not limited to Commission -owned devices as well as personal devices, internet access provided by the Commission (including WiFi), email accounts, computers, servers, systems, and networks ("Commission IT Resources"). Monitoring activities can be for any lawful purposes, including but not limited to investigations, system maintenance, quality control, continuity of operations, and training purposes. The Commission reserves the right to monitor Employee Activity via technology systems at any time in compliance with the law.

Employees are required to sign a statement acknowledging the employee has received and reviewed copies of policies relevant to computer use and communications and acknowledging that use of CVRPC IT resources constitutes consent to CVRPC monitoring employee activities related to the use of any CVRPC resource as part of their employment.

Questions can be directed to the Executive Director at 802-229-0389 or via email.

### **Harassment Complaint Form**

This form is designed to assist individuals making a report under the Central Vermont Regional Planning Commission (“CVRPC”) Sexual Harassment Prevention Policy. If you believe you are, or have been, subject to conduct in violation of the Sexual Harassment Prevention Policy or the Commission’s Discrimination, Harassment, and Retaliation Policy, or witness or otherwise become aware of such conduct, you are expected to report that information either verbally or in writing. It is the policy of the Commission to promptly and thoroughly investigate such reports.

If you wish to make a written report, you may use this form to do so. After completing this form, please submit it to the Executive Director. If you are more comfortable reporting verbally or in another manner, you are welcome to do so.

CVRPC prohibits retaliation against any individual who opposes a discrimination practice, makes a good faith report of discrimination or harassment, or who participates in an investigation of such reports. Your cooperation in truthfully completing this form and providing as much accurate information as possible will enable us to investigate and respond to these matters.

#### **YOUR INFORMATION**

Name: \_\_\_\_\_  
Home Address: \_\_\_\_\_ Work Address: \_\_\_\_\_  
Personal Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
Job Title: \_\_\_\_\_ Email: \_\_\_\_\_  
Preferred Communication Method: \_\_\_\_\_

#### **SUPERVISOR’S INFORMATION**

Immediate Supervisor’s Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Work Phone: \_\_\_\_\_ Work Address: \_\_\_\_\_

#### **INFORMATION CONCERNING SUSPECTED HARASSMENT**

1. The name of the person(s) involved in your complaint

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Other identifying information: \_\_\_\_\_

Relationship to you: Supervisor Subordinate Co-Worker Other: \_\_\_\_\_

2. Please describe the conduct or incident(s) that are the basis of this report and your reasons for believing the conduct is harassment. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

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3. Date(s) harassment occurred: \_\_\_\_\_  
Is the harassment continuing?      Yes    No

4. Please list the name and contact information of any witnesses or individuals that may have information related to your complaint. Please use additional sheets of paper if necessary.

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5. Have you previously complained or provided information (verbal or written) about harassment at CVRPC? If yes, when and to whom did you complain or provide information?

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Upon receipt of this report, a CVRPC representative will contact you. Every effort will be made to assure that confidentiality will be maintained throughout the investigatory process to the extent consistent with the need to investigate your report and to take appropriate corrective action. For additional information, see the CVRPC's Sexual Harassment Prevention Policy and CVRPC's Discrimination, Harassment, and Retaliation Policy.

*The information provided in this report is true and complete and I request that Central Vermont Regional Planning Commission investigate this complaint and advise me of the outcome of the investigation.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX F

### **Winooski CWSP Interim Public Participation Policy**

#### **POLICY**

It shall hereafter be the policy of the BWQC for the Winooski Basin to:

- 1) ensure public notice of BWQC meetings, decisions, and actions;
- 2) promote transparency and public participation when identifying and selecting projects for advancement;
- 3) give specific consideration to minority, limited English proficiency, and socioeconomically disadvantaged communities and stakeholders; and
- 4) comply with the Department of Environmental Conservation's nondiscrimination policy.

#### **PRACTICES**

The BWQC considers public participation to be of great importance. To promote public participation consistent with the above policy, the BWQC will:

- comply with Vermont's Open Meeting Law and all applicable public records laws;
- use plain language in their communications;
- document the method(s) used to rank and prioritize projects for advancement and make this documentation publicly accessible and available upon request;
- provide public access to the data used to rank and prioritize projects for advancement;
- include a public comment period on the agenda of every meeting; and
- allow members of the public to comment on specific project proposals prior to member deliberation, ranking and prioritization of potential projects.

The BWQC will also make use of current and emerging best practices for justice, equity, diversity, and inclusion, such as:

- identifying and compensating community connectors;
- publicizing meeting notices using diverse communication channels;
- scheduling meetings with due consideration given to accessibility;
- translating materials (upon request) free of charge; and
- engaging with and providing programmatic support targeted towards historically underrepresented communities (this includes giving consideration to the Agency of Natural Resource's Limited English Proficiency Accessibility Plan, Title VI of the federal Civil Rights Act).

**AMENDMENT & REFINEMENT**

This policy was developed as part of the CWSP start-up phase. It may be amended as deemed appropriate by the BWQC. Within 6 months of adoption of this Policy, the BWQC shall solicit input on the policy from BWQC partners and the public. The CWSP and BWQC will also revisit the policy within 12 months of the adoption of a Public Participation Policy.

**ADOPTION**

Recommended by the Winooski Basin Water Quality Council on August 18, 2022.

Adopted by the CVRPC Executive Committee on October 31, 2022.

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Steve Lotspeich, Chair  
CVRPC Executive Committee