

# TOWN OF SOUTH HILL EMPLOYEE HANDBOOK



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**TABLE OF CONTENTS**

<b>CHAPTER 1: GENERAL</b> .....	<b>1</b>
SECTION 1-1: REFERENCE.....	1
SECTION 1-2: APPLICABILITY .....	1
SECTION 1-3: DISSEMINATION .....	1
SECTION 1-4: GENERAL POLICY .....	2
SECTION 1-5: RESIDENCY REQUIREMENT .....	2
<b>CHAPTER 2: STAFFING</b> .....	<b>3</b>
SECTION 2-1: EQUAL EMPLOYMENT OPPORTUNITY.....	3
SECTION 2-2: ACCOMMODATING INDIVIDUALS WITH DISABILITIES .....	3
SECTION 2-3: CLASSIFICATION OF EMPLOYEES.....	3
SECTION 2-4: NON-EXEMPT AND OVERTIME EXEMPT EMPLOYEES.....	4
SECTION 2-5: EMPLOYMENT AUTHORIZATION AND IDENTITY .....	4
SECTION 2-6: EMPLOYMENT AND INTERNAL TRANSFER OF RELATIVES.....	4
SECTION 2-7: PROCEDURE FOR SECURING EMPLOYEES .....	5
SECTION 2-7:1: VACANCIES .....	5
SECTION 2-7:2: PHYSICAL EXAMINATION .....	5
SECTION 2-7:3: DRUG AND ALCOHOL TEST .....	5
SECTION 2-7:4: CRIMINAL RECORDS CHECK.....	6
SECTION 2-7:5: DRIVER'S RECORD CHECK.....	6
SECTION 2-7:6: FALSIFICATION OF APPLICATION.....	6
SECTION 2-8: STAFFING MANAGEMENT POLICY .....	6
SECTION 2-8:1: METHODS FOR ECONOMIC REDUCTION IN FORCE.....	6
SECTION 2-8:2: REASSIGNMENT/RETRAINING .....	7
SECTION 2-9: RESIGNATIONS.....	7
<b>CHAPTER 3: COMPENSATION</b> .....	<b>9</b>
SECTION 3-1: JOB CLASSIFICATION.....	9
SECTION 3-2: COMPENSATION.....	9
SECTION 3-3: NEW EMPLOYEES.....	9
SECTION 3-4: COST OF LIVING INCREASE .....	10
SECTION 3-5: MERIT INCREASE.....	10
SECTION 3-6: PROMOTION .....	10
SECTION 3-7: RECLASSIFICATION .....	10
SECTION 3-8: DEMOTION.....	11
SECTION 3-9: PART-TIME AND SEASONAL EMPLOYEES.....	11
<b>CHAPTER 4: PERFORMANCE EVALUATIONS</b> .....	<b>12</b>
SECTION 4-1: PURPOSE.....	12
SECTION 4-2: NEW HIRE.....	12
SECTION 4-3: PROMOTIONS AND TRANSFERS.....	12
SECTION 4-4: ANNUAL EVALUATIONS .....	12
SECTION 4-5: UNSATISFACTORY PERFORMANCE EVALUATION .....	13

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

<b>CHAPTER 5: HOURS OF WORK AND PAY</b> .....	<b>14</b>
SECTION 5-1: NORMAL HOURS OF OPERATION .....	14
SECTION 5-2: TIME AND PAYROLL REPORTING .....	14
SECTION 5-2:1: MEAL BREAKS.....	15
SECTION 5-2:2: REST BREAKS .....	15
SECTION 5-3: TRAVEL TIME .....	15
SECTION 5-4: OVERTIME .....	16
SECTION 5-4:1: NON-EXEMPT EMPLOYEES .....	16
SECTION 5-5: PAY PERIOD DEFINED.....	17
SECTION 5-6: DEDUCTIONS .....	17
SECTION 5-7: DISTRIBUTION OF PAYCHECKS .....	18
SECTION 5-8: ADVANCES.....	18
SECTION 5-9: PERSONNEL RECORDS AND CHANGES.....	18
<b>CHAPTER 6: ABSENCES FROM WORK</b> .....	<b>19</b>
SECTION 6-1: PERSONAL TIME OFF (“PTO”).....	19
SECTION 6-2: EXEMPT EMPLOYEE ABSENCES.....	20
SECTION 6-3: LEAVE OF ABSENCE.....	20
SECTION 6-4: DONATION OF PERSONAL TIME.....	20
SECTION 6-5: FAMILY AND MEDICAL LEAVE POLICY: .....	21
SECTION 6-5:1: ELIGIBLE EMPLOYEES .....	21
SECTION 6-5:2: DEFINITIONS .....	21
SECTION 6-5:3: WHEN LEAVE IS AVAILABLE.....	22
SECTION 6-5:5: INTERMITTENT LEAVE.....	23
SECTION 6-5:6: CERTIFICATION BY A PHYSICIAN OR HEALTH CARE PROVIDER .....	23
SECTION 6-4:7: ACCRUED LEAVE .....	23
SECTION 6-5:8: UNEMPLOYMENT .....	24
SECTION 6-5:9: BENEFIT PROTECTION .....	24
SECTION 6-5:10: REINSTATEMENT/RETURN TO POSITION .....	24
SECTION 6-5:11: ADDITIONAL FAMILY AND MEDICAL LEAVE .....	24
SECTION 6-6: BEREAVEMENT LEAVE .....	25
SECTION 6-7: JURY DUTY .....	25
SECTION 6-8: SUBPOENAED WITNESS .....	25
SECTION 6-9: MILITARY LEAVE.....	25
SECTION 6-10: ADOPTION LEAVE .....	26
SECTION 6-11: HOLIDAYS .....	27
SECTION 6-12: UNSCHEDULED CLOSURE OF TOWN OPERATIONS.....	28
SECTION 6-13: LEAVE WITHOUT PAY .....	29
SECTION 6-14: NOTIFICATION OF SUPERVISOR.....	29
SECTION 6-15: ABSENCES AND TARDINESS .....	30
SECTION 6-16: CONTINUATION OF BENEFITS WHILE ON LEAVE.....	32
SECTION 6-17: COMPENSATORY TIME OFF (POLICE DEPARTMENT) .....	32

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

<b>CHAPTER 7: BENEFITS .....</b>	<b>34</b>
SECTION 7-1: PURPOSE .....	34
SECTION 7-2: HEALTH INSURANCE.....	34
SECTION 7-3: DENTAL INSURANCE.....	34
SECTION 7-4: COBRA .....	35
SECTION 7-5: LIFE INSURANCE & ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE.....	35
SECTION 7-6: RETIREMENT PLAN .....	35
SECTION 7-7: SHORT TERM/LONG TERM DISABILITY .....	36
SECTION 7-8: WORKER’S COMPENSATION .....	36
SECTION 7-8:1: DISCLAIMER .....	36
SECTION 7-8:2: WORKERS’ COMPENSATION POLICY .....	36
SECTION 7-8:3: REPORTING .....	36
SECTION 7-8:4: PANEL OF PHYSICIANS .....	37
SECTION 7-8:5: MEDICAL TREATMENT .....	37
SECTION 7-8:6: PRESCRIPTIONS .....	38
SECTION 7-8:7: WAGE LOSS BENEFITS.....	38
SECTION 7-8:8: RETURN TO WORK – LIGHT/MODIFIED DUTY .....	39
SECTION 7-9: UNEMPLOYMENT INSURANCE.....	39
SECTION 7-10: SUPPLEMENTAL INSURANCE .....	39
SECTION 7-11: CREDIT UNION.....	40
SECTION 7-12: UNIFORMS.....	40
SECTION 7-13: ONGOING EDUCATION.....	40
SECTION 7-14: CHANGES IN BENEFITS.....	41
<b>CHAPTER 8: PERSONAL PROTECTIVE EQUIPMENT.....</b>	<b>42</b>
SECTION 8-1: PURPOSE .....	42
SECTION 8-2: EYE PROTECTION .....	42
SECTION 8-3: HEAD PROTECTION .....	42
SECTION 8-4: FOOT PROTECTION .....	43
SECTION 8-5: SAFETY VESTS .....	43
SECTION 8-6: HEARING PROTECTION .....	43
SECTION 8-7: RESPIRATORY PROTECTION.....	44
SECTION 8-8: TRAINING.....	44
SECTION 8-9: PPE MAINTENANCE .....	44
<b>CHAPTER 9: EMPLOYEE REIMBURSEMENT .....</b>	<b>45</b>
<b>CHAPTER 10: STANDARDS.....</b>	<b>48</b>
SECTION 10-1: PURPOSE .....	48
SECTION 10-2: CUSTOMER SERVICE.....	48
SECTION 10-3: COMMUNICATION .....	48
SECTION 10-3:1: TELEPHONE USE .....	48
SECTION 10-3:3: BUSINESS TELEPHONE ETIQUETTE .....	49
SECTION 10-3:4: E-MAIL AND USPS MAIL.....	50

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

SECTION 10-4: PROFESSIONAL IMAGE DRESS/UNIFORM CODE .....	50
SECTION 10-5: PARKING.....	51
SECTION 10-6: OPERATION OF TOWN-OWNED VEHICLES .....	51
SECTION 10-6:1: TAKE-HOME VEHICLES.....	51
SECTION 10-6:2: RULES OF THE “ROAD”.....	51
SECTION 10-7: SMOKING POLICY .....	53
<b>CHAPTER 11: BUSINESS CONDUCT.....</b>	<b>55</b>
SECTION 11-1: PURPOSE .....	55
SECTION 11-2: CONFIDENTIAL INFORMATION .....	55
SECTION 11-3: PRACTICE OF ETHICAL BEHAVIOR.....	55
SECTION 11-4: COMPLIANCE WITH LAWS, REGULATIONS, AND TOWN POLICIES .....	56
SECTION 11-5: CONFLICT OF INTEREST.....	56
SECTION 11-6: RULES OF CONDUCT .....	57
<b>CHAPTER 12: DISCIPLINARY ACTION.....</b>	<b>61</b>
SECTION 12-1: DISCIPLINARY ACTION POLICY .....	61
SECTION 12-2: FORMS OF DISCIPLINARY ACTION .....	61
<b>CHAPTER 13: EMPLOYEE GRIEVANCE PROCEDURE .....</b>	<b>63</b>
SECTION 13-1: PURPOSE .....	63
SECTION 13-2: POLICY.....	63
SECTION 13-3: DEFINITION OF GRIEVANCE.....	63
SECTION 13-4: COVERAGE OF PERSONNEL.....	64
SECTION 13-5: GRIEVANCE PROCEDURE STEPS .....	65
SECTION 13-6: DETERMINING GRIEVABILITY/QUALIFICATION FOR A PANEL HEARING.....	67
SECTION 13-7: RULES FOR THE CONDUCT OF PANEL HEARINGS.....	68
<b>CHAPTER 14: HARASSMENT POLICY.....</b>	<b>75</b>
SECTION 14-1: PURPOSE .....	75
SECTION 14-2: HARASSMENT .....	75
SECTION 14-3: VIOLATIONS .....	76
SECTION 14-4: INVESTIGATION OF HARASSMENT COMPLAINTS .....	77
<b>CHAPTER 15: DRUG AND ALCOHOL POLICY .....</b>	<b>79</b>
SECTION 15-1: PURPOSE AND GENERAL POLICY .....	79
SECTION 15-2: EMPLOYEE RESPONSIBILITIES.....	79
SECTION 15-3: DRUG AND ALCOHOL TESTING .....	80
SECTION 15-4: GUIDELINES FOR REASONABLE SUSPICION TESTING.....	81
SECTION 15-5: GUIDELINES FOR POST-ACCIDENT TESTING.....	82
SECTION 15-5:1: POLICY .....	82
SECTION 15-5:2: SECURING THE SCENE.....	82
SECTION 15-5:3: DRUG AND ALCOHOL TESTING.....	83
SECTION 15-5:4: ACCIDENT REGISTER.....	83

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

SECTION 15-5:5: INCIDENT REPORT .....	84
SECTION 15-6: TEST PROCEDURES IN GENERAL.....	84
SECTION 15-7: PENALTIES.....	86
SECTION 15-8: ADDITIONAL CONSIDERATIONS .....	86
<b>CHAPTER 16: FRAUD POLICY .....</b>	<b>87</b>
SECTION 16-1: PURPOSE AND GENERAL POLICY .....	87
SECTION 16-2: ACTIONS CONSTITUTING FRAUD .....	87
SECTION 16-3: OTHER IRREGULARITIES.....	88
SECTION 16-4: INVESTIGATION RESPONSIBILITIES .....	88
SECTION 16-5: CONFIDENTIALITY .....	88
SECTION 16-6: AUTHORITY FOR INVESTIGATION OF SUSPECTED FRAUD.....	89
SECTION 16-7: REPORTING PROCEDURES .....	89
<b>CHAPTER 17: RETALIATION.....</b>	<b>90</b>
SECTION 17-1: PURPOSE AND GENERAL POLICY .....	90
SECTION 17-2: CONFIDENTIALITY .....	90
<b>CHAPTER 18: FRAUD AND WHISLE BLOWER PROTECTION .....</b>	<b>91</b>
SECTION 18-1: POLICY.....	91
SECTION 18-2: DEFINITIONS.....	91
SECTION 18-3: DISCRIMINATION AND RETALIATORY ACTIONS AGAINST WHISTLE BLOWERS PROHIBITED .....	92
SECTION 18-4: APPLICATION OF TOWN GRIEVANCE PROCEDURE.....	92
<b>CHAPTER 19: SAFETY AND LOSS CONTROL.....</b>	<b>2</b>
SECTION 19-1: PURPOSE AND GENERAL POLICY .....	2
SECTION 19-2: EMPLOYEE RESPONSIBILITIES.....	2
SECTION 19-3: INCIDENT INVESTIGATION.....	4

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 1: GENERAL**

**SECTION 1-1: REFERENCE**

The Town of South Hill Employee Handbook updated in 2020, is hereby approved and adopted. This Handbook supersedes the Personnel Manual previously adopted by the Town Council in 2015, as revised, as well as the Policies and Procedures Manual updated in 2018. This Handbook does not constitute a contract with employees, but is intended as a policy guide in all matters concerning Town personnel.

Employment with the Town of South Hill (“the Town”) is voluntary, and employees are free to resign from a position with the Town at will, at any time, with or without cause. Similarly, the Town may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this Handbook are not intended to create a contract for employment, nor are they to be construed to constitute a contractual obligation of any kind between the Town and the employee.

The policies as a whole, or individually by section, may be modified, amended, or rescinded at the sole discretion of the Town without notice. Any amended pages will include the date of the amendment.

If a department head or supervisor establishes a policy for his/her department that is not included in this Handbook, that policy will be communicated to the employees in writing.

**SECTION 1-2: APPLICABILITY**

The policies and procedures established herein will apply to all paid employees of the Town, whether appointed or hired. The Town Manager, or in the case of the Police Department, the Police Chief, has authority to take appropriate action to address violations of these established procedures.

Pursuant to state and federal law, employees of the Police Department may be subject do additional or different terms and conditions of employment. Where applicable, those different terms and conditions of employment are noted in this Handbook.

Elected officials, including the Mayor and Town Council are not explicitly subject to the policies and procedures established herein, yet every effort should be made to comply in furtherance of the Town’s goals

**SECTION 1-3: DISSEMINATION**

The Human Resources Manager will furnish a complete copy of this Handbook to all Town employees. Any changes to the Handbook will be timely communicated to all Town employees in writing. Employees will sign an acknowledgement to indicate receipt of the Handbook. Copies will

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

also be provided to the Mayor, Members of the Council, Town legal counsel, and each Grievance Arbitrator.

**SECTION 1-4: GENERAL POLICY**

The Town operates under a Mayor/Council form of government. Town Council adopts budgets, passes local legislation, and appoints a primary executive, the Town Manager. It is the Town Manager's responsibility to follow the course determined by Town Council to ensure that appointed staff and employees satisfactorily accomplish daily operations.

The Town Manager serves at the will and pleasure of Town Council. All Town employees serve at the will and pleasure of the Town Manager.

The Police Chief serves at the will and pleasure of the Town Manager, and reports directly to the Town Manager. All Police employees serve at the pleasure of the Police Chief, under the constraints of state law.

**SECTION 1-5: RESIDENCY REQUIREMENT**

The Town Manager and Police Chief need not be a resident of the Town, or State of Virginia when appointed; however, the appointee must become a Town resident within 90 days after the date of appointment. Exceptions may be granted by Town Council in extenuating circumstances.



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 2: STAFFING**

**SECTION 2-1: EQUAL EMPLOYMENT OPPORTUNITY**

The Town's policy is to grant equal employment opportunities to all qualified persons without regard to race, sex, religion, age, national origin, disability, or veteran status. To deny a qualified person the chance to contribute to the Town's effort because he/she is a member of a minority group is an injustice to the individual, as well as to the Town. It is the Town's intent and desire to provide equal opportunities in employment, promotion, wages, benefits, and all other privileges, terms, and conditions of employment.

**SECTION 2-2: ACCOMMODATING INDIVIDUALS WITH DISABILITIES**

The Town provides equal employment opportunities to qualified individuals with disabilities. Reasonable accommodations will be provided to a qualified employee or applicant with a disability when that individual requests an accommodation. A qualified employee or applicant is one who is able to perform the essential functions of the job with or without accommodation. A request for an accommodation will be denied if the accommodation is not shown to be effective, places an undue burden on the Town, or if the individual poses a direct threat to the health and safety of him or herself or others.

**SECTION 2-3: CLASSIFICATION OF EMPLOYEES**

There are four categories of Town employees:

1. FULL-TIME EMPLOYEES are those who are scheduled to work at least 30 hours per week.
2. PART-TIME EMPLOYEES are those who are regularly scheduled to work less than 30 hours per week.
3. SEASONAL EMPLOYEES are those who have been hired to work a particular period of time every year, e.g. the summer season in the case of seasonal Parks employees. The number of hours per week has no bearing on the employee's classification.
4. TEMPORARY EMPLOYEES are those who have been hired for a specific job, project or time period until it has been completed. The number of hours per week has no bearing on the employee's classification.

Generally, part time, seasonal, and temporary employees are not eligible for benefits, except as required by law.

The Town Manager and Police Chief has the authority to hire temporary employees during peak workload situations who may not work longer than three (3) months at any one point in the Fiscal Year. Town Council must approve the hiring of temporary employees for periods longer than three

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

(3) months. The Town Manager and Police Chief must stay within departmental budget constraints when hiring temporary employees under peak workload situations.

**SECTION 2-4: NON-EXEMPT AND OVERTIME EXEMPT EMPLOYEES**

The federal Fair Labor Standards Act requires that most employees in the United States be paid at least the federal minimum wage for all hours worked, and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 in a workweek. This is the definition of a non-exempt employee.

Generally, executive, administrative, and professional employees are exempt and, therefore, are not eligible to receive overtime pay regardless of the number of hours worked. Overtime exempt employees are classified as such because of the nature of their work schedules and job responsibilities as defined by their job descriptions and based on the guidelines of the federal Fair Labor Standards Act.

**SECTION 2-5: EMPLOYMENT AUTHORIZATION AND IDENTITY**

In accordance with the Immigration Reform and Control Act of 1986, it is the Town's policy to hire only those individuals who are authorized to work in the United States. Pursuant to this law, all individuals who are offered employment will be required to submit documentary proof of their identity and employment authorization. Employees will also be required to complete and sign, under oath, Immigration and Naturalization Service Form I-9. Form I-9 requires the employee to attest that the employee is authorized to work in the job for which he/she is hired, and that the documents the employee submitted are genuine. If the employee is authorized to work in this country for a limited period of time, the employee will be required, before the expiration of that period, to submit proof of employment authorization and sign another Form I-9 in order to remain employed by the Town.

The Town will not discriminate based upon national origin or citizenship.

**SECTION 2-6: EMPLOYMENT AND INTERNAL TRANSFER OF RELATIVES**

An employee cannot be supervised directly or indirectly by anyone with whom the employee has a close personal relationship (i.e. family or significant other). Family is defined as related by blood or marriage; significant other is defined as two parties living in the same household. Family can include parent(s), spouse, child, sister, brother, grandparent, grandchild, or spouse's parent; including any relationship defined as a "step" relationship. Directly supervised is defined as one family member being responsible for salary recommendations, performance appraisals, hiring, firing, promoting or disciplinary action of another family member. Indirectly supervised means having the authority and responsibility to approve, deny, or modify any employee actions of the direct supervisor through a typical chain of command.

If a family or significant other relationship is created, or develops, between two employees initially not related, one of the two employees will be expected to resign if a transfer is not available.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 2-7: PROCEDURE FOR SECURING EMPLOYEES**

**SECTION 2-7:1: VACANCIES**

All positions of employment in the Town will be approved by Town Council. Approval for non-exempt positions may occur through the annual budget process; otherwise, Town Council must approve the creation of new positions.

All positions will have a job description that is approved by Town Council. Minor amendments to Town Council-approved job descriptions may be made by the Town Manager or Police Chief should administrative convenience and necessity be best served by such an amendment; however, major amendments will require Town Council approval.

All vacancies and new positions will be filled either internally or by public notice, at the sole discretion of the Town Manager or Police Chief, or as directed by Town Council. Current Town employees may be given preference in the filling of the position after internal posting if a candidate is found to be qualified for the position.

Vacancies filled by public notice will be open for at least 2 weeks from the initial date of posting. The Town Manager or his/her designee will be the chief hiring officer for most Town employees, and will screen applicants, interview candidates, and make appointments. The hiring officer may enlist the assistance of other employees of Council Members in the selection process, if that will serve the best interests of the Town. The Police Chief or his/her designee will be the hiring officer for the Police Department.

The hiring officer will make determinations as to the method or methods of public posting and the application process. In all cases, the hiring officer will endeavor to recruit candidates for vacancies from the largest possible pool of qualified applicants.

**SECTION 2-7:2: PHYSICAL EXAMINATION**

A physical examination at the Town's expense by a physician approved by the Town may be required of applicants who have been made a conditional offer of employment if the examination is related to the qualifications of the position as defined by the job description. These examinations will be conducted in accordance with applicable federal and state statutes, including the Americans with Disabilities Act of 1993.

**SECTION 2-7:3: DRUG AND ALCOHOL TEST**

During the application process the applicant will be asked to give consent for pre-employment drug and alcohol testing. The drug and alcohol tests will be given to applicants who have been made a conditional offer of employment in accordance with the Town's drug and alcohol testing policy, as set forth in this Handbook. An unsatisfactory result on the pre-employment test will be grounds for rescinding the offer of employment, or immediate discharge if the employee is already working for the Town.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 2-7:4: CRIMINAL RECORDS CHECK**

During the application process the applicant will be asked to give consent so that the Town may request a criminal records check. The criminal records check is required for applicants after an offer of employment has been made. An unsatisfactory result on the criminal records check will be grounds for rescinding the offer of employment, or immediate discharge if the employee is already working for the Town.

**SECTION 2-7:5: DRIVER'S RECORD CHECK**

During the application process the applicant will be asked to give consent for the Town to request a driver's record check. The driver's record check will be required for all applicants after an offer of employment has been made. An unsatisfactory result on the driver's record check will be grounds for rescinding the offer of employment, or immediate discharge if the employee is already working for the Town.

**SECTION 2-7:6: FALSIFICATION OF APPLICATION**

Falsified statements on any document involved in the application process, including, but not limited to, the Application for Employment and/or resume, shall be grounds for rescinding the offer of employment, or immediate discharge if the employee is already working for the Town.

**SECTION 2-8: STAFFING MANAGEMENT POLICY**

The Town's policy is to avoid a reduction in force and to keep employees informed of evolving economic conditions. If a reduction becomes necessary, the Town will make every effort to retain displaced employees through reassignment and retraining. Employees displaced by a reduction in force will be given consideration for other vacant positions for which they are qualified or retrained, if necessary, to meet the minimum qualifications for the job. It is important to understand that regular, consistent, and timely adjustments to economic downturns will, in the long run, keep the Town financially sound and protect job security.

**SECTION 2-8:1: METHODS FOR ECONOMIC REDUCTION IN FORCE**

Employees are entitled to know if and when an economic reduction in force is unavoidable. They are further entitled to a fair and equitable downsizing procedure. The methods described herein are options to be considered. The Town does not have to use all of these methods and does not have to consider the methods in any particular order. It is important that the method(s) used fit the unique needs of the Town.

1. Attrition (normal, routine turnover): Do not fill vacancies as they become available.
2. Temporary Hiring Freeze: May be initiated for all positions except those identified as critical to Town operations.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

3. Probationary Layoff: Employees on disciplinary probation will be laid off first before other employees in the area being downsized are displaced.
4. Voluntary or Mandatory Reduced Work Hours Program:
  - a. Employees may be asked to temporarily reduce work hours depending on the needs of the Town.
  - b. Mandatory reduction is sending employees home when no work is available.
5. Convert Full-Time Positions to Part-Time.
6. Use Temporary Agency/Temporary Staff.
7. Share Jobs: Employees not needed for entire work schedule.
8. Overtime: Use overtime, particularly, when the cost of overtime is less than hiring a replacement.
9. Flexible Full-Time Staff Scheduling: Staff, where possible and practical, according to work load (such as 4 ten-hour work days).
10. Temporary Leave During Slow Business Activity:
  - a. Employees may volunteer, or be requested, to take up to 4 pay periods off without pay.
  - b. Employees may be volunteer, or be requested, to take up to 4 pay periods off using their accrued annual leave.
11. Layoff:
  - a. As a last resort, employees may have to be laid off after every other avenue has been pursued.
  - b. It may be necessary to retain key personnel in critical skill areas, regardless of seniority.

**SECTION 2-8:2: REASSIGNMENT/RETRAINING**

The Town will require a displaced employee to be reassigned to another vacant position for which they are qualified before a new employee is hired. If short-term training (defined as 30 calendar days or less) is needed to help the displaced employee become minimally qualified for a vacant position, it will be provided at no charge to the employee.

**SECTION 2-9: RESIGNATIONS**

Employees are requested to give notice in writing no less than 2 working weeks prior to resigning. Professional and supervisory personnel are requested to give notice 4 working weeks before resigning. Failure to provide the requested notice may result in the loss of payout of accrued Personal Time Off (“PTO”).

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Upon notification of intent to leave the employment of the Town, the Town may designate a date earlier than that which the employee requested.

Employees whose employment is terminated by the Town for any reason will receive only those wages earned by them as a result of hours worked and accrued leave. Accrued leave will be paid according to the PTO policy. Refer to Chapter 6: ABSENCES FROM WORK for further discussion regarding leave and Chapter 7: BENEFITS for further discussion regarding Town benefits and resignation of employment.

The final paycheck may be obtained on the next regular payday, or it can be mailed to the address listed in employee records. The W-2 for the last year of earnings will be mailed to the address of record. Human Resources should be notified of any change in address prior to receiving the last W-2.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 3: COMPENSATION**

**SECTION 3-1: JOB CLASSIFICATION**

The Town has a classification plan which is an officially approved system of grouping positions into appropriate classes. Every job is evaluated according to the kind of work and the degree of responsibility assigned. Jobs having similar duties and responsibilities are assigned or placed into the same class. Each class is evaluated in comparison with other classes, and is assigned to a pay grade in the compensation plan. The Town, at all times, attempts to maintain a prevailing wage scale competitive with the particular job market and/or locality.

As part of the evaluation of every job, the Town will have on file a job description for each position. The job description will contain a job title, the essential functions of the position, the physical requirements of the position, and the qualifications and experience the Town would seek in filling the position.

**SECTION 3-2: COMPENSATION**

An employee's total compensation consists of the regular salary and overtime pay for full-time employees, the employer's contributions to employee benefits, holiday pay, and various forms of leave with pay. Leave policies are found in Chapter 6: ABSENCES FROM WORK.

The rates of pay of Town Employees will be in accordance with the schedule of compensation as adopted and amended by appropriate action of Town Council. Pay increases are not automatic or guaranteed.

The Town Manager and the Police Chief will have job descriptions for their positions, but are otherwise not considered part of the Classification and Compensation system provided for employees. The Town Manager shall be evaluated annually by Town Council, with any resulting pay increases effective July 1. The Police Chief shall be evaluated annually by the Town Manager, with any resulting pay increase effective July 1. Town Council may amend the positions excluded from the Classification and Compensation Plan if it determines such actions are in the best interests of the Town.

**SECTION 3-3: NEW EMPLOYEES**

The established pay range for the pay grade for the job will be explained to the employee upon employment. New employees hired by the Town are normally brought into their position at the starting salary in the pay grade established for that position by the Classification and Compensation Plan. New employees have a 6 month probationary period. When placing an employee within the pay range for a position, allowances may be made for previous experience and academic credentials where they have a direct bearing on job performance and requirements, with the approval of the Town Manager or Police Chief, respectively.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 3-4: COST OF LIVING INCREASE**

Employees may receive market adjustments, in addition to merit increases, in circumstances deemed appropriate by Town Council. Town Council, in its own discretion, and acting through the annual budget process, may revise the current Classification and Compensation plan. The increase will be effective on July 1 of any year, unless Town Council selects another date for the increase to take effect.

**SECTION 3-5: MERIT INCREASE**

If an employee's performance is satisfactory or better at the time of his/her performance evaluation, the employee may receive a merit increase. Merit increases are based on the employee's evaluation score and where the employee's regular rate falls in his/her job grade. Any increase received is effective for hours worked on and after the first day of the next pay period following the scheduled date of the employee's performance evaluation. Performance evaluations and the increases associated with them are not eligible for grievance under the Town's grievance policy.

**SECTION 3-6: PROMOTION**

An employee may be promoted into either a vacant position or a newly created position established by Town Council. The Town Manager or Police Chief will have the authority to promote employees who can perform the essential functions, and meet the requirements, of the vacant position or newly created position. Employees who have demonstrated continuing excellence in their current position and a strong aptitude for improvement may be advanced to a vacant position, for which they do not meet all of the qualifications, on a provisional basis. These employees must meet goals for learning set by the supervisor and the Town Manager or Police Chief within 6 months after their provisional advancement.

An employee is not allowed to move more than 6 grades in a 5-year period without Town Council approval, nor will an employee be allowed to move more than 2 grades in the first year of employment without Town Council approval.

If an employee is promoted, his/her pay may be increased to the starting salary in the new grade. If the starting salary of the new grade fails to increase the rate of pay by at least five percent, then the employee will receive at least a five percent increase. A provisionally advanced employee will not receive an increase until the goals are met and the promotion is made final.

Promoted employees will be given an evaluation 6 months after the date of their promotion, at which time they may receive a merit increase if their performance exceeds expectations.

**SECTION 3-7: RECLASSIFICATION**

Reclassification of a job can occur when the actual duties and responsibilities no longer fit the existing job title and pay range. The position will be reclassified to establish a new class with an appropriate title and pay range. Reclassification of a job, or the creation of new jobs, requires the consent of Town Council. Reclassifications are to be submitted to Town Council by the Town



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Manager, or his/her designee. Reclassifications are based upon the review of the position's duties, responsibilities, or working conditions by the Town Manager, the Human Resources Manager, the department head, and the employee's direct supervisor. Reclassifications from the Police Department are to be presented by the Police Chief, based upon the review of the position's duties, responsibilities, or working conditions by the Police Chief, department head, and the employee's direct supervisor.

Reclassifications for employees based upon changes in their duties or work environment which create changes in grade may cause an employee to rise or fall in the grade chart of the Classification and Compensation Plan. All such reclassifications are subject to the approval of Town Council, after a review of the situation by the Personnel Committee.

**SECTION 3-8: DEMOTION**

Under certain circumstances, an employee may be involuntarily demoted to a position on a lower grade. This action will take place in accordance with applicable laws and regulations, and a conference will be held prior to the demotion between the supervisor, appropriate department head, and the employee. A written record of the conference will be made and distributed to the attendees and the employee's personnel file. At that time, the employee's salary may be adjusted to the appropriate position in the new pay grade based on experience, qualifications, etc. In any event, after 12 months, the employee's salary will be adjusted to the appropriate position in the new pay grade based on experience, qualifications, etc.

An employee may also request a voluntary demotion into a vacant position on a grade lower than the position that the employee currently occupies. In such an event, the employee will be paid his/her current salary for 12 months from the date of transfer. After 12 months, the employee's salary will be adjusted to the appropriate position in the new pay grade based on experience, qualifications, etc.

**SECTION 3-9: PART-TIME AND SEASONAL EMPLOYEES**

When employment is on a part-time and/or seasonal basis, the rate of compensation will normally be the starting salary of the position for which the employee is hired. In the event of recurring part-time or seasonal employment, the Town Manager or Police Chief will make the determination as to what starting salary the employee is qualified. Advancements of part-time and/or seasonal employees are not to be treated the same as those for full-time employees. Part-time and seasonal employees' eligibility for benefits is determined by law. Any questions should be directed to Human Resources.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 4: PERFORMANCE EVALUATIONS**

**SECTION 4-1: PURPOSE**

The Town uses performance evaluations to assess the employee's ability to complete the responsibilities of his/her position as defined by the job description, and to assess the employee's compliance with the Town's policies and procedures.

Every employee will receive a copy of his/her performance evaluation.

**SECTION 4-2: NEW HIRE**

New employees have a 6-month probationary period. During this period, the employee's performance and adaptability to the job are evaluated and the employee, in turn, evaluates the job as it meets his/her needs. The employment may be terminated at any point during this 6 months if the employee is not meeting the job requirements. The employee will receive a performance evaluation at or near the end of this period.

The probationary period does not abrogate or modify in any way the employment-at-will status that applies to the Town's employment relationship with all employees.

**SECTION 4-3: PROMOTIONS AND TRANSFERS**

Employees who are moved to another position will receive a performance evaluation after the first 6 months in the new position to evaluate performance since assuming that position.

**SECTION 4-4: ANNUAL EVALUATIONS**

Performance evaluations will be conducted annually on a date designated by the Town Manager. All employee evaluations (with the exception of probationary evaluations) will be completed during the same month. Performance evaluations will be prepared by the employee's immediate supervisor, and then reviewed by the employee's department head and Human Resources. The employee's immediate supervisor and department head will meet with the employee in person to discuss the performance evaluation, and the employee may make a written response on the evaluation. Human Resources will participate in the meeting to discuss the performance evaluation if the overall writing requires a written performance improvement plan.

The Chief of the Volunteer Fire Department will prepare the performance evaluation for the Fire Department Administrator, which the Town Manager will review.

The Police department evaluates all employees annually, on the same schedule as other Town employees.

If the employee has served in a position for less than 12 months, the employee will be evaluated on the performance in the new position. If the employee has been in the position less than 3 months,

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

the employee's supervisor may take into consideration the performance in the previous position, but the evaluation must be weighted towards the performance in the new position.

The performance evaluation of the Town Manager will be prepared by Town Council and presented to the Town Manager by the Mayor.

**SECTION 4-5: UNSATISFACTORY PERFORMANCE EVALUATION**

Any employee who receives an unsatisfactory performance evaluation:

1. Will be reviewed again within 6 months, or sooner if placed in probationary status;
2. Must meet objective performance goals set by the supervisor in relation to the area(s) noted as needing improvement;
3. Must meet the goals within an appropriate time frame set by the supervisor;
4. Will not receive a merit increase; and
5. May be placed on probation.

The Town Manager or Police Chief must concur with the supervisor's recommended performance goals and the time frame of the performance plan.

If the employee does not meet the goals set by the supervisor, the employee may be placed on probation, have his/her probation extended, or be terminated, with the approval of the Town Manager or Police Chief.

If the employee meets the goals set by the supervisor, the employee may be granted a merit increase and, if on probation, will be removed from probation. The Town Manager or Police Chief must approve a merit increase.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 5: HOURS OF WORK AND PAY**

**SECTION 5-1: NORMAL HOURS OF OPERATION**

Normal hours of operation for each department are as follows:

1. Town Hall – 8:30 a.m. to 5:00 p.m. Monday through Friday. Administrative employees may elect to start their schedule at any time between 7:00 and 8:30 a.m. The schedule must be on a regular basis, and have the approval of the department head and Town Manager. Every attempt should be made to have at least 2 staff members available to serve the public at all times.
2. Police Department – 24 hours a day, 7 days a week. The Police Chief will schedule Police Officers for shifts as appropriate.
3. Fire Department - 8:00 a.m. to 5:00 p.m. Monday through Friday for full-time employees. Volunteers will be available when called, including hours outside of the normal hours of operation.
4. Public Works Department – 7:00 a.m. to 3:30 p.m. Monday through Friday.
5. Wastewater Plant – As necessary to meet regulatory requirements and the demands of the system.

Department heads have the flexibility to schedule employees to cover operations as appropriate.

**SECTION 5-2: TIME AND PAYROLL REPORTING**

All non-exempt Town employees are responsible for correctly recording hours worked. Supervisors will inform employees how, and by what method, to will record time. It is very important that employees record time correctly and that the hours worked are reported accurately so that supervisors have the correct information to turn in for payroll preparation and record keeping every pay period to comply with wage and hour regulations. Employees must certify the accuracy of hours worked. Employees with questions concerning hours worked, or other concerns about time sheets or time cards, should consult their supervisor or department head.

Employees are required to request any Personal Time Off in advance (see Section 6-1, Section 6-3 and Section 6-15) from their supervisor. Such time will also be recorded by the employee's time reporting method.

All time worked, or paid time off, will be calculated to the nearest 15 minute increment. Employees must "clock in/out" within 7 minutes of the normal start and end times and the lunch break.

Working before or after normal hours of operation, or during lunch break, must be approved in advance by a supervisor.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Employees may not work before or after normal hours of operation, or during lunch break on one day to make up for time missed another day during the work week.

Employees must not complete or otherwise alter the time sheet of another employee or clock in/out for another employee. The employee must sign his/her time sheets before submitting the time sheets to payroll.

**SECTION 5-2:1: MEAL BREAKS**

Employees are required to take at least 30 minutes for meal breaks, and meal breaks may be up to one hour long, depending on the department's requirements. Meal breaks do not count as hours worked in computing pay and/or overtime. Employees must "clock out" or otherwise record the time they stopped work prior to starting the meal break, and "clock in" or otherwise record the time they ended the meal break upon returning to work. Employees may not "go get" a meal while still on the clock and then clock out to eat it. Meal breaks may not be taken at the beginning or end of the day.

**SECTION 5-2:2: REST BREAKS**

Employees scheduled for 30-minute meal breaks are allowed two 15-minute rest breaks during their shift. These periods may be designated by the employee's supervisor. Employees are encouraged to take their breaks each day since they provide employees with needed periods of relaxation away from work pressure. Break periods are paid time and are not accumulated from one shift, or one day to another.

**SECTION 5-3: TRAVEL TIME**

Under the provisions of the federal Fair Labor Standards Act, non-exempt employees who attend lectures, meetings, or training programs in another location and return home the same day will be paid for the time spent traveling to and from the other site. If the employee leaves from, or returns to, his/her home rather than the work location, the normal commute time to and from his/her regular work location may be deducted.

Travel that keeps an employee away from home overnight is paid during normal working hours on regular working days, and during corresponding hours on nonworking days. Travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not considered compensable work time.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 5-4: OVERTIME**

**SECTION 5-4:1: NON-EXEMPT EMPLOYEES**

Under provisions of the federal Fair Labor Standards Act, all non-exempt employees, whether full-time or part-time, will receive one and one-half times their regular hourly rate of pay for all hours worked over 40 during a regular work week. Hours worked does not include any hours paid, but not worked, as in Personal Time Off, holidays, or similar time off.

Department heads and superintendents may schedule personnel for overtime work when necessary. Overtime will be held to an absolute minimum, and will be reported on the employee time records as such. Any planned overtime will be discussed with the Town Manager prior to the work being accomplished. Employees may not work overtime without permission from their supervisor.

In order to control costs, employees may be asked to work a reduced schedule at the end of a work week to adjust for excess hours worked earlier in the work week. Similarly, employees may be asked to work a reduced schedule at the beginning of the week to adjust for excess hours anticipated later in the work week.

**SECTION 5-4:1.1: EMERGENCY CONDITIONS/EMERGENCY CALL-BACK**

The Town will pay overtime rates for emergency situations, even if the employee does not actually work more than 40 hours in a week, where employees are: (1) asked to remain on duty after their regular shift ends and/or (2) emergency call-back work. The emergency overtime rates will only apply to those hours worked on the emergency, plus one hour of travel time. Travel time will apply only if the employee is actually “called back” to work after clocking out for the day and leaving the work premises. Travel time will not apply if the employees are asked to remain on duty after their regular shift. Actual emergency hours worked and travel times will be noted on the time records as such by the supervisor.

Emergency Situations include, but are not limited to:

1. Blocked/Broken Sewer Line;
2. Blocked/Broken Water Line;
3. Pump Station Issues;
4. Snow/Ice Preparedness and/or Removal;
5. Downed trees across roadway;

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

6. Storm situations where conditions if not corrected may be hazardous to citizens;
7. Police Department requests for assistance

The Public Works Superintendents over the affected areas will assign the appropriate personnel for the situation. The Superintendents will coordinate with the Public Works Director and/or Town Manager on any questionable situation.

The Town Manager may declare other events, not defined herein, as an emergency situation.

**SECTION 5-4:1.2: COMPENSATORY TIME**

Non-exempt employees may, prior to the end of the pay period, elect to receive compensatory time at a rate of one and one half hours for every hour worked over 40 hours during a regular work week in lieu of overtime pay. Compensatory time is subject to supervisor approval.

Compensatory time shall be taken within one month of accrual. An employee shall not accrue more than 20 hours of compensatory time. If 20 hours or more of compensatory leave has accrued, then overtime shall be paid.

Public Safety personnel, (i.e. Police Officers) may accrue up to 120 hours of compensatory time off. Compensatory time is accrued at one and one half hours for every overtime hour worked, and paid at the employee's regular rate of pay. See Section 6-17 for further details.

**SECTION 5-4:2: EXEMPT EMPLOYEES**

Employees classified as exempt under the federal Fair Labor Standards Act are not eligible for overtime pay.

**SECTION 5-5: PAY PERIOD DEFINED**

Each pay period is comprised of two (2) work weeks. The work week begins on Saturday and ends on Friday.

**SECTION 5-6: DEDUCTIONS**

Certain payroll deductions are required by law, and are automatically withheld from an employee's check. These deductions include, but are not limited to: Federal Income Tax, FICA, Virginia Income Tax, Medicare, and garnishments. The Town may also adopt other programs and benefits, which can be paid for through payroll deduction with the employee's written authorization. Employees who wish to discontinue voluntary deductions must do so in writing. Pretax voluntary

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

deductions may not be discontinued until the next open enrollment date unless there is a qualifying event as defined by law.

**SECTION 5-7: DISTRIBUTION OF PAYCHECKS**

Employees are to be paid every two weeks per the Code of Virginia § 40.1-29. Each paycheck represents the wages earned through the end of the preceding pay period.

Paychecks will be distributed in a manner and time defined by the Town Manager. Paychecks will not be distributed to individual employees earlier than the scheduled time for any reason. If an employee is absent on the day of distribution and wants someone else to pick up the paycheck, he/she must bring the employee's written authorization and a picture identification.

No paychecks will be cashed by the Town.

**SECTION 5-8: ADVANCES**

There are no advances against wages not yet earned.

**SECTION 5-9: PERSONNEL RECORDS AND CHANGES**

Payroll and personnel records are kept on file in the Town Hall.

For the Town to maintain accurate personnel and payroll records for each employee, it is very important to notify the Human Resources Department immediately if changes occur to any of the following: (1) address; (2) telephone number; (3) name or marital status; (4) number of dependents; (5) beneficiary; (6) employment status (from part-time to full-time, etc.); (7) any employee deduction information; (8) status of the employee's driver's license; and (8) the name of the person to be notified in the event of an emergency. Changes should be reported in writing.

The Town maintains a confidential personnel record on all active employees. Personnel records are retained for 5 years after an employee terminates his/her employment. Payroll records are retained for 5 calendar years. Employees may view their own personnel records. This information is confidential and will not be released without the employee's permission, subject to, and in accordance with, the Virginia Freedom of Information Act and the Privacy Protection Act of 1976.

The access, dissemination, and purging of information contained in the files shall be in accordance with the Privacy Protection Act of 1976 and the Virginia Freedom of Information Act.



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 6: ABSENCES FROM WORK**

**SECTION 6-1: PERSONAL TIME OFF (“PTO”)**

Personal Time Off (PTO) is accrued on the last day of each full month the employee is actively employed with the Town. All full-time employees start earning PTO at the end of the month following 30 days of employment. If, at any time during employment, an employee has **any unpaid** leave during the month the employee will not earn PTO for that month. Unpaid leave situations include, but are not limited to: personal leave without pay, suspension without pay, and administrative leave without pay.

Any employee who is absent from work because of Short Term Disability (“STD”) or Long Term Disability (“LTD”) may use PTO to supplement any disability benefits he/she is receiving; however, the combination of PTO and STD or LTD cannot exceed 100% of the employee’s regular pay. The employee will not accrue PTO time while on disability leave. PTO accrual will resume when the employee returns to active employment and has worked 30 days.

1. Accrual rates will be:
  - a. Less than 3 years of service = 12 hrs./mo (18 days)
  - b. Between 3 and 10 years of service =14 hrs./mo (21 days)
  - c. More than 10 years of service = 16hr/mo (24 days)
2. PTO may not be used to cover tardiness to work. If an employee is late, the employee will be docked for whatever time is missed. The employee will also be subject to disciplinary action.
3. PTO may not be taken in increments of less than one hour.
4. PTO is capped at 720 hours on December 31:
  - a. If cap is reached during the year, hours will continue to accrue until December 31.
  - b. On December 31, any hours in excess of 720 will be forfeited.
5. If an employee terminates his/her employment “in good standing” then he/she will be paid for 50% of their accrued PTO, including any current banked PTO (up to a maximum of 360 hours). In Good Standing is defined as:
  - a. Resigned with at least a 2-week written notice (4-week notice for exempt personnel); or
  - b. Was terminated because of a Reduction–In–Workforce, or similar circumstance that was no fault of the employee (i.e. job elimination, etc.).
6. If an employee is terminated for cause (i.e. disciplinary, attendance, violation of Town policy, poor performance, etc.), or leaves/quits/resigns without proper notice, then he/she will forfeit any and all PTO.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 6-2: EXEMPT EMPLOYEE ABSENCES**

If an exempt employee is absent for a portion of a workday, the federal Fair Labor Standards Act requires that the employee be paid full salary for the remainder of the day. If an exempt employee is absent a full day for sickness or other authorized reason, it is considered a paid leave absence, and is subtracted from the appropriate leave accrual balance.

**SECTION 6-3: LEAVE OF ABSENCE**

A leave of absence is defined as extended time off with or without pay (2 weeks or more), and is granted upon approval by the Town Manager, the employee's department head, and the employee's supervisor. To be eligible for a leave of absence, the employee must be employed for 6 months. Failure to return to work at the end of the leave could result in discharge. The dates of the leave are to be defined when receiving approval. If that is not possible, the employee is required to call and speak to his/her supervisor regarding the status of the absence every Thursday.

If the leave of absence is unpaid, it becomes Leave Without Pay and is covered under Section 6-13.

**SECTION 6-4: DONATION OF PERSONAL TIME**

Accrued PTO may be donated from one employee (the donating employee) to another (the leave recipient) provided **all** of the following criteria are met.

1. Leave Recipient
  - a. Must have exhausted all accrued leave of any kind.
  - b. Must be eligible for Family and Medical Leave (Section 6-5) for his/her own serious illness or the serious illness of a family member.
  - c. Family and Medical Leave must not be on an intermittent basis.
  - d. Must not be eligible for Town-sponsored Short Term Disability or Long Term Disability payment.
  - e. Must have certification from a physician that he/she is unable to perform his/her job duties.
  - f. Must not have light duty assignment available, or must have certification from a physician that he/she is unable to perform light duty.
  - g. Must not be on suspension or probation for any reason.
  - h. Must not have received a warning or any other disciplinary action (Chapter 12: DISCIPLINARY ACTION) for any situation relating to attendance and/or absenteeism during the previous 6 months.
  - i. May receive a maximum of 160 hours total from all donors for a single occurrence.
  - j. Must submit a written request to receive donated leave.
2. Donating Employee(s)
  - a. Must get approval from supervisor prior to donating PTO.
  - b. May donate up to 160 hours per Leave Recipient per occurrence/illness.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

- c. Must have 160 hours of PTO remaining after donation.
- d. May not designate the Leave Recipient to whom he/she is donating PTO.

Donated PTO is paid to the Leave Recipient at the Leave Recipient's pay rate. For example, if two hours of PTO are donated and the Donating Employee's pay rate is \$30 per hour, while the Leave Recipient's pay rate is \$20 per hour, the Leave Recipient is paid \$60 for three hours of pay.

**SECTION 6-5: FAMILY AND MEDICAL LEAVE POLICY:**

The purpose of this policy is to provide a leave of absence to eligible employees due to the birth, adoption or foster care placement of a child or the serious health condition (as defined in this policy) of the employee or an employee's family member. In all events the Family and Medical Leave Policy will be administered in accordance with the requirements of the Family and Medical Leave Act of 1993 ("FMLA"), and any amendments or updates to same.

**SECTION 6-5:1: ELIGIBLE EMPLOYEES**

- 1. The employee must have been employed by the Town at least 12 months; and
- 2. The employee must have worked 1250 hours during the 12 months immediately preceding the start of the Family and Medical Leave.

**SECTION 6-5:2: DEFINITIONS**

A "child" is defined as a son or daughter who is either under 18, or incapable of self-care, and for whom the employee has legal responsibility.

A "serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

"Continuing treatment" may be met through (1) a period of incapacity of more than three consecutive, full calendar days plus treatment by a health care provider twice, or once with a continuing regimen of treatment; (2) any period of incapacity related to pregnancy or for prenatal care; (3) any period of incapacity or treatment for a chronic serious health condition; (4) a period of incapacity for permanent or long-term conditions for which treatment may not be effective; or (5) any period of incapacity to receive multiple treatments (including recovery from those treatments) for restorative surgery, or for a condition which would likely result in an incapacity of more than three consecutive, full calendar days absent medical treatment.

If an employee asserts a serious health condition under the requirement of a "period of incapacity of more than three consecutive, full calendar days and any subsequent treatment or period of incapacity relating to the same condition," the employee's first treatment visit (or only visit, if coupled with a regimen of continuing treatment) must take place within seven days of the first day of incapacity.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

If an employee asserts that the condition involves “treatment two or more times,” the two visits to a health care provider must occur within 30 days of the first day of incapacity.

“Periodic visits” for treatment of a chronic serious health condition are defined as at least twice a year.

**SECTION 6-5:3: WHEN LEAVE IS AVAILABLE**

Eligible employees may take up to 12 work weeks of Family and Medical Leave during the course of any 12 month period. The 12 month period is a “rolling” period and is not tied to a calendar or fiscal year. If any Family and Medical Leave was taken during the 12 months preceding a request for Family and Medical Leave, that previous leave is counted as part of the 12 work weeks. For example, if 4 weeks of Family and Medical Leave are taken in March, then the employee has 8 weeks of Family and Medical Leave remaining until the next March.

Eligible employees are entitled to a total of 12 work weeks of unpaid leave during any 12 month period under the following circumstances:

1. For the birth and care of the newborn child of the employee.
2. When an employee adopts a child or accepts placement of a foster child.
3. When the employee or employee's child, stepchild, spouse or parent has a serious health condition.
4. For certain qualifying exigencies arising out of the fact that an employee’s spouse, son, daughter, or parent is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces.

For birth, adoption, or placement of a foster child, the leave applies equally to male and female employees. Leave for a child’s birth, adoption or placement must be taken within 12 months of that event, and the right is forfeited if not taken during that time.

Spouses working for the Town are allowed an aggregate of 12 weeks Family and Medical Leave for birth or placement of a child, or to care for a sick parent. They cannot each take 12 weeks in this instance. Each is entitled to 12 weeks for their own serious health condition or to care for a child or spouse, provided Family and Medical Leave has not been taken during the previous 12 months.

Eligible employees are entitled to up to a total of 26 work weeks of unpaid leave during a single 12-month period to care for a spouse, son, daughter, parent, or next of kin who is a covered military service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees on Military Caregiver Leave are entitled to a combined total of 26 work weeks of all types of FMLA leave during a single 12-month

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

period which begins on the first day of the leave and ends 12 months later. If all 26 weeks are not used by the end of the 12 month period they are forfeited.

**SECTION 6-5:4: NOTICE OF LEAVE**

If the need for leave is foreseeable, the employee must give the Town at least 30-days written notice of the necessity of the leave. If in the event of an emergency this is not feasible, the employee should give as much notice as is practicable.

Employees undergoing foreseeable medical treatment must make a reasonable effort to schedule the treatments so as not to unduly disrupt the Town's operations.

For leave of longer than 2 consecutive weeks, the employee is required to call and speak to his/her supervisor advising the supervisor of the status of the absence every Thursday.

**SECTION 6-5:5: INTERMITTENT LEAVE**

Family and Medical Leave may be taken intermittently, or through the use of a reduced work schedule, whenever medically necessary to care for a seriously ill family member, or because the employee is seriously ill and unable to work. If intermittent Family and Medical Leave is for the birth or placement of a child, both the Town and the employee must agree to the arrangement.

Any time taken off not associated with the specific reason for the intermittent Family and Medical Leave will not be covered under FMLA.

**SECTION 6-5:6: CERTIFICATION BY A PHYSICIAN OR HEALTH CARE PROVIDER**

For leave for a serious health condition, whether the employee's or a family member's, the Town will require the employee to provide medical certification of the need for the leave, including information about the condition and its consequences. The certification will affirm the employee's inability to perform his/her job and, for a family member, that the employee is needed to provide this care.

If Family and Medical Leave is intermittent, medical certification will be required every 3 months.

The Town may require, at its own expense, a second opinion to verify the certification.

**SECTION 6-4:7: ACCRUED LEAVE**

Accrued leave and Family and Medical Leave run concurrently. Employees are required to first use all accrued leave, the remainder of Family and Medical Leave is unpaid unless the employee qualifies for Short Term Disability or Long Term Disability.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Employees on Family and Medical Leave are not entitled to accrue PTO.

**SECTION 6-5:8: UNEMPLOYMENT**

An employee is not entitled to unemployment compensation during Family and Medical Leave.

**SECTION 6-5:9: BENEFIT PROTECTION**

The Town will maintain the employee's health insurance while on leave as if the employee had not taken leave, up to a maximum of 12 weeks, or 26 weeks in the case of a military caregiver. If the terms of the health insurance are modified for active employees, those modifications will also apply to any employee on leave.

Other insurance benefits provided at the expense of the Town will be continued while on leave as if the employee had not taken leave, up to a maximum of 12 weeks, or 26 weeks in the case of a military caregiver. If the terms of any insurance benefits are modified for active employees, those modifications will also apply to any employee on leave.

The employee is required to continue paying the premiums for any optional employee paid insurance while on leave. Premiums must be paid monthly by the date Human Resources designates.

If the employee fails to return to work for reasons other than serious medical problems, or other factors beyond the employee's control, the Town will require reimbursement for any insurance premiums it paid during the leave.

Nothing in this policy limits the Town's right or discretion to amend, modify, interpret, or eliminate any insurance or benefit plans or policies at any time.

**SECTION 6-5:10: REINSTATEMENT/RETURN TO POSITION**

At the end of the leave, the employee will be returned to his/her former position, or a position with equivalent benefits, pay, and conditions of employment. The Town will require the employee to provide a doctor's certification of his/her fitness to perform the duties of his/her job.

**SECTION 6-5:11: ADDITIONAL FAMILY AND MEDICAL LEAVE**

The Town maintains the discretion to allow leave in excess of that which is allowed under the Family Medical Leave Act, or in other circumstances that do not satisfy the requirements of this policy, when the Town Manager (or Town Council in the case of an additional leave request from the Town Manager) deems such leave appropriate. For any such leave the Town will not necessarily maintain the employee's medical insurance coverage or return the employee to his or her former position as described in Sections 6-5:8 and 6-5:9 of this policy.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

\*Any changes to the FMLA made by the United States Department of Labor/Wage and Hour Division will take precedence over any policies written here. All such policies are posted in all employee common areas for review.

**SECTION 6-6: BEREAVEMENT LEAVE**

Full-time employees are eligible for up to 3 work days off with pay for a death in their immediate family (father, mother, sister, brother, children, spouse, grandchildren, grandparents, or spouse's parents.) The eligible days are to be taken consecutively, and must include the day of the funeral. No other days are eligible for bereavement leave.

If additional days of leave are required, or if leave is desired for a death of someone other than immediate family, such leave is subject to approval by the employee's department head. Leave granted in addition to bereavement leave, or granted for deaths other than the family members listed above, will be charged against PTO.

Bereavement leave is not deducted from any accrued leave. Paid bereavement leave requires that the employee is not on leave without pay.

The Town may require verification of the need for bereavement leave.

**SECTION 6-7: JURY DUTY**

It is the duty of every citizen to perform jury duty when called. To encourage employees to fulfill this obligation, the Town will grant leave with full pay for employees called to jury duty.

Employees must notify their supervisor that they have been called for jury duty. The employee must report to work at his/her usual time when the jury is not in session. If the employee is dismissed from jury duty so that there are at least 3 hours remaining in the regularly scheduled work day, the employee should report to work unless the employee is informed by a supervisor that he/she is not needed.

**SECTION 6-8: SUBPOENAED WITNESS**

Any employee subpoenaed as a witness shall receive full pay with the approval of the Town Manager or department head.

Employees must notify their supervisor that they have been called as a witness. The employee must report to work at his/her usual time when not required to be in court. If the employee is dismissed so that there are at least 3 hours remaining in the regularly scheduled work day, the employee should report to work unless informed by a supervisor that he/she is not needed.

**SECTION 6-9: MILITARY LEAVE**

Military leave of absence is granted when the employee notifies the Town Manager that he/she has received military orders. The employee is entitled to full reemployment as prescribed by law upon

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

satisfactory release from military service. In addition, an employee required to attend annual training for military reserve duty is entitled to time off for this training. In accordance with state statutes governing military leave as found in Code of Virginia § 44-93, an employee is entitled to 15 days paid leave for federally funded military duty per federal fiscal year (October 1 – September 30). Beyond that period, an employee will be placed on leave of absence without pay status.

Employees must notify their supervisor as much as possible in advance concerning requirements for military leave.

**SECTION 6-10: ADOPTION LEAVE**

The Town offers Adoption Leave and Pay for eligible employees when a child is newly placed for adoption. Adoption Leave is the period of time that an employee can be absent from work because of the adoption of a child. Adoption Pay is the benefit of pay during the Adoption Leave period based on the eligibility criteria outlined in this policy.

Adoption Leave is available to a single person who is adopting a child, or to one partner of a couple who jointly adopt a child(ren) under the age of 18 (the couple may choose which partner takes adoption leave). To qualify for Adoption Leave, an employee must be newly matched with a child for adoption by approved legal methods. Adoption Leave and Pay is not available in circumstances where a child is not newly matched for adoption, for example, when a step-parent is adopting a partner's child. Employees must provide relevant and timely notification of their intention to begin Adoption Leave.

Eligibility Criteria:

1. Full-time employees will be entitled to 6 weeks (240 hours) of Adoption Leave. This time can be used intermittently, but must be used within 90 days of the placement of the child for adoption.
2. Full-time employees will be eligible for 6 weeks (240 hours) of Adoption Pay at a rate equal to 60% of their gross salary.
3. Family and Medical Leave will run concurrent to the Adoption Leave. (See Section 6-5.) An employee may take the six week Adoption Leave and still have 6 weeks of unpaid Family and Medical Leave available.
4. Employees must have been continuously employed on a full-time basis by the Town for a minimum of 12 months before they are eligible for Adoption Leave.
5. Only one period of Adoption Leave can be taken regardless of whether more than one child is placed for adoption as part of the same agreement.
6. Adoption Leave/Pay can only be granted once every 12 months, beginning with the first day of work after an Adoption Leave. Example: If an employee takes Adoption

JANUARY 2020



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Leave for 6 weeks and returns to work on October 31, the 12-month calendar for eligibility for a second adoption leave will begin on November 1. A second Adoption Leave would not be available until November 1 of the following year.

7. Adopters can choose to start their leave either on the date of the child's placement, or from a fixed date that can be up to one week prior to the expected date of placement.
8. Employees are not allowed to use PTO to supplement Adoption Pay.
9. If additional time off is needed either before or after the six week (240 hour) period, the employee, with the approval of his/her supervisor may use PTO if available.
10. The employee will update his/her supervisor of his/her intended date of return to full duty at least one week before returning.
11. An Adoption Leave Application must be completed and approved by the Supervisor and Human Resources prior to leave being taken.

**SECTION 6-11: HOLIDAYS**

**SECTION 6-11:1: RECOGNIZED HOLIDAYS**

The Town adopts the legal holidays as enumerated in the Code of Virginia, as may from time to time be amended. These currently include the following holidays:

New Year's Day	Memorial Day	Veterans Day
Lee-Jackson Day	Independence Day	Thanksgiving Day
Martin Luther King, Jr. Day	Labor Day	Friday after Thanksgiving Day
President's Day	Columbus Day	Christmas Day

When a holiday falls on a Saturday, it is usually observed on the preceding Friday. Likewise, when a holiday falls on Sunday, it is usually observed on the following Monday. Town Council may, at its discretion, declare other holidays as it sees fit.

**SECTION 6-11:2: HOLIDAY PAY**

Holiday pay for 8 hours at the regular hourly rate is granted to full-time employees of the Town. To be paid for a holiday, an employee must work the regular workday before the holiday and the regular workday after the holiday, unless approved leave has been scheduled, as specified by the type of leave taken, prior to the start of the holiday. If either the regular workday before the holiday or the regular workday after the holiday are unpaid, because the employee does not have paid time off available, the holiday will not be paid.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Holiday hours where the employee is not physically present and working are not considered hours worked for the purposes of computing overtime for non-exempt employees. Non-exempt employees who typically work an 8-hour shift who work on a holiday will be paid at the Emergency Call-In Rate for hours worked, plus their regular holiday pay.

**SECTION 6-11:3: POLICE DEPARTMENT HOLIDAY PAY**

If an employee of the Police Departments works on an observed holiday, he/she will be paid as follows:

1. If the employee's shift starts at 8:00 a.m. and ends at 8:00 p.m. on the observed holiday, the employee will receive 12 hours of regular pay and 8 hours of holiday pay.
2. If the employee's shift starts and 8:00 p.m. on the observed holiday and ends at 8:00 a.m. on the day after the holiday, the employee will receive 12 hours of regular pay and 4 hours of holiday pay.
3. If the employee's shift starts at 8:00 p.m. on the day before the holiday and ends at 8:00 a.m. on the observed holiday, the employee will receive 12 hours of regular pay and 8 hours of holiday pay.
4. If the holiday is the employee's regularly scheduled day off, the employee will be paid for 8 hours at his/her regular rate of pay.

A Police Department employee who works any portion of the observed holiday may elect to accrue the holiday hours to take off at a later date. These hours must be used within 30 days of the holiday.

**SECTION 6-12: UNSCHEDULED CLOSURE OF TOWN OPERATIONS**

In the event of existing or anticipated inclement weather, or other unforeseen severe circumstances, the Town Manager intends to maintain Town operations to the extent that proper precautions and safety will allow. Every effort will be made to conform to established work schedules.

If an employee arrives late because of general transportation difficulties, the tardiness may be excused by the department head.

If Town Offices and Service Departments are operative, an employee who determines that it is not safe for him/her to travel to work, and/or does not report to work at all, will be charged with PTO for the full period of the absence. The determination as to whether an employee works when the office is open during inclement weather is left solely to the discretion of the employee.

Because of weather conditions, or other unforeseen severe circumstances, the Town Manager may curtail or adjust work schedules. Department heads are to maintain normal schedules unless authorized by the Town Manager. In the event of an emergency closing, full-time employees who report to work will be paid their regular wage for the hours closed during the department's regular schedule. Employees who do not report to work will be charged with eight hours of PTO.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

“Essential Personnel” are employees designated by their department heads as being required to work during emergencies. Essential Personnel will be credited with compensatory leave or paid overtime for those hours worked during any unscheduled closure of the Town. Please refer to section 5-4:1.1 for policies/procedures regarding pay for Emergency Conditions.

The Town will use an Emergency Conditions Plan in the event of snow removal, conditions of high wind and/or water, and any other situation deemed or declared to be an emergency. If at all possible, in order to keep operators from exhaustion, the Town will operate 12-hour shifts consisting of CDL licensed vehicle operators, shift supervisors, and at least one mechanic and one worker. At least an 8-hour break will be allowed between shifts for those working under the Emergency Conditions Plan. Work schedules are set by the supervisor. The supervisor will notify employees of the schedule prior to the end of the regular work schedule, or as soon as possible if inclement weather is expected to begin overnight.

**SECTION 6-13: LEAVE WITHOUT PAY**

Leave is considered unpaid when the employee is no longer being paid directly by the Town.

Additional unpaid leave may be authorized after using all PTO and compensatory time, Family and Medical Leave, or while receiving workers compensation payments. Upon request, and for reasonable cause, an employee may be granted leave without pay for a reasonable length of time not to exceed three months, at the discretion of his/her department head and the Town Manager, and subject to conditions in writing outlined by the department head. Notification must be given to the employee and to the Human Resources Department for recordkeeping. Generally, if leave without pay status extends longer than one pay period, no benefits are accrued or granted, with the exception of those required by the FMLA should that apply. All accrued PTO must be used prior to any leave without pay.

The employee has the option of paying the premiums for insurance benefits usually provided at the expense of the Town, or losing the insurance. If the terms of any insurance benefits are modified for active employees, those modifications will also apply to any employee on leave.

The employee may continue paying the premiums for any optional employee paid insurance while on leave, or cancel the insurance. If the insurance is cancelled there may be tax implications for any premiums paid on a pre-tax basis.

If paid, premiums must be paid to the Town monthly by the date Human Resources designates.

Unauthorized and/or unscheduled leave without pay will be handled under Section 6-15: ABSENCES AND TARDINESS.

**SECTION 6-14: NOTIFICATION OF SUPERVISOR**

When an employee is unable to report for work, or expect to be late, he/she is required to notify his/her supervisor **BEFORE** the shift, giving the reason for the absence or tardiness. This enables the supervisor to reschedule personnel and rearrange the work assignment. Paid leave may or may

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

not be authorized. If the employee has difficulty reaching the supervisor, the employee should leave a voicemail message reporting the absence or tardiness, but continue to attempt to contact the supervisor. The message should include a telephone number where the supervisor can call the employee back. Text messaging is an acceptable alternative of notifying the supervisor. The employee is responsible for notifying his/her supervisor about absences or tardiness. The employee should always personally call the supervisor and speak directly to them. Do not ask someone else to call the supervisor, or to notify the supervisor of the employee's absence, unless the employee is physically unable to do so.

In the case of absences exceeding one work day, the employee is required to keep in contact with the supervisor daily, unless other arrangements have been made with the supervisor, or until the supervisor has been made aware of the approximate date of return. Leave without permission or notification is strongly discouraged by the Town, and may result in disciplinary action.

For authorized leaves of absence with no definite return date such as Family and Medical Leave or Workers Compensation cases, and/or for absences of longer than 2 consecutive weeks, the employee is required to call and speak to the supervisor advising of the status of the absence every Thursday.

**SECTION 6-15: ABSENCES AND TARDINESS**

All employees are expected to make their best efforts to be at work as scheduled. No one is "entitled to" be absent or tardy a certain number of times. When an employee misses scheduled work time it places an unfair burden on the other employees.

The following is the attendance policy for all employees:

Attendance and punctuality at work is an essential and basic expectation of all employees. All employees are expected to report to work on time each and every scheduled work day. Time off should be scheduled in advance. Appropriate exceptions to this policy will be considered in cases of inclement weather or personal emergency.

If it is necessary for an employee to miss work unexpectedly the employee is required to call his/her direct supervisor **BEFORE** the start of the shift. If the employee does not reach him/her, the employee should leave a voicemail message detailing the time called, the reason the employee will either be late or absent, and a contact number so that someone can call the employee if needed. Text messaging is an acceptable alternative of notifying the supervisor. A doctor's note saying that the employee is prevented from coming to work that day may excuse calling in sick. Not calling in **BEFORE** the shift will result in disciplinary action. Certain exceptions will be made in the case of emergency. Three days absence with no call in will result in immediate termination, as the Town assumes that the employee has voluntarily resigned the position.

Supervisors will maintain notes, in the time reporting system, recording the exact reason an employee gives when they call in.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

An absence of three consecutive days may require a doctor's note prior to the employee's return to work, in order to document that he/she was under doctor's care during the absence and the doctor has cleared him/her to return to full duty. The employee may not be allowed to return to work until the note is presented to the Human Resources Department and/or the supervisor. All doctor's notes should be forwarded to Human Resources immediately for placement in confidential files. Doctor's notes should never be kept in any files other than those maintained in the Human Resources Department.

If an employee knows that he/she will need to be absent from work for an extended period of time, the employee should come to the Human Resources Department to discuss the available leave options and complete any necessary paperwork to ensure proper documentation and available benefits.

The following guidelines will be the Town Attendance Policy.

1. Reporting for work after the scheduled shift start time (up to 4 hours late) will be considered a "tardy". Leaving early (unscheduled) will constitute a similar offense. Any time over 4 hours, will be considered an "absence."
2. Upon the first unexcused absence/tardy the employee will be counseled/warned by his/her supervisor. A copy of this "record of conversation" should be submitted to the Human Resources Department for placement in the employee's personnel file.
3. Upon the second (2<sup>nd</sup>) unexcused absence/tardy in a 12- month period, a Verbal Warning will be issued. This will affect the employee's performance evaluation rating on attendance. A copy of this Verbal Warning will be submitted to the Human Resources Department for placement in the employee's personnel file.
4. Upon the third (3<sup>rd</sup>) unexcused absence/tardy in a 12- month period, a Written Warning will be issued and the employee may be placed on a Personal Improvement Plan. All written warnings should be administered in the presence of the Human Resources Manager.
5. Upon the fourth (4<sup>th</sup>) unexcused absence/tardy in a 12-month period the employment may be terminated.

The Town maintains the discretion to take disciplinary action in other ways if, in the Town's judgment, the circumstances warrant it. For example, the Town may take strong disciplinary action if an employee engages in a pattern of absence or tardiness problems such as frequently being absent the day before or the day after a scheduled day off; not calling the supervisor when an absence is unscheduled; or if the employee has failed to sufficiently improve his/her absence or tardy record after receiving disciplinary actions.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 6-15:1: HOLIDAY PAY**

Failure to report to work on the day before or after a holiday, unless the employee has scheduled time off in advance, will result in loss of holiday pay.

**SECTION 6-15:2: MISSED PUNCHES**

Not punching in or out when reporting to, or leaving, work, and when leaving for meal breaks, can cause errors in our payroll system. To legally document working hours employees are required to punch in and out as directed. This includes when reporting for work on a call-in basis or on a weekend. To eliminate the occurrence of missed punches, the following policy will be effective immediately:

1. Three missed punches in a 30-day period will result a Verbal Warning.
2. Four missed punches in a 30-day period will result in a Written Warning.
3. Five missed punches in a 30-day period will result in termination of employment.

If an employee feels that there has been a clock malfunction resulting in a missed or duplicate punch, he/she should notify the supervisor and/or the Human Resources Department immediately so that the Town can investigate the problem.

**SECTION 6-15:3: VOLUNTARY OVERTIME**

If an employee volunteers to work overtime, he/she is expected to report as on any other scheduled work day. If an employee volunteers to work, and then does not report to work, this will be considered an unexcused absence.

**SECTION 6-16: CONTINUATION OF BENEFITS WHILE ON LEAVE**

If an employee is on unpaid leave (meaning the employee is not being paid directly by the Town) in excess of 12 weeks, the employee will be responsible for paying the premiums for medical, life, and dental insurance under the Town's group policy. The employee will also be responsible for the premiums for any supplemental insurance policies the he/she may have. Failure to pay these premiums will result in loss of coverage until the employee returns to work.

**SECTION 6-17: COMPENSATORY TIME OFF (POLICE DEPARTMENT)**

All non-exempt (hourly) Police Department personnel shall accrue, use, and be paid for compensatory time in accordance with federal and state requirements. All non-exempt (hourly) Police Department employees will be paid at their regular rate of pay, and will earn one and one-half hours of compensatory time for every one overtime hour worked. Use of compensatory time off must be approved by the immediate supervisor.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Unused compensatory time will carry over from one calendar year to the next. Accrual of compensatory time is capped at 120 hours. Beyond 120 hours, all overtime worked will be paid as wages at the standard overtime rate.

If compensatory time equals 120 hours, then compensatory time must be used before PTO can be taken, until the compensatory time balance falls below 120. At no time can compensatory time exceed the 120 hour cap. All compensatory time off shall be taken in increments of one (1) hour. Exempt employees are not eligible for compensatory time.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 7: BENEFITS**

**SECTION 7-1: PURPOSE**

A paycheck does not represent the entire compensation provided by the Town. Not only do employees receive wages, they also receive a number of employee benefits that, while not paid in cash, still represent real dollars to employees and their families. These benefits include items such as paid leave, various types of insurance, retirement plan, and others. Benefits that result in paid time off from work are covered in CHAPTER 6: ABSENCES FROM WORK. Chapter 7 addresses the remaining benefits. If employees have any questions concerning any of employee benefits, please ask a supervisor or the Human Resources Department.

**SECTION 7-2: HEALTH INSURANCE**

The Town currently offers “employee only” health insurance to full-time employees at no cost to the employee. Coverage is available the first of the month following employment. Employees should complete enrollment forms as soon as possible after employment so that they may be enrolled according to plan requirements. Open enrollment is offered in June of each year. During the contract year changes may be made only when a qualifying event occurs.

Coverage continues to the last day of the month during which the employee leaves the employment of the Town, or change status from full-time to part-time, seasonal, or temporary.

The Town provides the opportunity for an employee to purchase dependent or family coverage for dependents of the employees. If an employee elects dependent coverage, he/she must pay the difference between the single premium and the dependent coverage premium elected. This purchase will be made through payroll deduction on either a pre-tax or after-tax basis. Open enrollment is offered in June each year. During the contract year changes may be made only when a qualifying event occurs.

**SECTION 7-3: DENTAL INSURANCE**

The Town offers an “employee only” dental plan for full-time employees at no cost to the employee. Coverage is available the first of the month following date of employment. Open enrollment is offered in June each year. During the contract year changes may be made only when a qualifying event occurs.

Coverage continues to the last day of the month during which the employee leaves the employment of the Town, or change status from full-time to part-time, seasonal, or temporary.

The Town provides the opportunity for an employee to purchase dependent or family coverage for dependents of the employees. If an employee elect dependent coverage, he/she must pay the difference between the single premium and the dependent coverage premium elected. This purchase will be made through payroll deduction on either a pre-tax or after-tax basis. Open enrollment is offered in June each year. During the contract year changes may be made only when a qualifying event occurs.



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 7-4: COBRA**

The Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”) allows covered employees or qualified beneficiaries to continue their health insurance coverage and/or dental insurance coverage at full cost for a specified period of time if a “qualifying event” occurs. A qualifying event can be: termination of employment, change of employment status from full-time to part-time, employee death, divorce or legal separation, loss of status as a dependent child, and loss of dependent coverage if the employee becomes eligible for Medicare benefits. Please contact Human Resources to discuss continuation of health and/or dental insurance coverage should one of the qualifying events occur to the employee or a qualified beneficiary. This coverage is available only for a specified period of time, and the employee pays the full cost.

**SECTION 7-5: LIFE INSURANCE & ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE**

The Town currently offers life insurance and accidental death and dismemberment insurance policies for full-time employees at no cost to the employee. Coverage is available the first of the month following date of employment. The amount of coverage is twice the annual salary rounded up to the nearest thousand, up to the maximum amount allowed by the insurance provider.

Coverage continues to the last day of the month during which the employee leaves the employment of the Town, or change status from full-time to part-time, seasonal or temporary.

Employees will complete beneficiary information when they complete the enrollment forms. Any changes in beneficiary information should be made by notifying the Human Resources Department. Employees are urged to keep desired beneficiary information current.

**SECTION 7-6: RETIREMENT PLAN**

On August 1, 1999, the Town joined the Virginia Retirement System (“VRS”). All full-time employees hired after this date must join the VRS as required by statute. Employees are required to furnish their supervisor an acceptable proof of age for retirement record-keeping purposes.

The Town pays the employer contribution under the retirement system and the employee is required by the Commonwealth of Virginia to contribute 5% of his/her salary by means of payroll deduction to the retirement system. In the event of an employee’s termination of employment, or death while employed by the Town, the employee or his/her beneficiaries, spouse, minor child or parent may have rights to a refund of the employee contributions or a monthly benefit under the plan. Tax implications of receiving a refund should be discussed with a tax advisor.

All aspects of the VRS are governed by state statute and by the VRS regulations. Employees wishing to know more about the current policies, benefit levels, and other information about the VRS should consult the Human Resources Department.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 7-7: SHORT TERM/LONG TERM DISABILITY**

The Town offers Short Term Disability and Long Term Disability coverage for full-time employees (with the exception of Police Department (hazardous duty) personnel who are covered under other hazardous duty policies) at no cost to the employee. Coverage varies depending on the length of employment and whether the disability is work-related or non-work related. Employees are encouraged to consult Human Resources to determine the amount of benefits and when they become available.

Coverage continues to the last day of the month during which the employee leaves the employment of the Town, or change status from full-time to part-time, seasonal or temporary.

**SECTION 7-8: WORKER'S COMPENSATION**

**SECTION 7-8:1: DISCLAIMER**

This Policy is not a substitute for the Virginia Workers' Compensation Act ("the Act") as found in Title 65.2 of the Code of Virginia. It is also not a substitute for competent legal advice on matters relating to workers' compensation and employment law in Virginia. While every effort has been made to present the contents of the Act as accurately as possible, it should be noted that this document includes information, which may be subject to change as a result of future legislative action by the Virginia General Assembly. Case law rulings related to workers' compensation may also impact the contents and interpretation of the information contained in this Policy. For a more complete resource on workers' compensation law, employees are referred to the full text of the Act.

**SECTION 7-8:2: WORKERS' COMPENSATION POLICY**

Our first responsibility is the prevention of occupational injuries and illnesses. Despite our best efforts, injuries and illnesses do sometimes occur. Workers' compensation provides benefits for an employee in the event of certain occupational illnesses, injuries or death.

**SECTION 7-8:3: REPORTING**

Employees are required to immediately report, preferably in writing, **ALL** workplace injuries, conditions, or illnesses, to their immediate supervisor. All incidents shall be reported no matter how insignificant, and regardless of whether medical treatment is necessary or sought. If written notice is given to the supervisor, the employee should retain a copy of the notification. If the immediate supervisor is not available, the employee must report the incident to the next person in the chain of command in the department, or the Human Resources Department. Late reporting by the employee can result in delayed or denied workers' compensation benefits.

The supervisor must submit an incident/accident report to Human Resources as soon as possible following the incident. The Human Resources Department shall immediately complete an accident report and submit this report to Virginia Risk Sharing Association

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

(“VRSA”). Delays in reporting can jeopardize the employee’s rights under the Act and subject the Town to penalties, which can be assessed by the Virginia Workers’ Compensation Commission. All accident reports shall be submitted to VRSA within 24 hours of the notification of a work related injury or illness.

The supervisor and/or Human Resources Manager shall provide the employee with a copy of the completed accident report and provide the employee with a copy of “What Employees Need to Know” (“WENK”) guide. The WENK is a workers’ compensation informational guide published by VRSA. In lieu of WENK, “A Workers’ Compensation Guide for Employees” from the Commonwealth of Virginia may be provided.

In addition, the supervisor shall complete an Incident Report outlining the accident and making recommendations so the accident is not repeated. Copies of the Incident Report should be distributed to the department head and Town Manager. A copy should also be retained in a file for that purpose in the Human Resources Department.

**SECTION 7-8:4: PANEL OF PHYSICIANS**

The Town has an approved Panel of Physicians for treating workers’ compensation injuries and illnesses. The Human Resources Manager shall, immediately upon notification of a work-related injury or illness, provide the employee with a copy of the Panel of Physicians. The employee shall sign and date an acknowledgement of receipt of the Panel of Physicians, and the supervisor shall witness the employee’s signature. The Panel of Physicians shall be offered to the employee, regardless of whether the employee intends to receive medical attention. The employee should be provided with a copy of the signed Panel of Physicians.

Treatment by a physician or medical facility outside of the Panel of Physician will be at the employee’s expense.

In the event of an emergency, the employee may receive treatment at the closest emergency facility. Once the emergency treatment is completed a Panel physician must be chosen for follow-up care.

All departments shall post a copy of the Panel of Physicians in a conspicuous location.

**SECTION 7-8:5: MEDICAL TREATMENT**

An employee shall not utilize health insurance for situations believed to be work related, unless the claim is denied by VRSA.

Immediately upon receipt all medical bills, reports and other medical correspondence shall be forwarded to VRSA. Employees should bring these documents to the Human Resources Department to forward to VRSA. All medical facility inquiries shall be referred to VRSA.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Only VRSA has the authority to authorize treatment, testing, physical therapy, surgery, change in physician, or second opinion, etc.

The employee shall cooperate with VRSA. This includes supplying disability slips, medical information, keeping appointments, etc. Additionally, the employee shall keep his/her supervisor and/or Human Resources Department advised of his/her work status and cooperate with return to work efforts.

**SECTION 7-8:6: PRESCRIPTIONS**

The Human Resources Manager shall complete and provide the employee with an Instant Coverage Workers' Compensation Prescription Program authorization if medication is prescribed. The employee will take this authorization to a participating network pharmacy and will be provided with a 7 to 10 day supply of medication at no cost. This authorization is valid for one time use only. VRSA must authorize any additional medication prescribed beyond the first fill.

Should an employee incur the cost for any medication, a receipt, which includes the employee's name, prescribing physician's name, date of purchase, name of medication and cost of medication, may be submitted to VRSA for reimbursement consideration.

**SECTION 7-8:7: WAGE LOSS BENEFITS**

An employee is not entitled to lost wage compensation for the first 7 days of incapacity resulting from a work-related disability. The Act includes weekends/holidays in this count, and these days do not need to be consecutive.

The employee may use accrued leave for absences from work in the first 7 days. If the employee chooses not to use accrued leave, this will be excused leave without pay. It is the employee's responsibility to notify his/her supervisor regarding how he/she would like to charge the first 7 days missed from work. If a designation is not made, the employee's accrued leave will be used.

Seasonal, temporary, and part-time employees who are not eligible for annual leave, and employees who do not have earned leave available, will not receive pay for absences from work in the first 7 days.

If the absence is longer than 7 days, the employee will receive compensation benefits from VRSA in accordance with the provisions of the Act.

If an employee is out of work over 21 days for a covered injury/illness for which disability is authorized by a Panel physician, the employee will receive compensation from VRSA for the first 7 days. The employee has the option of signing this check over to the Town and, in return, his/her accrued leave will be restored, or the employee can keep the compensation and the accrued leave will not be reinstated.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Injured employees do not continue to PTO while out of work because of a workers' compensation injury/illness.

Accrued leave cannot be used concurrently with workers' compensation benefits.

If the work-related disability constitutes a "serious health condition," it will be designated under the Family Medical Leave Act, ("FMLA") which will run concurrently with workers' compensation benefits.

While receiving workers' compensation benefits, any voluntary deductions are the responsibility of the employee. Premiums for Town-provided benefits will be paid for by the Town for a maximum of 12 weeks.

Accrued leave may be used for a disability resulting from a denied workers' compensation claim and, if the disability constitutes a "serious health condition," the disability will be designated under FMLA.

**SECTION 7-8:8: RETURN TO WORK – LIGHT/MODIFIED DUTY**

The Town shall make every effort to provide light/modified duty, where practical, for employees with temporary restrictions resulting from a work-related disability. Light duty must be defined by the employee's physician and, therefore, all light/modified assignments will be within the employee's medical capability and will adhere to the treating physician's recommendations. The light/modified assignment may or may not be in the same occupation, department, pay scale, hours, etc. as the employee was performing prior to the work-related injury or illness.

If an employee refuses a light/modified assignment that has been approved by his/her treating physician and is within his/her capabilities, the employee's workers' compensation lost time wages benefits may be jeopardized.

Additional information concerning worker's compensation coverage, regulations, and entitlements is available from the Human Resources Department.

**SECTION 7-9: UNEMPLOYMENT INSURANCE**

The Town provides unemployment insurance to full-time employees in accordance with state law. Its purpose is to provide temporary income for workers and their families when, through no fault of their own, they have lost their job. Eligibility for, and extent of, unemployment compensation are governed by the provisions and laws of the Commonwealth of Virginia. Applications for benefits are made through the local office of the Virginia Employment Commission.

**SECTION 7-10: SUPPLEMENTAL INSURANCE**

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

The Town offers its full-time employees the opportunity to purchase supplemental insurance through payroll deduction. Employees are responsible for the full cost of the premiums of these policies, which will be paid through payroll deduction on either a pre-tax or after-tax basis.

Employees should complete enrollment forms as soon as possible after employment so that they may be enrolled according to plan requirements. Open enrollment is offered in June each year. During the contract year only those changes for reasons of a qualifying event may be made.

The Human Resources Department maintains an updated list of supplemental insurance offerings and contacts.

**SECTION 7-11: CREDIT UNION**

The Town offers its full-time employees the opportunity to deposit any amount they chose to their Virginia Credit Union account through payroll deduction. The Finance Department maintains applications and contacts.

**SECTION 7-12: UNIFORMS**

The Town will provide uniforms or a uniform allowance to employees as is deemed necessary by the Town in order to enhance uniformity of appearance and the ability of the public to recognize Town employees. Currently certain employees in the Police Department, Public Works Department, and Code Compliance Department are provided daily uniforms, although this is subject to change at the discretion of the Town Manager.

When an employee leaves the employment of the Town, it is his/her responsibility to return all uniforms to the supervisor prior to the receipt of his/her final check. In the case of an employee who transfers into a position that does not require uniforms, he/she should return all uniforms to the supervisor on the first day of the new assignment.

**SECTION 7-13: ONGOING EDUCATION**

The Town fully supports an ongoing education and training program in order to enhance the ability of employees to perform their duties in a safe and effective manner. Attendance will be required at safety training sessions. Hourly employees will be reimbursed for time required by their attendance beyond scheduled working hours, in accordance with the federal Fair Labor Standards Act and Town policies.

With the approval of the Town Manager or department head, the employee may receive authorized absence during duty hours to attend training sessions sponsored, or participated in, by the Town. Likewise, with the approval of the Town Manager or department head, reimbursement may be provided for reasonable expenses incurred in the participation in short courses, seminars, conferences, meetings, etc., pertaining to the employee's responsibilities with the Town.

The Town may offer tuition reimbursement for other job related educational courses/classes. The employee must discuss and obtain approval for, the courses, with the department head and Town

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Manager **prior** to starting the course if possible reimbursement of the costs and expenses of the course by the Town is expected.

If approved, the cost of the course will be reimbursed provided the employee successfully completes the course. (This does not include the costs of books.) Successful completion is defined as:

1. A certificate of completion for a certificate course;
2. “PASS” for a “PASS/FAIL” course; or
3. “B” or better for a course in which a grade is earned.

The employee must complete an Education Assistance Agreement Form, which must be signed by the employee’s immediate supervisor, Human Resources, and the Town Manager prior to enrollment in classes. If an employee receives any education assistance, meaning payment for any classes relating to employment, and the employee terminates his/her employment, the following repayment schedule will apply:

Time Elapsed from Education Assistance Payment Date to Termination Date	Percentage of Repayment Required
12 Months or Less	100%
More than 12 Months but less than 18 Months	66%
More than 18 Months but less than 24 Months	33%

**SECTION 7-14: CHANGES IN BENEFITS**

The Town frequently evaluates its benefit offerings, including insurance, in order to ensure that Town-provided benefits are beneficial to the employees and are provided at a reasonable cost. The Town reserves the right to alter its benefit offerings, change insurance providers, or contribution levels in its efforts to provide appropriate benefits for employees at a reasonable cost.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 8: PERSONAL PROTECTIVE EQUIPMENT**

**SECTION 8-1: PURPOSE**

Proper Personal Protective Equipment (“PPE”) as is necessary for the employee to perform the essential functions of the job will be used and maintained. PPE is any material or device worn to protect a worker from exposure to, or contact with, any harmful substance or force.

The Town shall ensure that all Town-provided equipment is appropriate for the hazards employees face, and that the equipment is kept in a sanitary and reliable condition. The Town shall also ensure that all Town-provided equipment meets or exceeds federal or state safety standards and regulations. When an employee provides his/her own equipment, the Town shall ensure that the equipment is appropriate for the hazards the employee faces, meets federal and state safety standards and regulations, and that the equipment is kept in a sanitary and reliable condition.

**SECTION 8-2: EYE PROTECTION**

All employees are required to wear eye or face protection when exposed to hazards from flying particles, molten metal, liquid chemicals, acids or caustic fluids, chemical gases or vapors, or potentially injurious light radiation. Employees faced with hazards from flying particles shall wear eye protection with side protectors. Employees required to wear prescriptive lenses to correct vision must either wear eye protection with the prescription incorporated into the lens, or wear eye protection that can be worn over the prescription lenses without disturbing the position of either the safety lenses or the prescription lenses. The Town will provide non-prescription safety lenses for all qualifying employees and/or circumstances. Employees may be required to provide certification that their regular eyewear meets safety standards if so claimed. A doctor’s certification will be required for any exception to this policy.

Employees faced with the hazard of injurious light radiation shall follow the shade number guidelines enumerated in OSHA Standard CFR § 1910.133 (a) (5), et. seq.

All eye and protective devices shall comply with ANSI Z87-1-1989 “American National Standard Safety Requirements for Industrial Head Protection,” as stated in OSHA Standard CFR § 1910.135 (b) (2). Later standards issued by ANSI will be acceptable.

**SECTION 8-3: HEAD PROTECTION**

All employees working in construction environments, or who are otherwise faced with hazards, must wear a protective helmet (hard hat). If an employee is faced with an electrical shock hazard, a helmet that protects against shock hazards must be worn. Examples of such situations include, but are not limited to, working in and around heavy equipment; taking down trees; any overhead work; and working in excavation sites. Protective helmets will not be required if the worker is more than 30 feet away from an active job site. The Town will provide the appropriate protective helmets for all qualifying employees and/or circumstances.



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

All protective helmets shall comply with ANSI Z87-1-1986 “American National Standard Practice for Occupational and Educational Eye and Face Protection,” as stated in OSHA Standard CFR § 1910.133 (b)(1). Later standards issued by ANSI will be acceptable. In addition, eye and face protection must be distinctly marked to facilitate identification of the manufacturer. Employees may be required to provide certification that their personal headgear meets safety standards if so claimed. A doctor’s certification will be required for any exception to this policy.

**SECTION 8-4: FOOT PROTECTION**

All employees working in areas where heavy materials or equipment are used, or where falling objects present a hazard, are required to wear shoes with steel toe protection. Most Public Works employees fall into this category.

Foot shields that can be worn over shoes will be provided for employees who may be faced with occasional job hazards where foot protection will be required. Crew supervisors, superintendents, or department heads will be responsible for ensuring that the employee obtains foot shields, when necessary, from the Safety Officer. The Safety Officer is responsible for seeing that the foot shields are worn properly.

All protective footwear shall comply with ANSI Z41-1991 “American National Standard Personal Protection-Protective Footwear,” as stated in OSHA Standard CFR § 1910.136 (b) (1). Later standards issued by ANSI will be acceptable.

The Town, in its efforts to ensure that workers are provided adequate foot protection, will reimburse each worker for their purchase of personal protective footwear that meets ANSI standards. The maximum amount reimbursed to each employee each fiscal year will be determined by Town Council as part of the budget setting process. The Safety Officer, superintendent, or department head will ensure that the footwear meets the standards before approving reimbursements under this policy. Receipts and tags to support the purchase are required from the employee.

**SECTION 8-5: SAFETY VESTS**

Safety vests that meet federal and state regulations are to be worn when workers are working in and around public streets. These vests will incorporate reflective material such that the workers can be seen either in a work zone or working along the streets. Workers are required to secure the vests and any loose straps so the vests do not pose a hazard for getting caught in equipment or machinery in use on the job. The Town will provide the appropriate safety vests for all qualifying employees and/or circumstances. Other OSHA approved attire may be substituted for vests as deemed appropriate by the Town Manager.

**SECTION 8-6: HEARING PROTECTION**

Employees are required to wear hearing protection in required situations in accordance with federal and state regulations. The Town will provide the appropriate hearing protection for all qualifying employees and/or circumstances.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 8-7: RESPIRATORY PROTECTION**

Employees are required to wear respiratory protection in required situations in accordance with federal and state regulations. The Town will provide the appropriate respiratory protection for all qualifying employees and/or circumstances.

**SECTION 8-8: TRAINING**

Employees will be trained in the use of any PPE they will be required to use. Employees shall know when PPE is necessary, what types of PPE to use, how to properly use the PPE, limitations of the PPE, and the proper care, maintenance, useful life, and disposal of PPE.

Employees must demonstrate that they understand the training given to them prior to performing work requiring PPE. Training sessions will be documented, with the record to include attendance, date, time, duration, and subject of the training.

**SECTION 8-9: PPE MAINTENANCE**

Employees are required to wear PPE whenever appropriate to comply with all federal and state regulations. PPE should fit properly. If PPE does not fit, return the ill-fitting PPE to the Safety Officer for replacement.

Prior to each and every use, employees must check all PPE issued to them to ensure that there are no obvious defects. If a PPE becomes defective, the employee should return the defective PPE to the Safety Officer for replacement.

Loss or misplacement of PPE is no excuse for not wearing PPE. Each employee is responsible for the PPE assigned to them, and should make sure the PPE is available for use at all times.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 9: EMPLOYEE REIMBURSEMENT**

Out-of-pocket expenses incurred by an employee will be reimbursed provided the employee submits the appropriate form, has valid, original receipts, and the expenses have been authorized in advance by the department head. Reimbursement shall follow the Meals, Lodging, and Transportation policy adopted by the Town as follows:

1. All travel must be approved in advance by the Department Head.
2. Employees must submit a Travel Expense Voucher to the Department Head. This voucher should include:
  - a. Destination/Purpose of Trip;
  - b. Beginning and Ending Dates;
  - c. Full Amount of any travel advance, including:
    - i. Number of nights of lodging and estimated costs;
    - ii. Number of Meals and estimated costs (not to exceed the approved allowances);
    - iii. Type of Transportation;
    - iv. Name and relationship of any non-employee accompanying the employee on the trip; and
    - v. Signature.
3. The department head, upon receipt and approval of request for an advance, should obtain a Purchase Order which will be attached to the Travel Expense Voucher for processing. This Purchase Order and the Travel Expense Voucher should be submitted to the Finance Director no later than 2:00 p.m. on the Wednesday prior to the Friday preceding the departure date.
4. Meal Allowances:
  - a. Maximum allowance for meals will follow the current IRS guidelines. Location specific rates can be found at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem).
  - b. When two or more employees are traveling together, if the more senior employee has a Town Credit Card, then he/she should take responsibility for paying for the meals, and submitting receipts for reimbursement.
  - c. Receipts are required for reimbursement of meal expenses. If any meal in conjunction with a convention or conference exceeds the per diem meal allowance, that meal will be reimbursed provided that a receipt or conference literature is submitted with the Travel Expense Voucher.
  - d. If meal costs are included with any convention, conference or seminar fees, then that meal is deducted from the allowance cited above.
  - e. Requests for reimbursement must be submitted no less than five work days following the return to work of the employee.
  - f. As stated in Section 13-2, consumption of alcohol while on Town time is strictly prohibited. Alcohol purchases while traveling on Town business will not be reimbursed.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

5. Lodging Allowances:
  - a. Lodging expenses are limited to the actual cost of the room, provided that the employee seeks reasonably priced lodging, subject to approval by the Department Head or Town Manager. For single-day events, lodging will not be approved for events less than two hours travel time between the Town and the event site.
  - b. Employees sharing a room with a non-employee will be reimbursed at the single occupancy rate.
  - c. Any personal entertainment purchased (i.e. in-room movies, etc.) should not be submitted for reimbursement.
  - d. It is preferred that employees of the same gender, traveling together will share accommodations. Exceptions are subject to a case-by-case review by the Town Manager.
  
6. Transportation Allowances:
  - a. The Town will pay reasonable transportation fees in advance to the travel agency, carrier or employee. Employee must provide receipt, ticket stub, or similar documentation.
  - b. Any cancellations to pre-paid travel should be reported as soon as possible.
  - c. Travel by personal vehicle, if approved, will be reimbursed at the IRS rate in effect at the time of the travel.
  - d. Mileage from the Town will be calculated using the Virginia Department of Transportation road map for in-state travel or the Rand McNally Road Atlas for out-of-state travel.
  - e. Other reasonable mileage is allowed in lieu of taxi fare for travel to and from restaurants, etc. at the destination point. This is not to exceed five miles per day without prior approval from the Town Manager.
  - f. Parking expenses for parking decks in major cities will be reimbursed by the Town, regardless of whether the vehicle used is personal or Town-owned. A receipt must be provided. For metered parking, a report of the time spent at the meter and the meter rate must be included with the Travel Expense voucher.
  
7. Reimbursement Procedures:
  - a. Employees have five work days to submit all travel receipts and other documentation necessary to complete the Travel Expense Voucher on file. The employee will receive reimbursement within five days of submittal of all necessary documentation. Employees who owe a refund to the Town for advances greater than travel expenses will be required to submit this refund within five work days following the submittal of the travel documentation.
  - b. Compensation for Travel Time for Non-Exempt Employees: Per the Requirements of the U.S. Department of Labor, non-exempt employees traveling to and from out-of-Town sites are paid for travel time for the amount of time spent in travel that exceeds the amount of time the employee spends in normal journey to work. This limitation only applies to employees who leave for training from their home, as opposed to leaving from the work site. Example: An employee of the Wastewater Treatment Plant who lives in Boydton usually takes twenty minutes to travel to work. In order to travel to Emporia for a seminar the employee spends one hour and

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

twenty minutes traveling to the seminar. The employee is owed one hour of wages for time worked as compensation for travel time.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 10: STANDARDS**

**SECTION 10-1: PURPOSE**

Standards are developed to make our interactions with others go more smoothly. These standards apply to all Town employees and, where appropriate, elected officials.

**SECTION 10-2: CUSTOMER SERVICE**

Providing the best possible service to our citizens and visitors minimizes complaints and provides quality and prompt service. If unable to resolve a customer's complaint, the complaint should be forwarded directly to the employee's supervisor or the department head that has the appropriate area of responsibility. Customer satisfaction is of utmost importance, and every employee and elected official is empowered to ensure that our customers' needs are met or exceeded in a timely and professional manner.

**SECTION 10-3: COMMUNICATION**

**SECTION 10-3:1: TELEPHONE USE**

Town telephones are for conducting business and accepting calls from the public requesting services. The use of business telephones for personal calls by individuals is discouraged. Under no circumstances should personal long distance phone calls from a Town business phone be made.

Please make every effort to place personal phone calls after working hours, or during meal breaks. Friends, relatives, or employees or customers of an employee's personal business should refrain from calling during working hours. If there is an emergency requiring immediate attention and the employee does not have, or cannot be reached on his/her cell phone, family and friends may call the Town Shop or the Town Hall.

If, in the judgment of the employee's supervisor or department head, telephone or cell phone use is a detriment to the smooth and successful operation of the employee's crew or department, he/she will be subject to the full range of disciplinary action.

**SECTION 10-3:2: CELL PHONE USE**

Personal cell phone use should be limited to emergencies only.

The Town has issued cell phones to certain employees to be used in the scope of completing their job requirements, or to be reached in case of emergency. These phones are for business purposes only.

Cell phones should be "silent" during meetings and incoming calls should be allowed to go to voice mail.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Employees should not use **any** cellular phones (business or personal) while operating town vehicles or equipment, or driving while conducting Town business unless the employee is utilizing hands-free equipment. If hands-free equipment is not available and the employee should receive a call, or need to make a call, while operating a vehicle or equipment, he/she should find a safe location to pull off the road, stop completely, and then return or make the phone call.

If an employee is involved in an accident while conducting Town business and/or driving a Town vehicle while using a cell phone, any costs, damages, fees, and fines will be the sole responsibility of the driver/employee. The driver/employee will also be subject to disciplinary action up to, and including, termination of employment.

It is illegal to text while driving in Virginia and any fees or fines associated with this infraction, or an accident related to this infraction, will be the sole responsibility of the driver/employee. An employee cited for texting while driving while conducting Town business, or while operating Town vehicles or equipment, will be subject to disciplinary action up to, and including, termination.

**SECTION 10-3:3: BUSINESS TELEPHONE ETIQUETTE**

1. Greet the caller. Be sure to include “Town of South Hill” and the employee’s name.
2. Smile, the caller can hear it in the employee’s voice.
3. If the caller has a question and the employee knows the answer, or can schedule the request; do so. Avoid transferring callers if at all possible.
4. If the employee needs to transfer the call, get the caller’s name and company/organization before transferring the call.
5. If the person the caller wants is not available, ask if they would like to leave a message on that person’s voicemail, otherwise take a written message.
6. If the employee takes a message, include:
  - a. Caller name and company/organization;
  - b. Date and time of call;
  - c. Phone number where the caller can be reached if they want the call returned;  
and
  - d. Short message if the caller wants to provide one.
7. Make sure the written message gets to the recipient in a timely manner.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 10-3:4: E-MAIL AND USPS MAIL**

Town e-mail accounts are primarily for the use of the Town for Town business, and for the public to contact the Town concerning service or other requests. The Town holds exclusive right to e-mail communications to and from Town e-mail accounts.

Employees and elected officials are asked that friends and family contact personal e-mail accounts rather than Town accounts.

Personal USPS mail is to be directed to an individual's home address.

**SECTION 10-3:5: PHOTOGRAPHY/VIDEO/VOICE RECORDING:**

It is expressly prohibited, except in the case of Public Safety Employees, for employees of the Town to wear or use any type of camera or recording device while on Town Property without the express written consent of the Town Manager.

**SECTION 10-4: PROFESSIONAL IMAGE DRESS/UNIFORM CODE**

The Town expects employees to dress appropriately in business or business casual attire Monday through Thursday. Because our work environment serves customers, professional business casual attire is essential. The Town prides itself on the professional atmosphere it maintains, and the positive image that employees present as representatives of the Town. We need to continue to present a professional image toward clients and the public. It is important that employees use their best judgment in dressing appropriately. It is always better to be overdressed than underdressed.

Examples of appropriate business casual attire are listed below, as well as some more common items that are not appropriate for the Town office environment. The list is not intended to be all-inclusive. Rather, these items should help set the general parameters for proper business casual wear and allow employees to make intelligent judgments about items that are not specifically addressed.

**Slacks/pants** – Slacks are acceptable, provided they are clean and wrinkle free. Leggings, accompanied by a long top or jacket are acceptable if the top completely covers the buttocks area. Inappropriate items include jeans, sweat pants, shorts, athletic pants, and pants that are excessively worn, faded, or revealing.

**Shirts** – Casual shirts with collars (for men), polo shirts, sweaters, and turtlenecks are acceptable. Inappropriate items include t-shirts, sweatshirts, tank tops, halter tops, tube tops, shirts with lettering or logos (other than Town of South Hill), midriff tops, athletic tops, and clothes that are sheer/revealing or otherwise distracting.

**Dresses/skirts** – Casual dresses and skirts with modest hemlines are acceptable. As a general guideline, hemlines should reach the tip of the employee's longest finger. Dresses that are sleeveless are acceptable. Mini-skirts and spaghetti strap or strapless dresses are inappropriate.



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**Footwear** – Loafers, boots, flats, heels, pumps, and casual shoes or sandals (for women) are acceptable. Men must wear socks. Athletic shoes, sneakers, thongs (flip-flops), and slippers are unacceptable.

**Personal Hygiene** – Maintaining well-kept hair, good personal hygiene, and general neat grooming is expected.

The Town currently has a dress practice allowing more casual clothes to be worn on Fridays (Casual Fridays). Jeans (clean and not ripped or torn) are acceptable on Casual Fridays. Sweatshirts and t-shirts with the Town of South Hill logo can be worn on Casual Fridays. Clean athletic shoes, or more casual shoes, can also be worn on these casual days. Camouflage and flip-flops are not acceptable office attire, even on Casual Fridays. Men must wear socks.

The Town Manager has complete discretion over what is deemed appropriate or inappropriate for work.

Employees who violate the dress code will be disciplined per the Town policy outlined in CHAPTER 12: DISCIPLINARY POLICY.

**SECTION 10-5: PARKING**

The Town assumes no responsibility for vehicles or their contents while on Town property, or when parked by any individual off Town property while the individual is engaged in Town business.

**SECTION 10-6: OPERATION OF TOWN-OWNED VEHICLES**

**SECTION 10-6:1: TAKE-HOME VEHICLES**

Permission to take home Town vehicles is predicated upon the need to be able to respond to emergencies after hours and on weekends. The Public Works Director and some superintendents are assigned take-home vehicles. Employees who are assigned take-home vehicles are required to respond to emergencies after hours. In the event that personnel who do not have take-home vehicles are required to respond to an emergency after hours, they will be paid mileage at the federal rate for the use of their personal vehicle.

Other Town employees may be assigned take-home vehicles at the discretion of Town Council.

**SECTION 10-6:2: RULES OF THE “ROAD”**

1. Notify Human Resources immediately if there is any change in the status of a driver’s license, and/or if the employee is convicted of any driving offense.
2. Smoking is prohibited in all Town vehicles.
3. Passengers who are not Town employees are not permitted in Town vehicles.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

4. All traffic regulations shall be observed, including stopping at stop signs and slowing down for caution signs.
5. A safe following distance (2-second rule) shall be maintained in between vehicles.
6. Under all conditions, the vehicle will be operated at a speed that will allow the unit to be brought to a stop in a safe manner.
7. All drivers shall slow down for wet and slippery road conditions.
8. Running over loose objects/debris on the roadway surface shall be avoided.
9. The driver shall have a clear view of the path of travel while in motion.
10. Stunt driving and horseplay shall not be permitted or tolerated.
11. All employees operating or riding in Town vehicles are required to wear safety belts.
12. Pedestrians have the right of way.
13. No running vehicle shall be left unattended unless located in zone where flashing/safety/strobe lights are in use.
14. When the engine is cut off the driver shall take the keys whenever he/she leaves the vehicle, regardless of the length of time or purpose for leaving the vehicle.
15. No vehicle in need of repair shall be operated.
16. Town vehicles may not be used for pleasure or private business
17. Town vehicles may not be used during the work day to go to lunch or on other personal business.
18. At all times conserve fuel and time by adhering to defined routes and avoiding backtracking or going to an out-of-the-way location for breaks.
19. Any damage to a Town-owned vehicle must be reported to the supervisor immediately and no later than within 24 hours of occurrence. In addition, the supervisor shall complete an Incident Report describing the damage, and the events leading up to the damage, and make recommendations so the accident is not repeated. Copies of the Incident Report should be distributed to the department head and Town Manager. A copy should also be retained in a file for that purpose in the Human Resources Department.
20. Any accident involving a Town-owned vehicle must be handled as defined by the Town's drug and alcohol policy. (See Section 16.)

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

IMPORTANT NOTE: The Police Department has its own vehicle policy, and the policy listed here is not applicable to the Police Department.

**SECTION 10-7: SMOKING POLICY**

The Town has several smoke free locations, for example, Town offices and certain Public Works break rooms. Please check with a supervisor concerning locations.

For health and safety reasons, smoking in vehicles is **prohibited**.

It is expected that individuals be considerate of other people and equipment when choosing to smoke, especially in confined areas.

Infractions will subject the offender to disciplinary action up to, and including, termination of employment.

**SECTION 10-8: INTERNET AND COMPUTER RESOURCE POLICY**

The Town recognizes the use of the internet as an important business tool; however, misuse of the internet can have an adverse impact on employee productivity and the reputation of the Town. Employees must comply with appropriate procedures, and use the internet in an acceptable manner that will not create unnecessary business risk for the Town. If an employee is unsure about what constitutes acceptable internet usage, then he/she should ask his/her supervisor for guidance and clarification.

Town employees are expected to use the internet responsibly and productively. Internet access is limited to job-related activities. Personal internet use is not permitted except for reasonably brief periods of time during an employee's lunch break or other periods when an employee is not expected to be actively performing his/her official duties. All work done on Town computers is Town property and can be accessed by the Town Manager at any time.

Job-related activities include research and educational tasks that may be found via the internet that would help an employee perform job functions.

All software acquisitions must be authorized by the employee's supervisor, approved by the Town Manager, and downloaded in the presence of the Technology Administrator. If an employee needs software not currently on the Town network, his/she should talk with the supervisor and/or consult with the Technology Administrator.

Users must not perform acts that waste computer resources including, but not limited to, sending unauthorized mass mailings or chain letters, playing games, engaging in online chat groups, accessing personal social media accounts, accessing streaming audio and/or video files, printing personal documents, or otherwise creating unnecessary loads on the network not associated with Town business.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Unacceptable use of the internet also includes, but is not limited to:

1. Using the internet for personal gain or profit.
2. Visiting internet sites that contain inappropriate, offensive, or disrespectful material.
3. Sending or posting discriminatory, harassing, or offensive messages or images on the internet or via the Town's email service.
4. Perpetrating any form of fraud or software, film, or music piracy.
5. Stealing, using, or disclosing passwords without authorization.
6. Accessing files or data without authorization.
7. Revealing confidential information about the Town.
8. Representing yourself as someone else.
9. Giving the false impression that one is representing, giving opinions, or otherwise speaking on behalf of the Town.
10. Sending or posting information that is defamatory to the Town, its services, employees, and/or customers.

All users have a responsibility to use the Town's computer resources and the internet in a professional, lawful, and ethical manner. If an employee fails to comply with this policy, he/she will face disciplinary action up to, and including, termination of employment.

**SECTION 10-9: FIREARMS**

The Town prohibits employees and elected officials from possessing firearms on Town property. This prohibition applies to firearms openly carried, as well as properly-licensed concealed-carry firearms. In accordance with Virginia Code section 15.2-915, the Town does not prohibit an employee or elected official from storing a lawfully-possessed firearm and ammunition in a locked private motor vehicle on Town property.

The Town's firearm prohibition does not prohibit a law-enforcement officer from acting within the scope of his duties, or prohibit the Town Manager from authorizing qualified individuals from possessing firearms on Town property for security purposes.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 11: BUSINESS CONDUCT**

**SECTION 11-1: PURPOSE**

Business conduct is the statement of the ethical boundaries within which the Town operates. These standards apply to all Town employees and, where appropriate, elected officials.

**SECTION 11-2: CONFIDENTIAL INFORMATION**

Confidentiality is the responsibility of every employee and elected official of the Town. Information acquired by reason of an employee's public position should never be discussed outside of the realm of the position. Confidential information acquired by reason of an employee's public position, and not available to the general public, should not be used for personal economic benefit or that of another party or to harass, intimidate, or defame another individual. Misuse of confidential information will lead to discharge.

**SECTION 11-3: PRACTICE OF ETHICAL BEHAVIOR**

Unethical actions, or the appearance of unethical actions, are unacceptable under any conditions. The policies and reputation of the Town depend to a very large extent on the following considerations.

Each employee and elected official must apply her/his own sense of personal ethics, which should extend beyond compliance with applicable laws and regulations in business situations, to govern behavior where no existing regulation provides a guideline. It is each individual's responsibility to apply common sense in business decisions where specific rules do not provide all the answers.

In determining compliance with this standard in specific situations, an employee should ask himself/herself the following questions:

1. Is my action legal?
2. Is my action ethical?
3. Does my action comply with Town policy?
4. Am I sure my action does not appear inappropriate?
5. Am I sure that I would not be embarrassed or compromised if my action became known within the Town or publicly?
6. Am I sure that my action meets my personal code of ethics and behavior?
7. Would I feel comfortable defending my actions on the 6 o'clock news?

An employee should be able to answer "yes" to all of these questions before taking action.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

The supervisor and/or department head is responsible for the ethical business behavior of her/his subordinates. All courses of action suggested must be weighed carefully in ethical as well as economic terms, and final decisions must be based on the guidelines provided by this policy, as well as a personal sense of right and wrong.

**SECTION 11-4: COMPLIANCE WITH LAWS, REGULATIONS, AND TOWN POLICIES**

The Town does not tolerate the willful violation or circumvention of any Federal, state, local, or foreign law by an employee or elected official during the execution of that person's responsibilities for the Town. Nor does the Town tolerate the disregard or circumvention of Town policy or engagement in unscrupulous dealings. Individuals should not attempt to accomplish by indirect means, through agents or intermediaries, that which is directly forbidden.

Implementation of the provisions of this policy is one of the standards by which the Town will measure the performance of all levels of employees.

**SECTION 11-5: CONFLICT OF INTEREST**

Employees and/or elected officials should not expose themselves to, or become involved in, situations that could result in actual or perceived conflicts of interest with the Town. In their dealings with, and on behalf of the Town, employees and/or elected officials will exercise the utmost good faith in all transactions touching upon their duties. Employees and/or elected officials will be held to a strict rule of honesty and fair dealings between themselves and the Town.

A conflict of interest is defined as any activity, transaction, or relationship which is, or has the potential to be, inconsistent with, or opposed to, the best interest of the Town.

Except as approved by the Town Manager in writing, employees should not:

1. Engage in outside business ventures or employment that interferes with their duties or their efficiency as an employee of the Town
2. Engage in any other employment, or in a private business, or in the conduct of a profession during the hours he/she is employed to work for the Town.
3. Engage in any activity that is in competition with the Town and its mission.
4. Have a substantial interest in any firm that supplies goods or services to the Town.
5. Receive gifts, favors, or services from private persons, corporations, or officers or agents of persons or corporations having dealings with the Town, in accordance with Virginia Code § 2.2-3103 *et seq.*
6. Engage in any conduct that will likely be in violation of the Virginia Conflict of Interest Act, Virginia Code § 2.2-3100 *et seq.*

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

The following are the responsibilities of all employees:

1. Employees of the Town should recognize the Town as their primary employer. As such, they should not be engaged in activities that compete with the Town, or seek to gain personally from their relationship with the Town.
2. Employees should disclose any conflicts of interest and/or discuss with their supervisor possible conflicts with which they may become involved.

An employee may take part-time jobs elsewhere if, in the opinion of the department head, there is no conflict with working hours or the interests of the Town. The Town Manager must be informed of all outside employment.

Employees who are involved in conflicts that have not been approved by the Town Manager may be subject to the full range of disciplinary action.

**SECTION 11-6: RULES OF CONDUCT**

The Town has established rules and regulations, which must be complied with for the safety and well-being of employees. Most work exposures are in view of the public and, therefore, conduct shall be acceptable at all times. Employees are expected to comply with these rules and offenders will be disciplined.

For the maintenance of good conduct, the Town relies primarily upon the integrity and self-restraint of its personnel. The necessary rules are administered fairly and consistently through the disciplinary action procedure. Any employee who feels the facts and circumstances of his/her situation have not been fairly presented may appeal this decision through the steps defined in Chapter 11. The following types of behavior will lead to disciplinary action:

1. Insubordination by failure to carry out responsibilities of the employee's job, or refusal to carry out definite assignments and instructions as directed by the supervisor.
2. Repeatedly failing to follow the appropriate chain of command when discussing employee issues. Failing to follow the appropriate chain of command includes, but is not limited to, reporting an employment or personnel matter directly to a member of Town Council or the Mayor.
3. Insubordination by use of profane or abusive language to embarrass, ridicule, or degrade a supervisor, employee, or citizen.
4. Consistently failing to accomplish work assignments in a reasonable time frame, or other unsatisfactory job performance such as performance of unacceptable work in quantity and/or quality.
5. Excessive loafing or wasting time, including excessive socializing or interfering with the work of others during work hours.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

6. Engaging in personal business or other pursuits during working hours.
7. Sleeping or loafing on the job during working hours.
8. Improper use of the time clock or time sheets, including failure to clock in or out or clocking in or out for another employee.
9. Failure to report to work or notify supervisors within department guidelines of a request for absence.
10. Habitual or excessive absenteeism and/or tardiness.
11. Failure to report immediately a personal accident or injury involving work or use of a Town vehicle or equipment.
12. Revealing Town information of a confidential nature to unauthorized persons.
13. Use of Town personnel, equipment, and/or vehicles for personal reasons.
14. Permitting someone who is not employed by the Town to drive or ride in Town vehicles, use Town equipment, or loiter on Town premises.
15. Removal of any Town equipment or material from Town property without permission of the Town Manager or department head.
16. Engaging in horseplay or practical jokes.
17. Careless or reckless driving of Town vehicles.
18. Smoking or striking an open flame in any area where flammable materials are used, or in unauthorized smoking areas.
19. Violating or disregarding safety rules and common safety practices contributing to unclean, unsanitary, unhealthy, or unsafe conditions in the performance of Town work and services.
20. Failure to wear personal protective equipment and use proper equipment when safety conditions require them in accordance with the policies of the Town and applicable regulatory agencies.
21. Entering a Town building or other Town property after regularly assigned work hours. (Employees may enter a Town building only for the purpose of visiting and conducting personal Town business.)
22. Leaving work areas, walking off the job, or leaving work site during work hours without permission from the supervisor.

JANUARY 2020



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

23. Falsification of records or reports, including time records, leave records, job applications, pay or reimbursement vouchers.
24. Sabotaging operations of the Town; e.g. making intentional errors or deliberately restricting output.
25. Unapproved or unauthorized solicitation or distribution of literature on Town property (whether for a charity or not).
26. Gambling on Town property (not including friendly sporting bets for small amounts, provided the activity does not interfere with efficient operations).
27. Engaging in any relationship that affects an employee's ability to aptly accomplish the requirements of their job.
28. Unlawful, immoral, indecent, or improper behavior while in the performance of Town work or services.
29. The use of language, whether verbal or in writing, which is intended or perceived to insult, offend, or be derogatory to someone because of their race, color, ethnicity, national origin, culture, creed, political affiliation, age, disability, sex or marital status which is insulting, offensive, or derogatory to someone's race, color, ethnicity, national origin, culture, creed, political affiliation, age, disability, sex, or marital status.
30. Harassing, cursing, threatening, assaulting, or intimidating citizens, visitors or other employees.
31. An act of violence or a documented threat of violence toward another individual.
32. Possession or display of firearms or concealed weapons of any kind on Town property or work locations, or at Town functions, with the exception of the Police Department as governed by the regulations of that department.
33. Consumption, being under the influence, or selling of alcohol or controlled substances on Town property during the work schedule. Town employees are subject to random testing, in accordance with the drug and alcohol testing program adopted by the Town.
34. Gross negligence, misuse, theft, willfully damaging, or maliciously hiding of Town or another employee's personal property.
35. Conviction in a court of law of any criminal offense that, in the discretion of the Town, makes the person an undesirable employee or poor employee risk in the conduct of work and services for the Town.

This listing illustrates the types of misconduct that will lead to disciplinary action, but this listing is not exhaustive or all-inclusive. The Town reserves the exclusive right to consider and possibly

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

initiate disciplinary action in any circumstance for any conduct deemed by supervisors, department heads, the Town Manager, or Town Council not to be in the best interest of the Town.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 12: DISCIPLINARY ACTION**

**SECTION 12-1: DISCIPLINARY ACTION POLICY**

Conduct and work performance that are unacceptable, and the violation of rules and regulations established for employees will result in disciplinary action.

For many types of behavior, the Town's disciplinary action policy gives the employee an opportunity to correct the behavior through counseling and warnings. The first time the employee exhibits the problem, the disciplinary action may be in the form of a verbal warning from his/her supervisor to improve. If the condition is not corrected or improved, further disciplinary action will be taken. If the problem is still not resolved, additional actions may be taken. Finally, the employee may be discharged if the problem has not been resolved.

All meetings with the employee will:

1. Identify the problem.
2. Explain the expected corrective action.
3. All conferences resulting in a written warning, probation, suspension, involuntary demotion, or discharge should include the employee, the supervisor, the department head, and the Human Resources Department.
4. The employee should sign any document placed in his/her personnel file.
5. Copies of any documentation placed in the employee personnel file will be given to the employee.

**SECTION 12-2: FORMS OF DISCIPLINARY ACTION**

The disciplinary actions listed here are the most common forms of disciplinary action, but are not exclusive. In addition, the Town reserves the right to skip any step(s) in the disciplinary action policy that it deems appropriate, take any of the listed or unlisted actions, combine actions, or otherwise discipline employees in accordance with applicable laws and regulations, as it may determine to be in the best interest of the Town. The amount and type of disciplinary action used in any particular situation will depend on the facts and circumstances. The department head, with the input of the supervisor and the Human Resources Department, will determine the appropriate disciplinary action.

Disciplinary actions may include:

1. **VERBAL CONFERENCE:** Supervisor or department head may discuss conduct in private with an employee, with the discretion of keeping notes, with no record generated for the personnel files.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

2. VERBAL WARNING: A conference will be held in private with the employee explaining the problem, and written documentation will be placed in the personnel file.
3. INCIDENT REPORT: Supervisor or department head will complete a written Incident Report which will be placed in the employee's personnel file. This action may be in conjunction with any other action.
4. WRITTEN WARNING: Supervisor or department head will write a memo discussing the problem, expected resolutions, and time frame for the resolutions. The memo will be discussed in a conference with the employee, and placed in the employee's personnel file.
5. PROBATION: An employee may be placed on probation if problem behavior warrants it in the opinion of the department head. This is a definite time period in which to correct the problem. A conference with the employee will be held prior to the probation, and will be documented. A mid-term progress report will be part of the probation action and a date for this report will be established. The Town Manager or Police Chief must concur with the goals and the time frame of the probation.
6. SUSPENSION: An employee may be suspended either with or without pay, in accordance with the rules of the Fair Labor Standards Act. No employee shall be suspended without pay for a period of longer than 2 weeks. An employee suspended without pay will also not accrue PTO (Personal Time Off) for the month in which the suspension without pay occurs. A conference with the employee will be held prior to the suspension, and will be documented. The conference may be waived if circumstances require an immediate suspension, in which case the circumstances will be documented. Department heads have the authority to suspend employees after conferring with the Town Manager.
7. INVOLUNTARY DEMOTION: Under certain circumstances the Town may demote an employee to a position on a lower grade. This action will take place in accordance with applicable laws and regulations, and a conference will be held prior to the demotion. A record of the conference will be made, along with the employee's new position. The Town Manager shall authorize demotions.
8. DISCHARGE: In a conference held prior to discharge the employee will be informed in writing of the reason for the discharge. The conference should be documented. The conference may be waived if circumstances require immediate discharge, in which case a record of the events will be generated. The Town Manager shall authorize all discharges. Examples of the types of behavior that are most likely to lead to discharge are described in Section 9-6: RULES OF CONDUCT.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 13: EMPLOYEE GRIEVANCE PROCEDURE**

**SECTION 13-1: PURPOSE**

Code of Virginia § 15.2-1506, -1507 mandates that the Town will have in place a Local Government Grievance Procedure. Section 15.2-1507 specifies the general form of the grievance procedure.

The Town has a grievance procedure to afford an immediate and impartial method for the resolution of disputes arising between the municipality and Town employees. This procedure provides for an orderly resolution of complaints and grievances with complete freedom from discrimination, coercion, recrimination, restraint, or reprisal.

Nothing in the grievance procedure shall be construed to modify the rights of the Town to justly hire, transfer, promote, or dismiss employees or determine the methods, means, and personnel with which operations are conducted.

**SECTION 13-2: POLICY**

Town Council shall establish a grievance procedure as part of the Town's policy of employee-management relations. The Town shall encourage resolution of employee problems and complaints, wherein employees can freely discuss their concerns with immediate supervisors and upper management levels. However, to the extent such concerns cannot be resolved, the grievance procedure shall afford an immediate and fair method of the resolution of disputes which may arise between the Town and its employees.

**SECTION 13-3: DEFINITION OF GRIEVANCE**

1. A grievance shall be a complaint or dispute by an employee relating to his/her employment, including but not necessarily limited to:
  - a. Disciplinary actions, including discharges, demotions and suspensions, provided that discharges shall be grievable whenever resulting from formal discipline or unsatisfactory job performances;
  - b. The application of personnel policies, procedures, rules and regulations, including the application of policies involving matters referred to in subsection 2(c) below;
  - c. Acts of retaliation as the result of the use or, or participation in, the grievance procedure;
  - d. Complaints of discrimination on the basis of race, color, ethnicity, religion, national origin, creed, political affiliation, age, disability, sex, or marital status; and
  - e. Acts of retaliation because the employee has complied with Town policies and procedures, reported a violation of Town policies and procedures, complied with any law of the United States or of the Commonwealth, has reported any violation of such law to a governmental authority, has sought any change in law before the Congress of the United States or the General Assembly, or has reported an incidence of fraud, abuse, or gross mismanagement.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

2. Management responsibilities: Management reserves the exclusive right to manage the affairs and operations of local government. Accordingly, pursuant to Virginia Code section 15.2-1507(A)(2), the following complaints are nongrievable:
  - a. Establishment and revision of wages or salaries, position classifications, or general benefits;
  - b. The measurement and assessment of work activity through a performance evaluation, except where the employee can show that the evaluation was arbitrary or capricious;
  - c. The contents of ordinances, statues or established personnel policies, procedures, rules and regulations;
  - d. Failure to promote, except where the employee can show established promotional policies or procedures were not followed or applied fairly;
  - e. The methods, means and personnel by which such work activities are to be carried on;
  - f. Discharge, layoff, demotion, or suspension from duties because of lack of work, reduction in work, or job abolition, except where such action affects an employee who has been reinstated within the previous 6 months as the result of the final determination of a grievance. In any grievance brought under this exception, the action shall be upheld upon a showing by the Town that:
    - i. There was a valid business reason for the action, and
    - ii. The employee was notified of such reason in writing prior to the effective date of the action;
  - g. The hiring, promotion, transfer, assignment, and retention of employees within the Town; and
  - h. The relief of employees from duties of the Town in emergencies.

**SECTION 13-4: COVERAGE OF PERSONNEL**

All full-time and part-time Town employees, excluding probationary employees, are eligible to file grievances as provided in this section with the following exceptions:

1. Appointees of elected groups or individuals;
2. Officials and employees who by charter or other law serve at the will or pleasure of an appointing authority;
3. Deputies and executive assistants to the chief administrative officer of a locality;
4. Agency heads or chief executive officers of government operations;
5. Employees whose terms of employment are limited by law;
6. Temporary, limited term, and seasonal employees;
7. Law enforcement officers as defined in Chapter 5 (29.1-500*et seq.*) of Title 9.1 of the Code of Virginia whose grievance is subject to the provisions of Chapter 5 of Title 9.1, and who have

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

been elected to proceed pursuant to those provisions in the resolution of their grievance, or any other employee electing to proceed pursuant to any other existing procedure in the resolution of their grievance.

The Town Manager or his/her designee shall determine the officers and employees excluded from the grievance procedure, and shall be responsible for maintaining an up-to-date list of the affected positions.

**SECTION 13-5: GRIEVANCE PROCEDURE STEPS**

Town Council approves the grievance procedure in compliance with the foregoing, which shall include not more than four steps for airing complaints at successively higher levels of the employee's management (i.e. following the chain of command), and a final step providing for a panel hearing.

**STEP # 1: SUPERVISOR LEVEL**

- a. The first step shall provide for an informal, face-to-face, initial processing of employee complaints by the immediate supervisor through a non-written, discussion format within 30 days after the occurrence or condition giving rise to the grievance.
- b. The supervisor shall give a verbal response to the employee within 5 work days following the meeting.
- c. If a resolution is not reached at this point, the employee shall submit to the supervisor, on the Town Employee Grievance Form, the nature of the grievance and the specific relief requested within 5 work days following the date of receipt of the verbal response.
- d. The supervisor, in turn, shall give the employee a written response, on the Town Employee Grievance Form, within 5 work days of receipt of the Grievance Form. Copies of the written grievance and the response should be filed in the employee's personnel file.

**STEP #2: NEXT MANAGEMENT LEVEL**

- a. If the first step written response is not accepted and the issue of grievability has not been raised, the employee should indicate on the Town Employee Grievance Form the desire to have the complaint advanced to the next step. The grievance must be submitted to the next step. The grievance must be submitted to the next direct level of management within 5 work days following receipt of the supervisor's reply. The next level of management is defined as the manager to whom the immediate supervisor reports. This is known as the chain of command.
- b. Upon receipt of the Town Employee Grievance Form, the next level manager shall meet with the employee within 5 work days. Present at this meeting are the employee, the manager, appropriate witnesses, and the Human Resources Department.
- c. The next level manager shall give the employee a second step response in writing on the Town Employee Grievance Form within 5 work days following the date of the meeting.
- d. Documentation is filed in the employee's personnel file.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**STEP# 3: UPPER MANAGEMENT LEVEL**

- a. If the second step written response is not accepted, and the issue of grievability has not been raised, the employee should indicate, on the Town Employee Grievance Form, the desire to advance the grievance to the third step. The employee is allowed 5 work days following the date of receipt to forward the grievance to the final level of management, which would usually be the Town Manager.
- b. Upon receipt of the Town Employee Grievance Form, the Town Manager shall meet with the employee within 5 work days. The persons present at this meeting are the employee, the Town Manager, appropriate witnesses, the Human Resources Department and, at the employee's option, a representative of his or her choice. If the employee is represented by legal counsel, management likewise has the option of being represented by counsel.
- c. The Town Manager shall give the employee a third step response in writing on the Town Employee Grievance Form within 5 work days following the meeting.
- d. Documentation is filed in the employee's personnel file.

**STEP #4: PANEL HEARING**

If the reply from the third step meeting is not acceptable to the grievant, he/she may submit the grievance to a fourth step panel hearing. The request for a fourth step panel hearing shall be indicated in writing on the Town Employee Grievance Form by the employee and submitted to Supervision within 5 work days of the Upper Management Level reply. Supervision shall then submit the written request with a copy of the grievance to Town Council, who will schedule the panel hearing. A panel shall consist of three members: one member appointed by the grievant, one member appointed by the Town, and a third member selected by the other two panel members (or appointed by the circuit court).

Such hearing shall be held within 5 work days of the date of selection of the full panel unless the selection involves the use of the circuit court. In cases where the circuit court is used to appoint the third panel member, the hearing shall be held as soon as practicable, but no later than 10 work days following the selection of the panel member by the circuit court. The grievant may have representatives of his/her choice present at panel hearing. The majority decision of the panel shall be final and binding in all its determinations, and shall be consistent with provisions of law and written policy.

The panel has the responsibility to interpret the application of appropriate Town policies and procedures in the case. It does not have the prerogative to formulate or to change policies or procedure.

To insure an impartial panel, such panel shall not be composed of any persons having direct involvement with the grievance being heard by the panel, or with the complaint or dispute giving rise to the grievance. Managers who are in a direct line of supervision of a grievant and the following relatives of a participant in the grievance process are prohibited from serving as panel members: spouse, parent, child, descendants of a child, sibling, niece, nephew, and first cousin. No attorney having direct involvement with the subject matter of the grievance, nor a partner, associate, employee, or co-employee of such an attorney shall serve as a panel member. In case of discharge of Town employees, the third panel member



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

shall not be selected in the manner described above, but such panel member shall be appointed by the clerk of the Circuit Court. These appointments shall be made on a rotating and geographic basis.

In all cases, the third panel member shall be the chairperson of the panel. Panels chosen in compliance with these requirements shall be deemed to be impartial.

The Town Manager shall promulgate rules of conduct for panel hearings.

**STEP # 5: APPEAL**

Either party may petition the Circuit Court of Mecklenburg County for an order requiring implementation of the decision of the panel. If a written request to reconsider the panel decision is submitted by either party within 5 work days of receipt of the decision, the panel by majority vote may elect to review its decision and/or reopen the hearing for good cause shown. The Town Manager shall implement any remedy to the extent that it is consistent with law and written policy. If either party believes the decision to be inconsistent with such provisions, he shall inform the panel and the other party in writing within 5 work days of receipt of the decision.

After the initial filing of a written grievance, failure of either party to comply with all substantial procedural requirements of the grievance procedure without just cause will result in a decision in favor of the other party on any grievable issue, provided the party not in compliance fails to correct the noncompliance within 5 work days of receipt of written notification by the other party of the compliance violation. Such written notification by the grievant shall be made to the Town Manager. Failure of either party without just cause to comply with all substantial procedural requirements at the panel hearing shall result in a decision in favor of the other party.

**SECTION 13-6: DETERMINING GRIEVABILITY/QUALIFICATION FOR A PANEL HEARING**

Decisions regarding whether or not a matter qualifies for a panel hearing shall be made by the Town Manager at the request of the Town or grievant, and such decisions shall be made within 10 calendar days of such request. A copy of the ruling shall be sent to the grievant, to the Clerk of the Circuit Court, and Town Council. Decision of the Town Manager may be appealed to the Circuit Court having jurisdiction in the locality in which the grievant is employed for a hearing *de novo* on the issue of whether or not the grievance qualifies for a panel hearing. Proceedings for review of the decision of the Town Manager shall be instituted by filing a notice of appeal with the Town Manager within 10 calendar days from the date of receipt of the decision and giving a copy thereof to all other parties. Within 10 calendar days thereafter, the Town Manager shall transmit to the Clerk of the Court to which the appeal is taken: a copy of the decision of the Manager, and a copy of the notice of appeal and the exhibits. A list of the evidence furnished to the court shall be provided to the grievant. The failure of the Town Manager or his designee to transmit the record shall not prejudice the rights of the grievant. The court, on motion of the grievant, may issue a *writ of certiorari* requiring the Town Manager to transmit the record on or before a certain date.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Within 30 days of receipt of such records by the Clerk, the Court, sitting without a jury, shall hear the appeal on the record transmitted by the Town Manager and such additional evidence as may be necessary to resolve any controversy as to the correctness of the record. The court, in its discretion, may receive such other evidence as the ends of justice require. The court may affirm the decision of the Town Manager, or may reverse or modify the decision. The decision of the court shall be rendered no later than the fifteenth day from the date of the conclusion of the hearing. The decision of the court determining grievability and qualifications for a panel hearing shall be final. If grievability is not determined by the Circuit Court during the management steps, the Town Manager shall make a determination of whether an issue qualifies for a panel hearing within 10 days of receipt of a request for a panel hearing. If the Town Manager does not qualify an issue for a panel hearing, a grievant is entitled to an appeal to the Circuit Court as provided in this section.

**SECTION 13-7: RULES FOR THE CONDUCT OF PANEL HEARINGS**

The conduct of the panel hearings shall be as follows:

1. The Town shall provide each panel member copies of the completed Town Employee Grievance Procedure Form and the Grievance Procedure for the Town Employees prior to the convening of the panel in order that each member may review the documents. Other information shall be submitted at the hearing in the presence of the parties. Panel hearings are not meant to be conducted as full court proceedings, and panels shall not be bound by the technical rules of evidence. Panels, however, should take into account all reliable and substantial evidence produced at the hearing.
2. At the option of each party, opening statements may be made at the beginning of the hearing, and the panel may ask for such statements in order to clarify the issues involved in the grievance.
3. The Town and thereafter the grievant, or their representatives, shall then present the claims, proofs, and witnesses who shall submit to questions or other examination. The panel may, at its discretion, vary this procedure, but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence, and shall afford the parties the right to cross-examination.
4. The panel by majority vote may decide procedural questions and rule upon objections raised during the course of the hearing.
5. Witnesses other than the parties should remain in the hearing room only while giving their testimony.
6. Members of the panel may question anyone giving testimony in order to clarify points being made.
7. Exhibits offered by the grievant or the Town may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

8. The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be judge of the relevancy and materiality of the evidence offered. Evidence is to be taken in the presence of the panel and both parties.
9. After both parties have had the opportunity to present their evidence, the panel chairperson shall specifically inquire of all parties whether they have any further proof to offer or witnesses to be heard. Upon receiving negative replies, both parties shall be given the opportunity to make closing statements summarizing their positions, following which the hearing should be declared closed.
10. The panel shall render its decision within 10 work days of the conclusion of the hearing. The facts found and the reasons for the panel's decision must be set forth in writing. Panels are to decide cases on the merits, not on compliance matters occurring prior to, or during, the panel hearings.

Please provide addresses and telephone numbers.

Panel Chairperson	St./P.O. Box	City/State/Zip	Tele. No.
Employee Panel Member	St./P.O. Box	City/State/Zip	Tele. No.
Town Panel Member	St./P.O. Box	City/State/Zip	Tele. No.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**COMMONWEALTH OF VIRGINIA  
TOWN EMPLOYEE GRIEVANCE PROCEDURE**

Employee: \_\_\_\_\_  
Name Job Classification

\_\_\_\_\_ Department Work Phone Number

Nature Of Grievance: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Grievance Occurred: \_\_\_\_\_

Relief Requested: \_\_\_\_\_

\_\_\_\_\_

**STEP #1: EMPLOYEE-SUPERVISOR LEVEL**

Date Of Verbal Presentation To Supervisor: \_\_\_\_\_

Date Of Supervisor's Verbal Reply: \_\_\_\_\_

Date Town Employee Grievance Form Submitted To Supervisor: \_\_\_\_\_

Supervisor's Step #1 Reply: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SUPERVISOR'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

I consider this grievance concluded and do not wish to advance my grievance to the next step.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

I do not accept the first step supervisor's reply and wish to advance my grievance to the next step.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Date Submitted To Step # 2: \_\_\_\_\_

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**STEP # 2: EMPLOYEE-NEXT MANAGEMENT LEVEL**

Date Of Step #2 Meeting: \_\_\_\_\_

Names Of People In Attendance Other Than The Employee And The Next Level Manager:

_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department

Manager's Step # 2

Reply: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MANAGER'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

I consider this grievance concluded and do not wish to advance my grievance to the next step.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

I do not accept the second step management's reply and wish to advance my grievance to the next step.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Date Submitted To Step #3: \_\_\_\_\_

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**STEP # 3: EMPLOYEE-UPPER MANAGEMENT LEVEL**

Date Of Step # 3 Meeting: \_\_\_\_\_

Names Of People In Attendance Other Than The Employee And The Upper Level Manager:

_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department
_____	_____
Name	Job Title/Department

Manager's Step # 3

Reply: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MANAGER'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

I consider this grievance concluded and do not wish to advance my grievance to the next step.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

I do not accept the third step management's reply and wish to request a panel hearing.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Date Submitted To Town Manager Requesting A Panel Hearing: \_\_\_\_\_

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**TOWN MANAGER'S DETERMINATION OF QUALIFICATION FOR PANEL  
HEARING**

Having reviewed the above grievance, it is my determination that this grievance

- does qualify for a panel hearing.
- does not qualify for a panel hearing.

Reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

TOWN MANAGER'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

**EMPLOYEE'S OPTION TO APPEAL THE TOWN MANAGER'S DETERMINATION  
TO CIRCUIT COURT**

In instances where the Town Manager determines that a grievance does not qualify for a panel hearing, the employee may appeal to the Mecklenburg County Circuit Court.

- I do not wish to appeal the Town Manager's disqualification determination and understand my grievance is concluded.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

- I wish to appeal the Town Manager's disqualification determination to the Circuit Court.

The completed Town Employee Grievance Form must be returned to the Town Manager within the time frame specified in the grievance procedure. The Town Manager shall subsequently forward the Grievance Form and any exhibits to the Clerk of the Circuit Court within the time frames specified in the grievance procedure. A list of evidence furnished to the court shall be forwarded simultaneously to the employee.

EMPLOYEE'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

DATE SUBMITTED TO TOWN MANAGER: \_\_\_\_\_

JANUARY 2020



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 14: HARASSMENT POLICY**

**SECTION 14-1: PURPOSE**

The Town is committed to having a diverse workforce with all employees and elected officials being valued for their individual capabilities and contributions, complying with all federal, state, and local laws on equal employment opportunity, and providing a workplace free from tensions involved in conduct that does not relate to the Town's operation. In particular, the hostile atmosphere created by non-work related conduct including ethnic, racial, sexual, or religious remarks, animosity, unwelcome sexual advances, requests for sexual favors, or other similar conduct is not permitted. Harassment based race, color, ethnicity, national origin, culture, creed, political affiliation, age, disability, sex, marital status or any other grounds will not be tolerated.

Harassment arises from the dynamics of the workplace and can be based on nuances, subtle perceptions, and implicit communications. Conduct that may rise to the level of harassment includes verbal remarks (epithets, derogatory statements, slurs, jokes), physical contact (assaults, physical interference with movement or work, touching), visual displays (displaying of printed or photographic materials, objects), and other actions that may be considered demeaning or hostile.

The purpose of this policy is to promote a positive working environment for all employees and elected officials by defining and discouraging harassment, and to give guidelines to elected officials, supervisors, and employees in the event harassment occurs. References to "employee" also refer to elected officials and references to employment refer to elected officials' responsibilities as a member of Town Council and/or the committees on which they serve.

**SECTION 14-2: HARASSMENT**

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age, disability, or genetic information. Harassment becomes unlawful where:

1. Submission to such conduct is either explicitly or implicitly made a term of condition of employment;
2. Submission or rejection of such conduct is used as a basis for employment decisions;
3. The conduct is severe or pervasive enough to create an intimidating, hostile, or offensive work environment and/or unreasonably interferes with work performance.

Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws. (See CHAPTER 15: RETALIATION.)

Harassment towards or by any Town employee is prohibited. The Town will not tolerate harassment in the working environment and acknowledges that such conduct violates state and federal laws. If an

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

employee feels that he/she has been harassed, he/she should report it immediately (see Section 12-3: VIOLATIONS).

Offensive conduct may include, but is not limited to:

1. Offensive jokes;
2. Slurs;
3. Epithets or name calling;
4. Animosity;
5. Physical assaults or threats;
6. Intimidation;
7. Ridicule or mockery;
8. Insults or put-downs;
9. Offensive objects or pictures; and
10. Interference with work performance.

Harassment can occur in a variety of circumstances, including, but not limited to, the following:

1. The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
2. The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
3. Unlawful harassment may occur without economic injury to, or discharge of, the victim.

**SECTION 14-3: VIOLATIONS**

An individual who believes that this policy is being violated, whether by a coworker, supervisor, manager, elected official, or vendors, consultants, contractors, funding sources, and/or any other parties with a business relationship with the Town, should:

1. Inform the offending person(s) that the conduct is unwelcome; and/or
2. Immediately contact one of the persons below with whom the employee feels the most comfortable. Complaints may be made verbally or in writing to:
  - a. The employee's immediate supervisor;

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

- b. The employee's department head;
- c. The Human Resources Department; and/or
- d. The Town Manager.

Employees are not required to make complaints to any person whom the employee believes is causing, or contributing to cause, the perceived problem. Complaints involving the Town Manager, Mayor, a Council Member or individuals with a business relationship with the Town shall go directly to the Town legal counsel.

The individual wishing to make a complaint will need to provide the following information:

- 1. Name and job title.
- 2. Name of the person or persons committing the harassment.
- 3. The specific nature of the harassment, including how long it has gone on and any negative action(s) taken against the individual as a result of the harassment, or any threats made against the individual as a result of the harassment.
- 4. Witnesses to the harassment, if any.
- 5. Whether or not the harassment has been reported previously, and if so, when and to whom.

**SECTION 14-4: INVESTIGATION OF HARASSMENT COMPLAINTS**

Complaints will be promptly and thoroughly investigated, and disciplinary actions taken if the charge is founded. If it is determined that a violation has occurred, appropriate relief for the individual(s) bringing the complaint and, if the person(s) who violated the policy are employed by the Town, appropriate disciplinary action against the violator(s) will follow.

When any employee of the Town makes an allegation of harassment, the person to whom the complaint is made shall immediately prepare a written report of the complaint and forward it to the Town Manager. The written report should contain the information listed above, as provided by the employee. The Town Manager may investigate the complaint, or delegate another employee or employees to investigate the complaint at his/her discretion. The Town Manager may also delegate the investigation to outside parties, such as the Town legal counsel, should he/she feel that is necessary.

Complaints will be handled in a manner consistent with the Town grievance policy. The Town Manager will have the discretion to call a panel hearing in a manner consistent with the grievance policy of the Town, if necessary. In addition, employees involved in a harassment complaint maintain their access to the grievance procedures of the Town.

The investigator shall make and keep a written record of the investigation, including notes and verbal responses made to the investigator by the person making the complaint, the person or persons against whom the complaint was made, any witnesses, and any other person contacted by the investigator in connection with the investigation. The investigation should be completed within 5 work days following

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

the receipt of the complaint, although extensions may be granted by the Town Manager under extenuating circumstances.

Based upon the report of the investigation, the Town Manager shall determine whether the conduct of the person against whom a complaint has been made constitutes harassment. In making the determination, the Town Manager shall look at the record as a whole, and at the totality of circumstances, including the nature of the conduct in question, and the context in which the conduct occurred. The determination of whether harassment occurred will be made on a case-by-case basis.

If the Town Manager determines that the complaint of harassment is founded, he/she shall take, or cause to be taken, immediate and appropriate disciplinary action, including discharge, against the employee guilty of harassment. In the case of a non-employee, the Town Manager will take action as deemed appropriate to preserve a positive working environment for Town employees.

Determinations of disciplinary action, if taken, will be made on a case-by-case basis.

The employee who brought the complaint will be provided information on the outcome of the investigation.

In the case of the allegation of harassment being made by an elected official, the investigation will be delegated to the Town legal counsel and/or other outside parties should he/she feel that is necessary. The method of investigation and any actions taken will be left to the discretion of the Town legal counsel.

In all cases, the Town will make follow-up inquiries to ensure that the harassment has not resumed.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 15: DRUG AND ALCOHOL POLICY**

**SECTION 15-1: PURPOSE AND GENERAL POLICY**

The Town recognizes that alcohol and drug abuse are serious problems. The Town's goal is to establish and maintain a safe and healthy working environment, free from drug and alcohol abuse, and to protect the safety of the public while providing the highest quality of service. While elected officials are not specifically covered under this policy, they should comply with the Town's goals.

The Town is committed to assisting employees who may be experiencing problems with drugs or alcohol. The desire to assist employees does not relieve the Town of the responsibility to maintain a drug-free workplace. The use of alcohol, illegal drugs, or the misuse of prescription drugs is not acceptable in the workplace. Such behavior affects job performance, and can create a danger to the public and co-workers. In addition, the use of illegal drugs is not acceptable at any time or place. All Town employees are required to follow the policy and regulations pertaining to a drug-free workplace.

Violation of this policy and regulations will subject the employee to the full range of disciplinary action.

**SECTION 15-2: EMPLOYEE RESPONSIBILITIES**

1. While on duty, no employee shall unlawfully be under the influence of, use, consume, possess, purchase, sell, dispense, distribute, manufacture, or display any alcoholic beverages, narcotic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812), and as further defined by Federal regulation at 21 CFR § 1300.11 through 1300.15. No employee will violate any federal or state criminal drug statute at any time.
  - a. "Workplace" is defined to mean any site for the performance of work by the employee, including but not limited to, any Town building or premise; any Town-owned vehicle or equipment; any building or premise used by the Town for Town business; and any non-Town property during any Town-sponsored or Town-approved activity, event, or function. "Workplace" also includes all Town-owned property such as, but not limited to, offices, desks, lockers, safes, file cabinets, tool boxes, etc.
  - b. The term "on duty" includes working time, break time, meal time, any time on Town property, and any time attending a Town function except for Town-sponsored functions where alcohol is served as part of the function. The Town does not authorize or condone the excessive or irresponsible consumption of alcoholic beverages at Town-sponsored or business-related events.
  - c. The term "under the influence" includes not only obvious impairment, but having a level of illegal drugs or alcohol in the body that produces a positive result in a drug or alcohol test.
  - d. The term "illegal drugs" as used in this policy includes not only any drug which is not legally obtainable, but any controlled substance for which the employee does not have a lawful prescription, or which the employee is using in a non-prescribed manner.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

2. As a condition of employment, each employee shall abide by the terms of this Town policy and regulations as a drug-free workplace.
3. If an employee is taking a prescribed or over-the-counter drug that may affect the employee's ability to perform his/her duties safely and effectively, the employee is expected to discuss the situation with his/her supervisor.
4. No employee using medication that may impair performance shall operate a motor vehicle or engage in safety sensitive functions while on duty for the Town.
5. As a condition of employment, each employee shall notify his or her supervisor of his or her conviction of any criminal drug statute no later than 5 days after such conviction.
6. No employee shall represent the Town in an official capacity while impaired by alcohol, illegal drugs, or medication.
7. No employee will engage in the use of illegal drugs or substances.
8. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, and/or medication shall immediately notify his/her own supervisor, department head, or Human Resources.
9. All supervisory employees (at all levels) are responsible for enforcing Town policies, including this policy. Any illegal involvement with drugs by such a supervisory employee, whether on or off duty, would impair his or her ability to enforce these policies, in addition to the other harmful effects of such illegal activities.
10. If an employee is determined to be illegally involved with drugs or alcohol, he or she will be discharged.
11. All Town work sites and all Town-owned property are subject to drug detection inspection at the discretion of the Town. All employee desks and other spaces on the Town premises remain Town property and are subject to searches.
12. As a security matter, the Town maintains the right to carry out reasonable searches of individuals or their personal property while on Town property. This applies to employees and contractual employees, as well as others who come on Town premises.

**SECTION 15-3: DRUG AND ALCOHOL TESTING**

Drug and/or alcohol tests may be required in the following cases:

1. Where an applicant for any Town position has been given a conditional offer of employment subject to passage of a drug test;
2. Where there is reasonable suspicion that any Town employee, regardless of position, is using or is under the influence of illegal drugs or alcohol while on the job;

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

3. As required by the Omnibus Transportation Employee Testing Act of 1991 and the regulations of the Federal Highway Administration (49 CFR, Parts 40 and 382, et al). All employees and applicants who hold, or are offered, a position that requires a Commercial Driver's License (CDL) as a condition of employment and continued employment will be tested for drugs and alcohol under the following conditions:
  - a. Pre-employment: when an applicant has been extended a conditional offer of employment, but before beginning work;
  - b. Random: to comply with VDOT regulations;
  - c. Post-accident while in the course of employment;
  - d. Reasonable suspicion;
  - e. Return to work after testing positive for drug or alcohol violations; and
  - f. Follow-up relating to drug or alcohol violations: testing may be required in conjunction with the aftercare portion of a substance abuse rehabilitation program.

A refusal to immediately submit to a drug and/or alcohol test when requested under the circumstances above, or a verified finding of alcohol or illegal drug use, will result in the withdrawal of a conditional offer of employment or, if already employed, will subject the employee to the full range of disciplinary action.

**SECTION 15-4: GUIDELINES FOR REASONABLE SUSPICION TESTING**

It is not possible to describe here all of the situations in which the Town might believe there are reasonable grounds to suspect that an employee may be under the influence of drugs and/or alcohol in violation of this policy, but the following guidelines are provided as an aid in administering and enforcing the Town's Drug-Free Workplace Policy. These guidelines are not meant to cover every situation; however, they are designed to help avoid allegations of unlawful treatment. These guidelines cannot be used as a substitute for good judgment; each situation must be reviewed on a case-by-case basis. When a supervisor, in his or her judgment, has reason to believe that an employee has used, and is under the influence of, drugs and/or alcohol, the supervisor should ask his/her supervisor to corroborate the observations. The following examples, alone or in combination, may comprise reasonable suspicion. The list is not all-inclusive.

1. Unexplained inability to perform normal job functions.
2. Slurred speech.
3. Smell of alcohol or drugs on breath.
4. Any unusual lack of physical coordination or loss of equilibrium.
5. Unexplained hyperactivity or depression and withdrawal.
6. Unexplained inability to think or reason at the employee's normal level.
7. Bizarre behavior.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

8. Possession of alcohol of illegal drugs; or the presence of alcohol, alcohol containers, illegal drugs, or drug paraphernalia in an area subject to the employee's control.
9. Information provided by a reliable and credible person.

If, during normal working hours, reasonable suspicion is confirmed, the supervisor shall contact the department head and/or the Town Manager to discuss the observations and to determine the appropriate course of action. If the employee is to be tested, he/she will be transported to the designated collection center for the necessary drug tests.

If the employee refuses to be tested, the employee shall be immediately suspended from duty without pay and transported home. The refusal of an employee to submit to a reasonable suspicion test shall comprise insubordination and will subject the employee to the full range of disciplinary action.

The supervisor who orders a drug test shall document in writing the conduct giving rise to the reasonable belief of drug use within 24 hours of the observed behavior. It should include any statements made, and any action taken, by persons involved in the incident. All records should immediately be sent to the Human Resources Department.

**SECTION 15-5: GUIDELINES FOR POST-ACCIDENT TESTING**

**SECTION 15-5:1: POLICY**

All positions of employment in the Town require testing for drugs (urine) and alcohol (breath) any time an on-duty incident results in:

1. A fatality;
2. An injury to any person involved in the accident;
3. Damage to one or more of the vehicles; or
4. Damage to any property not defined as Town property.

If the damage resulting from the incident is only to Town property, the Guidelines for Reasonable Suspicion (Section 13-3) should be followed.

**SECTION 15-5:2: SECURING THE SCENE**

When an accident does occur, the employee who was driving or operating the vehicle or equipment involved in the accident must follow these eight steps:

1. Stop immediately.
2. Secure the vehicle (move it off the road if possible).

JANUARY 2020



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

3. Turn on the emergency flashers.
4. Call the police on a cell phone or CB radio.
5. Check on the occupants of the other vehicle; if they are injured call for medical assistance.
6. Put warning devices out within the first 10 minutes.
7. Contact the supervisor or department head who will report to the scene.
8. Document the accident.

**SECTION 15-5:3: DRUG AND ALCOHOL TESTING**

The driver or operator will be transported by the supervisor or department head to the designated collection center for the necessary drug tests as soon as the police investigating the incident release the scene. If the supervisor is not available, the employee should immediately contact Human Resources for transportation to the collection center for a post-accident drug and alcohol test. The employee is prohibited from consuming alcohol for 8 hours after an accident, or until the employee submits to a post-accident alcohol test, wherever occurs first. If the accident occurs during a time when the designated collection center is closed, the drug and alcohol tests should be administered at the hospital.

If the employee refuses to be tested, or does not submit to a post-accident drug and alcohol test within 8 hours, the employee shall be immediately suspended from duty without pay and transported home. The refusal of an employee to submit to post-accident testing shall constitute insubordination and will subject the employee to the full range of disciplinary action

**SECTION 15-5:4: ACCIDENT REGISTER**

In the case of an accident involving a driver with a Commercial Driver's License (CDL) and resulting in a fatality; injury to a person requiring medical attention away from the scene of the accident; or damage to one or more of the vehicle(s), a record of the accident should be maintained in an Accident Register (Section 390.15(b) of the FMCSRs) for a period of one year. The Accident Register is a list of accidents and must contain for each accident:

1. Date of accident;
2. City or town in which or nearest where the accident occurred and the state in which the accident occurred;
3. Driver name;

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

4. Number of injuries;
5. Number of fatalities;
6. Whether hazardous materials (other than fuel spilled from the fuel tanks of the vehicles involved in the accident) were released; and
7. Copies of all accident reports required by the state, other governmental entities or insurers.

**SECTION 15-5:5: INCIDENT REPORT**

An Incident Report should be completed for every accident involving Town property, vehicles, equipment, or employee(s) regardless of the circumstances. See SECTION 16-3: INCIDENT INVESTIGATION.

**SECTION 15-6: TEST PROCEDURES IN GENERAL**

The administration of the Drug and Alcohol Testing Program will be in accordance with the Department of Transportation Regulations, Federal Highway Administration, and the Drug-Free Workplace Act of 1986. Detailed provisions are listed in the regulations regarding collection, labeling, and transporting the sample. Specific requirements regarding confidentiality are also included. An Evidential Breath Testing device operated by a trained Breath Alcohol Technician will be used to test for the presence of alcohol. Urinalysis will be used for the detection of controlled substances. All employees tested will be required to sign an authorization and consent form releasing the information to the employer. The testing of the sample will be performed by a laboratory approved by the National Institute on Drug Abuse (NIDA), including a NIDA panel screening with gas chromatography/mass spectrometry (GC/MS) confirmation on all positive tests. The panel includes screening for amphetamines, marijuana, cocaine, opium, phencyclidine (PCP), and may be expanded to include other substances. The cutoff level for each substance tested for, both drugs and alcohol, will be consistent with those currently recommended by the Department of Transportation guidelines. The cost for all drug tests ordered will be borne by the Town.

Any employee subject to testing under this plan will be permitted to provide urine specimens in a manner such that the employee is not observed while actually providing the specimen, unless there is a reason to believe that the employee has altered or substituted the urine specimen provided.

Failure to appear for testing without prior notice acceptable to the Town will be considered refusal to participate in the testing and will subject the employee to the full range of disciplinary action; or in the case of an applicant, the rescinding of a conditional offer of employment.

When a confirmed positive test for drugs has been returned by the laboratory, the tested employee will be given an opportunity to provide a Medical Review Officer (“MRO”) appropriate and corroborated information to demonstrate the confirmed positive test is from a legally-prescribed medication or other ingestion. Evidence to justify a positive test result may include, but is not limited to:

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

1. A valid prescription; or
2. Verification from the individual's physician verifying a valid prescription.

If a MRO determines there is not a legitimate reason for the positive result, the result will then be considered a verified positive test result. A MRO will timely and confidentially notify the Human Resources Department in writing of the verified positive test result. If the test results are positive, the employee must be evaluated by a Substance Abuse Professional. No employee will be permitted to return to work until the evaluation by a Substance Abuse Professional and fulfillments of any requirements he/she deems necessary (i.e. counseling, treatment, etc.). Refusal to be evaluated or to meet requirements set forth by the Substance Abuse Professional is grounds for dismissal.

A return-to-duty test must be conducted prior to returning to the job. The employee will be subjected to a minimum of 6 unannounced follow-up drug tests in the first 12 months following his/her return to work. The employee may submit a written request for a retest of the original specimen within 72 hours of being notified by a MRO. The retest will be at the employee's expense.

The laboratory may disclose drug test results only to a MRO. Any positive result which a MRO justifies by acceptable and appropriate medical or scientific documentation to account for the test result as other than the intentional ingestion of drugs will be treated as a negative test result and may not be used for the purposes of identifying drug use or misuse.

If the alcohol test results of an employee with a CDL indicate a blood alcohol concentration of 0.02 or greater, but less than 0.04, the employee will be suspended without pay and shall not be permitted to work for at least 24 hours. A retest must indicate a blood alcohol level (BAL) of less than 0.02 in order to return to work. If, for any employee, the concentration is greater than 0.04, it is considered to be a positive test result and the employee must be evaluated by a Substance Abuse Professional. All positive tests will be confirmed by a second test. The results of these tests will be reported immediately to the Human Resources Department. If an employee is found to have a BAL of .08 or higher (the legal limit for intoxication in the Commonwealth of Virginia) while on Town property or driving a Town vehicle, he/she will be terminated immediately.

All drug testing information specifically relating to employees and applicants is confidential and should be treated as such by anyone authorized to review such information. In order to implement this program efficiently and make information readily retrievable, the Human Resources Department shall maintain all records relating to reasonable suspicion, suspicion of tampering with evidence, and other authorized documentation necessary to implement and maintain this program.

All records and information of any personnel actions taken on employees with verified positive test results shall be maintained in confidential and secured files in the Human Resources' office and disseminated only to authorized individuals on a confirmed "need to know" basis as determined by the Town Manager. With test results for current employees, an employee's supervisor and others in management may have a legitimate need for the information.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 15-7: PENALTIES**

The first positive test result for drugs or alcohol for any employee may result in the employee being suspended from work without pay. The employee will be required to be evaluated by a Substance Abuse Professional for possible treatment. Once the Substance Abuse Professional states that the employee may return to work, the employee will be on probation for a minimum of 2 years. During this probation period, the employee will be subject to random drug and alcohol tests. However, nothing in this section shall prohibit the Town from instituting further penalties in lieu of, or in addition to, suspension and probation, up to, and including, termination of employment.

Any employee who tests positive for drugs and/or alcohol a second time while on probation will immediately be dismissed from employment with the Town. Any positive test result that occurs after completion of a probation period may be grounds for dismissal.

Employees within the South Hill Police Department are governed by Police rules and policies regarding drug testing and penalties for testing positive in addition to those contained herein.

**SECTION 15-8: ADDITIONAL CONSIDERATIONS**

The Town strongly encourages any employee who may have a drug or alcohol problem to seek professional help. Information on counseling and professional assistance programs may be obtained from the Human Resources Department or the department head.

Employees should understand, however, that seeking such help does not shield an employee from disciplinary action for violating this policy. An employee who violates this policy is subject to disciplinary action, even if the employee previously has sought substance abuse treatment or seeks such treatment after the violation is found.

For employees who avail themselves of a drug or alcohol treatment program, the Town requires that they sign a "Return to Work" agreement. This agreement specifies the conditions under which the employee will return to work to include, but not limited to: drug/alcohol screens, mandatory AA or NA meeting attendance, etc. for a specified time period.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 16: FRAUD POLICY**

**SECTION 16-1: PURPOSE AND GENERAL POLICY**

This policy applies to any fraud or suspected fraud involving any Town employee or elected official, as well as vendors, consultants, contractors, funding sources, and/or any other parties with a business relationship with the Town. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship with the Town.

Elected officials, the Town Manager, department heads, and superintendents are responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of inducing another to act upon it producing detrimental results. Each member of the management team will be familiar with the types of improprieties that might occur within his/her area of responsibility, and be alert for any indication of irregularity.

Any fraud that is detected or suspected must be reported immediately to the Town Manager who will coordinate any investigation.

In the case of fraud that is detected or suspected that involves an elected official, the Town legal counsel must be notified immediately. The method of investigation will be left to the discretion of the Town legal counsel.

**SECTION 16-2: ACTIONS CONSTITUTING FRAUD**

The terms fraud, defalcation, misappropriation, and other fiscal irregularities refer, but are not limited, to:

1. Any dishonest or fraudulent act.
2. Forgery or alteration of any document or account belonging to the Town.
3. Forgery or alteration of a check, bank draft, or any other financial document.
4. Misappropriation of funds, securities, supplies, equipment, or other assets of the Town.
5. Impropriety in the handling or reporting of money or financial transactions.
6. Disclosing confidential or proprietary information to outside parties.
7. Accepting or seeking anything of material value from contractors, vendors, or persons providing goods or services to the Town. Exception: gifts less than a nominal \$50 in value as customary event gifts (such as holiday, retirement, etc.).
8. Destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

9. Any similar or related irregularity.

**SECTION 16-3: OTHER IRREGULARITIES**

Irregularities concerning an employee's moral, ethical, or behavioral conduct should be resolved by the department head and the Town Manager. Irregularities concerning an elected official's moral, ethical, or behavioral conduct should be resolved by the Town legal counsel. (See Chapter 9: BUSINESS CONDUCT).

**SECTION 16-4: INVESTIGATION RESPONSIBILITIES**

If there is a question as to whether an employee's action constitutes fraud, the Town Manager will solicit input from the Town's legal counsel and/or appropriate Town Council Committee.

The Town Manager/Town legal counsel has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. The Town Manager/Town legal counsel may utilize whatever internal and/or external resources he/she considers necessary in conducting an investigation. If an investigation substantiates that fraudulent activities have occurred, the Town Manager/Town legal counsel will issue reports to Town Council and/or the appropriate Town Council Committee.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with Town legal counsel and Town Council, as will final dispositions of the case.

If suspected fraud or other wrongdoing involves programs funded in whole or in part with federal funds, additional responsibilities, such as special reporting and disclosure to the awarding agency, may apply to the Town. It is the policy of the Town to fully comply with all additional reporting, disclosure and other requirements pertaining to suspected acts of fraud as described in award documents.

**SECTION 16-5: CONFIDENTIALITY**

All staff and elected officials will treat all information confidentially in a case of fraud or investigation of irregularity. Any employee who suspects dishonest or fraudulent activity will notify the Town Manager immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see SECTION 14-7). Any elected official who suspects dishonest or fraudulent activity will notify the Town legal counsel immediately.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent, of wrongful conduct, and to protect the Town from potential civil liability.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 16-6: AUTHORITY FOR INVESTIGATION OF SUSPECTED FRAUD**

The Town Manager and/or the Town legal counsel will have:

1. Free and unrestricted access to all the Town records and premises, whether owned or rented; and
2. The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody or any such items or facilities when it is within the scope of his/her investigations.

**SECTION 16-7: REPORTING PROCEDURES**

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An individual who discovers or suspects fraudulent activity will report his/her suspicions immediately. The reporting individual or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual(s), his/her attorney or representative(s), or any other inquirer should be directed to the Town Manager/Town legal counsel. No information concerning the status of an investigation will be given out. The proper response to any inquiry is "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

The reporting individual should be informed of the following:

1. Do not contact the suspected individual in an effort to determine facts or demand restitution.
2. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by Town legal counsel, the Town Manager, the appropriate Town Council Committee or unless required by law.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 17: RETALIATION**

**SECTION 17-1: PURPOSE AND GENERAL POLICY**

Retaliation is illegal and contrary to the policy of the Town. Employees or elected officials who engage in protected activity are protected from retaliatory acts. Examples of protected activity include, but are not limited to:

1. Filing or being a witness in an Equal Employment Opportunity Commission charge, complaint, investigation, or lawsuit;
2. Filing, or being a witness in a Town grievance complaint, investigation, or proceeding;
3. Communicating with a supervisor or manager about employment discrimination, including harassment;
4. Answering questions during an employer investigation of alleged harassment;
5. Refusing to follow orders that would result in discrimination;
6. Resisting sexual advances, or intervening to protect others;
7. Requesting accommodation of a disability or for a religious practice; and

No elected official, employee, division, or department may take disciplinary action against, or in any other manner discriminate or retaliate against, any person or deny to any individual a benefit to which that individual was entitled because such individual has engaged in protected activity.

If an individual believes that he or she is being retaliated against, a written report should be made to the Town Manager. Those who are found to be acting in a retaliatory manner will be disciplined for such conduct.

**SECTION 17-2: CONFIDENTIALITY**

**A complaint relating to violations of any federal or state law, or any policy or procedure in this Handbook, its investigation, the outcome of the investigation, and any action taken relating to a specific employee or employees shall be kept confidential to the extent possible and limited to persons with a legitimate need to know as determined by the Town Manager and/or Town legal counsel.**



**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 18: FRAUD AND WHISLE BLOWER PROTECTION**

**SECTION 18-1: POLICY**

The Town is subject to the Fraud and Whistle Blower Protection Act, which is set forth in Code of Virginia sections 2.2-3009 to 2.2-3014. Any changes to the Fraud and Whistle Blower Protection Act made by the General Assembly will take precedence over any policies written here.

It is the policy of the Town that employees be freely able to report instances of wrongdoing or abuse committed by governmental agencies or independent contractors of governmental agencies.

**SECTION 18-2: DEFINITIONS**

As used in this Chapter:

"Abuse" means an employer's or employee's conduct or omissions that result in substantial misuse, destruction, waste, or loss of funds or resources belonging to or derived from federal, state, or local government sources.

"Appropriate authority" means a federal, state, or local agency or organization having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or ethics, or abuse; or a member, officer, agent, representative, or supervisory employee of the agency or organization. The term also includes the Office of the Attorney General, the Office of the State Inspector General, and the General Assembly and its committees having the power and duty to investigate criminal law enforcement, regulatory violations, professional conduct or ethics, or abuse.

"Employee" means any person who is regularly employed full time on either a salaried or wage basis, whose tenure is not restricted as to temporary or provisional appointment, in the service of and whose compensation is payable, no more often than biweekly, in whole or in part, by a governmental agency.

"Employer" means a person supervising one or more employees, including the employee filing a good faith report, a superior of that supervisor, or an agent of the governmental agency.

"Good faith report" means a report of conduct defined in this chapter as wrongdoing or abuse that is made without malice and that the person making the report has reasonable cause to believe is true.

"Governmental agency" means (i) any agency, institution, board, bureau, commission, council, or instrumentality of state government in the executive branch listed in the appropriation act and any independent agency; (ii) any county, city, or town or local or regional governmental authority; and (iii) any local school division as defined in Virginia Code § 22.1-280.2:2.

"Misconduct" means conduct or behavior by an employee that is inconsistent with state, local, or agency standards for which specific corrective or disciplinary action is warranted.

"Whistle blower" means an employee who witnesses or has evidence of wrongdoing or abuse and who makes or demonstrates by clear and convincing evidence that he is about to make a good faith report of, or testifies or is about to testify to, the wrongdoing or abuse to one of the employee's

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

superiors, an agent of the employer, or an appropriate authority. "Whistle blower" includes a citizen of the Commonwealth who witnesses or has evidence of wrongdoing or abuse and who makes or demonstrates by clear and convincing evidence that he is about to make a good faith report of, or testifies or is about to testify to, the wrongdoing or abuse to an appropriate authority.

"Wrongdoing" means a violation, which is not of a merely technical or minimal nature, of a federal or state law or regulation, local ordinance, or a formally adopted code of conduct or ethics of a professional organization designed to protect the interests of the public or employee.

**SECTION 18-3: DISCRIMINATION AND RETALIATORY ACTIONS AGAINST WHISTLE BLOWERS PROHIBITED**

The Town may not discharge, threaten, or otherwise discriminate or retaliate against a whistle blower whether acting on his own or through a person acting on his behalf or under his direction.

The Town may not discharge, threaten, or otherwise discriminate or retaliate against a whistle blower, in whole or in part, because the whistle blower is requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action.

To be protected by the provisions of this chapter, an employee who discloses information about suspected wrongdoing or abuse shall do so in good faith and upon a reasonable belief that the information is accurate. Disclosures that are reckless or the employee knew or should have known were false, confidential by law, or malicious shall not be deemed good faith reports and shall not be protected.

In addition to the remedies provided in Virginia Code section 2.2-3012, any whistle blower may bring a civil action for violation of this section in the Circuit Court of Mecklenburg County. In a proceeding commenced against the Town under this section, the court, if it finds that a violation was willfully and knowingly made, may impose upon the Town, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$500 nor more than \$2,500, which amount shall be paid into the Fraud and Abuse Whistle Blower Reward Fund. The court may also order appropriate remedies, including (i) reinstatement to the same position or, if the position is filled, to an equivalent position; (ii) back pay; (iii) full reinstatement of fringe benefits and seniority rights; or (iv) any combination of these remedies. The whistle blower may be entitled to recover reasonable attorney fees and costs. No action brought under this subsection shall be brought more than three years after the date the unlawful discharge, discrimination, or retaliation occurs. Any whistle blower proceeding under this subsection shall not be required to exhaust existing internal procedures or other administrative remedies.

Nothing in this chapter shall prohibit the Town from disciplining or discharging a whistle blower for his misconduct or any violation of criminal law.

**SECTION 18-4: APPLICATION OF TOWN GRIEVANCE PROCEDURE**

A whistle blower may initiate a grievance pursuant to Chapter 13: Employee Grievance Procedure alleging retaliation and requesting relief through that procedure.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

Any whistle blower disclosing information of wrongdoing or abuse under this chapter where the disclosure results in a recovery of at least \$5,000 may file a claim for reward under the Fraud and Abuse Whistle Blower Reward Fund established in Virginia Code section 2.2-3014.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**CHAPTER 19: SAFETY AND LOSS CONTROL**

**SECTION 19-1: PURPOSE AND GENERAL POLICY**

The Town has a loss control program to promote safe practices for the protection of our employees and Town property. It is the Town's policy to abide by all state and federal safety regulations as applicable to the provision of municipal services. Any questions about safety rules, regulations, or procedures in the performance of an employee's duties should be directed to the supervisor.

**SECTION 19-2: EMPLOYEE RESPONSIBILITIES**

The Town considers safe work habits a very important function of every employee's job. It is the responsibility of each employee to work safely so as to protect him/herself, coworkers, and the property and equipment of the Town. Proper safety techniques and the reporting of safety hazards protect employees, citizens, visitors, and the Town. Disregard of safety rules, regulations, and "common-sense" safety practices will subject the employee to the full range of disciplinary action.

Employees and supervisors are the "keys" to a successful safety and loss control program. By observing the proper safety precautions and staying aware of procedures, the Town and its employees can prevent nearly all accidents. Be an active contributor to the program. The following safety rules will help provide a hazard-free work environment:

1. Use caution when lifting heavy objects.
  - a. When lifting, keep the back straight, knees bent, and feet apart so that leg muscles, and not back muscles, do the work of lifting.
  - b. Stand close to the load when lifting.
  - c. Never lift a heavy or large load without assistance.
  
2. Prevent slips, trips, falls and collisions.
  - a. Wipe up or remove any liquid, food, or foreign material from the floor.
  - b. Keep aisles, corridors, and all work areas clear.
  - c. When walking on stairways, always use the handrails.
  - d. When opening doors, make sure the other side is clear by opening slowly before proceeding.
  - e. When walking in corridors, and particularly when rounding corners, keep to the right.
  - f. Use ladders or approved steps when moving items to and from high places. Never stand on a chair equipped with rollers.
  - g. When exiting a truck or heavy equipment use the three-point method. Two hands and one foot, or one hand and two feet, in contact with the vehicle at all times until two feet are on the ground. Do not slide off the seat face forward and jump from the cab.
  - h. Running and horseplay are not permitted in Town buildings or at Town worksites.
  
3. Use the protective equipment provided (personal included).
  - a. Always follow VDOT and/or OSHA regulations.

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

- b. Always wear shoes that conform to safety requirements and needs.
  - c. Always wear gloves appropriate for the task.
  - d. Avoid digging into waste cans and handle bagged trash carefully so as to avoid being stuck by sharp objects.
  - e. Always wear protective goggles if objects or dust could be blown into eyes.
  - f. Always wear ear plugs in noisy environments.
  - g. Always wear safety vests when working where vehicles are being operated.
  - h. Always wear a hard hat at construction sites.
4. Hazardous materials.
- a. Properly store and label hazardous substances.
  - b. Dispose of hazardous waste in appropriate containers.
  - c. Do not smoke in areas where flammable materials are used or stored.
  - d. Take proper precautions when working with, or around, hazardous chemicals.
5. Vehicles and Equipment.
- a. Check all equipment before and after use for damage or inability to perform its function.
  - b. Check electrical equipment for frayed cords and broken plugs.
  - c. Check vehicles according to VDOT CDL pre-trip inspections.
  - d. Do not operate a vehicle or equipment that is unsafe, damaged, or defective.
  - e. Do not leave a vehicle or equipment that is unsafe, damaged, or defective in that condition without reporting it.
  - f. Take all unsafe or damaged equipment to Fleet Maintenance for replacement or repair.
6. Do not do anything that could injure an employee or damage equipment or personal property.
7. Do not work in a trench greater than 4 feet in depth without appropriate shoring.
8. Do not enter a confined space without first testing and gaining approval from a supervisor.
9. Pay attention and learn from the safety training given by supervisors on-the-job and safety meetings arranged by the Town.
10. Fire Safety Rules
- a. Report any potential fire hazard promptly to the supervisor.
  - b. Keep combustibile materials away from steam pipes, radiators, and electrical equipment.
  - c. Store oily rags and waste in covered metal cans.
  - d. Keep fire doors, exits, stairways, and corridors clear at all times.
  - e. Fire doors are to be kept closed and all equipment to one side.
  - f. If it will burn and it is not necessary, discard it.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**SECTION 19-3: INCIDENT INVESTIGATION**

The Town believes that accidents, which injure people, damage equipment or property, or destroy materials, cause needless personal suffering, inconvenience, and expense. The Town believes that practically all accidents can be prevented by taking common sense precautions. Therefore, each and every incident will be investigated promptly and thoroughly by the supervisor to find out what caused it, and correct the problem so it will not happen again.

In most cases, the area supervisor will conduct the investigation. Direct supervisors are familiar with employee's work environment and assigned tasks. The supervisor is the person who must take the incident situation under control and immediately eliminate or control hazards to others.

Immediate Steps:

1. Provide first aid for any injured persons.
2. Eliminate or control hazards.
3. Document incident scene information.
4. Interview witnesses immediately.

**SECTION 19-3:1: INVESTIGATIVE PROCEDURES**

The actual procedures used in a particular investigation depend on the nature and results of the incident. Incident investigation is primarily a fact-finding procedure. The facts revealed are used to prevent recurrences of similar incidents. The focus of incident investigation will be to prevent future incidents and injuries to increase the safety and health of all employees.

**SECTION 19-3:2: FACT FINDING**

1. Gather evidence from many sources during an investigation.
2. Get information from witnesses and reports as well as by observation.
3. Interview witnesses as soon as possible after an incident.
4. Inspect the incident site before any changes occur.
5. Take photographs and make sketches of the incident scene.
6. Reports of difficulties or abnormalities are particularly useful. Keep complete and accurate notes.
7. Record pre-incident conditions, the incident sequence, and post-incident conditions. In addition, document the location of victims, witnesses, machinery, energy sources,

JANUARY 2020

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

and hazardous materials.

**SECTION 19-3:3: POSSIBLE CAUSES**

Accidents usually have multiple causes, and these causes are both direct and indirect.

Indirect incident causes are most likely symptoms of a “root cause” problem. Some examples of unsafe acts (see Section 16:2) and unsafe conditions, which may lead to accidents, are:

1. Unsafe Acts:
  - a. Administrative activities (inadequate training, policies, or staffing);
  - b. Unauthorized operation of equipment;
  - c. Running - horse play;
  - d. Not following procedures;
  - e. Operating equipment improperly and/or by-passing safety devices;
  - f. Operating equipment with known damage or defect;
  - g. Failure to use proper protective equipment; and
  - h. Under influence of drugs or alcohol.
  
2. Unsafe Conditions:
  - a. Ergonomic hazards;
  - b. Environmental hazards;
  - c. Inadequate housekeeping, blocked walkway;
  - d. Improper/damaged personal protective equipment (PPE); and
  - e. Inadequate machine guarding.

**Section 19-3:4: RECOMMENDATIONS**

The supervisor shall determine what needs to be changed to prevent the incident or similar incidents from happening again. These changes may include employee training, Town policies, and/or job procedures, and should address both the direct and indirect causes of the accident.

**SECTION 19-3:5: INCIDENT REPORT**

The supervisor will complete a Town Incident Report for every incident involving Town property, vehicles, equipment, or employee(s) regardless of the circumstances. Copies of the completed Incident Report will be submitted to the supervisor’s department head and Human Resources. The department head and Human Resources will review the Incident Report and determine final corrective actions. Each department head is responsible for ensuring the completion of the Incident Report and that corrective actions have been taken. All incident reports will be maintained permanently in a file for that purpose in the Human Resources Department.

**TOWN OF SOUTH HILL  
EMPLOYEE HANDBOOK**

**ACKNOWLEDGMENT**

I understand that this Handbook has been prepared to acquaint me with current Town policies, procedures, and benefits of the Town of South Hill that govern my employment. I understand that the Town reserves the exclusive right to interpret, modify, or eliminate any of these policies, procedures, and benefits at any time with or without notice.

I understand that employment with the Town of South Hill is voluntary, and I am free to resign from my position with the Town at will, at any time, with or without cause. Similarly, the Town may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

I understand that the policies set forth in this Handbook are not intended to create a contract for employment, nor are they to be construed to constitute a contractual obligation of any kind between the Town of South Hill and me, the employee.

I acknowledge that I am responsible for reading and understanding the contents of the Handbook and that if I have questions I may contact my supervisor or the Human Resources Department at any time for clarification.

By signing below I acknowledge that I have received the Town of South Hill Employee Handbook.

\_\_\_\_\_  
Print Employee Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date