

New Britain Borough Non-Uniformed Employee Personnel Manual



Last Revised: December 13, 2017

**New Britain Borough
Bucks County, Pennsylvania
Resolution No. 2017-21**

**A RESOLUTION OF THE BOROUGH OF NEW BRITAIN, BUCKS COUNTY,
PENNSYLVANIA, ADOPTING A PERSONNEL MANUAL**

WHEREAS, New Britain Borough (“Borough”) employs a number of persons on a full time and part time basis; and

WHEREAS, the Borough wishes to establish policies and procedures to promote a safe and efficient workplace, to promote the welfare of its employees and the best interests of its citizens; and

WHEREAS, the Borough has prepared a Personnel Manual for distribution to all Borough Employees regulating employee conduct and employment administration;

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of New Britain Borough, Bucks County, Commonwealth of Pennsylvania that the attached document, dated December 13, 2017, shall be adopted as the New Britain Borough Personnel Manual.

RESOLVED this 12th day of December, 2017.

BOROUGH OF NEW BRITAIN:

ROBYNE KELEMEN, COUNCIL PRESIDENT

ATTEST:

CARRIE GAMBLE, BOROUGH SECRETARY

Examined and Approved by me this _____ day
of _____, 2017

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Introduction

The Manual does not create a contract between the Borough and its employees, either as a group or individually. **Your employment is at will and is voluntary entered into;** you have the right to terminate your employment at any time, for any reason, and the Borough retains the same right: this manual does not change that.

As the Borough continues to improve or update its policies, changes to the Manual may be periodically required. The Borough's policies and procedures and this manual are subject to change at the Borough's discretion without prior notice. You should check with the Borough Manager periodically to learn of changes. Failure to be aware of changes to this Manual or procedures shall not excuse non-compliance. The Borough does not assume the responsibility of updating your personal copies. It is expected that there will be variations in the interpretation and/or application of these provisions by management in individual circumstances. The Borough remains the final authority on the proper interpretation and/or application of this manual.

For your convenience, a master copy will be available in the Borough Manager's office. It can also be found online at:

<http://www.newbritainboro.com/staff/personnelmanual.pdf>

You are responsible for being aware of the policies and procedures in this Manual and updates. Failure to be aware of these policies will not excuse your failure to follow the rules. If you have any questions, please talk to the Borough Manager. This Manual supersedes all prior and contemporaneous, oral or written, express or implied, policies, procedures, rules, regulations and understandings, to the extent there are any conflicts.

When applying any policy in this manual to the Borough Manager, the Council President is the supervisor. The Council President shall report violations of this manual, by the Borough Manager, by way of confidential written memorandum to Borough Council.

Where this manual conflicts with any other employment contract or agreement, that contract or agreement shall supersede this document.

Section 1 – Organization

1.1 Form of Government

New Britain Borough operates under the provisions of the Pennsylvania Borough Code, which sets forth the general and corporate powers of the Borough and the manner in which the Borough's governing body, the Borough Council, may exercise those powers.

- A. *Borough Council* – The Borough Council is comprised of seven members who are elected for staggered four year terms. The Council is responsible for governing the Borough and its duties include (but are not limited to) setting policy, enacting local Ordinances, adopting budgets, and ratification of the hiring and firing of employees by the Borough Manager.
- B. *Borough Mayor* – The Borough Mayor is elected to a four year term. The mayoral duties include breaking ties, conducting marriages, declaring states of emergency, and reviewing/approving Borough Ordinances and Resolutions.
- C. *Borough Manager* – The Borough Manager is the Chief Administrative Officer of New Britain Borough and shall be responsible to Council for the proper and efficient administration of the affairs of New Britain Borough. The powers and duties of administration of all New Britain Borough business shall be vested in the Manager, unless expressly imposed or conferred by statute or ordinance upon other New Britain Borough officers.

Section 2 - Employment Classification

2.1 Employment Classification

Employee classification is necessary to determine your eligibility for various employee benefits. As an employee, you are classified in one of the following categories, depending on the type of work you perform and how your hours are scheduled.

- A. *Regular Full Time*: All employees who work thirty hours or more weekly and who maintain continuous, regular employment status with the Borough.
- B. *Regular Part Time*: All employees who consistently work less than thirty hours during a normal work week.
- C. *Seasonal*: Employees who work for limited, defined periods of time to fill the needs and requirements associated with specific seasons.
- D. *Temporary*: Anyone employed for a finite period of time to fill a need caused by an employee's absence, unusual demand for specific services, or for a specific project.

Section 3 – Employment

3.1 *At-Will Employment*

Employment with the Borough is “at-will.” This means that the Borough may end employment at any time and for any or no reason, with or without cause. The employee has the same right to leave employment with the Borough at any time.

3.2 *Probationary Period*

Employees who are newly hired, reemployed, promoted, demoted, or laterally transferred will serve a probationary period. The probationary period allows an employee to become proficient in the basic responsibilities of a new position and permits the supervisor to assess the individual's performance. The employee and supervisor are encouraged to communicate frequently during the probationary period.

It is the policy of New Britain Borough to conduct a review of an employee's performance at the end of her/his probationary period. The length of the probationary period will be determined at the time of hire, re-employment, transfer, promotion, or demotion by the Borough Manager. At any point during the probationary period, Borough Council may, in its sole discretion, terminate and/or demote the employee.

At the conclusion of the probationary period, the Borough Council may, in its sole discretion, end the probationary period, extend the probationary period, or terminate or demote the employee. Borough Council will consult with the Borough Manager in regards to the action to be taken.

Upon successful completion of the probationary period, an at-will employee does not acquire any tenure or “just cause” rights in his or her Borough job; s/he remains an at will employee.

Section 4 – Work Schedule and Compensation

4.1 *Standard Work Week*

The standard work week for regular full-time employees shall consist of 35 hours. Regular working hours may vary by job classification. Special working hours and shifts may be assigned to any and all employees from time to time to meet the needs of the borough's responsibility to its citizens. Flexible scheduling is possible in certain situations, but is not guaranteed (see Section 5.6).

4.2 *Pay Period*

The pay period shall cover a two week period beginning on a Monday and ending on a Sunday. Non-exempt employees should submit pay sheets the Monday following a

pay period. Paychecks shall be issued or direct deposited the Thursday following a pay period, with the following exceptions:

- A. For any Borough holiday that falls on a Monday following a pay period, pay sheets should be submitted the following Tuesday and paychecks may be issued or direct deposited the Friday following the period.
- B. For any Borough holiday that falls on a Thursday, paychecks may be issued or direct deposited the Friday following the period. If there is also a holiday on that Friday, paychecks may be issued or direct deposited the Wednesday following the period.

4.3 Breaks

Employees are permitted a 30 minute unpaid lunch break. Employees may take a longer unpaid lunch with prior approval from a supervisor.

Nursing mothers are allowed, upon request, reasonable lactation breaks in a private location.

4.4 Overtime Pay

The Borough compensates employees for overtime work in accordance with state and federal law. Please consult with the Borough Treasurer to confirm whether you are eligible for overtime compensation.

Overtime compensation will be paid to eligible employees in accordance with the following:

- A. No employee should work overtime without prior written approval from the Borough Manager. The Borough expects all employees to work overtime when requested. The Borough retains the right to grant or deny overtime hours at its discretion.
 - a. This also includes work through the use of mobile devices and technology. Examples include placing calls, receiving calls (with the exception of a call from a supervisor, Borough Manager or elected official), checking email, etc.
- B. Eligible employees will generally receive overtime at one and one-half (1.5) times their regular hourly rate of pay for all hours actually worked in excess of forty hours in a standard seven day work week. Paid leave, including holidays and comp time, will not be counted as time worked for purposes of computing overtime.

- C. Eligible employees may also choose to accrue compensatory time in lieu of overtime compensation at a rate of one-half (1.5) times the hours in excess of 40 hours per work week worked. Employees may generally attain up to 240 hours of compensatory time, although some emergency personnel or seasonal employees may be eligible to attain up to 480 hours of compensatory time. At the end of each calendar year, any accrued comp time will be paid out to eligible employees. An employee must agree in writing to accrue compensatory time in lieu of overtime compensation.

4.5 Call-In Policy

It is sometimes necessary to “call-in” employees for a variety of reasons as emergencies arise. Call-in time, when offered, shall be offered to employees on the basis of their job classification and shall be offered to employees within the job classification on the basis of seniority and availability.

4.6 Inclement Weather

Due to extreme weather conditions, the Borough Office may be closed from time to time. Non-exempt employees who do not work will not be paid (including summer camp staff when camp closes for rain/heat). Non-exempt employees who do work will be paid regular pay (such as snow plow operators) for their labor. Exempt employees will not have pay affected, but are expected to catch up with work as necessary when the Borough reopens.

Section 5 – Employee Benefits

5.1 Medical Benefits – Medical, Dental, Vision, Prescription Drug

The Borough will provide all regular full-time employees with a health insurance plan providing medical, dental and prescription insurance coverage.

The Borough will pay 95% of the gross premium costs (not including any discounts or incentives offered by the insurer) for these benefits for single coverage. Part-time employees can participate in a health insurance plan offered by the Borough. However, any such part-time employee shall be responsible for 100% of the net cost to the Borough for that plan.

For employees who wish to have coverage beyond that level, the employee is responsible for paying the full additional cost of dependent or family benefits. Employees would need to follow any criteria provided by the insurer as to who qualifies as a dependent or family member for such coverage. The Borough does allow an eligible employee to enroll biological children, adopted children, stepchildren and

eligible foster children until the end of the month in which they reach 26 years of age. The Borough will also allow an eligible employee to enroll the spouse to which s/he is legally married in dependent coverage (same-sex or opposite-sex). However, the Borough does not offer health benefits to an employee's domestic partner (same-sex or opposite-sex).

Employee coverage begins the 1st day of the month following the completion of 60 days of employment. Coverage will terminate the 30th day of the month following separation unless an employee is eligible for and applies for COBRA.

Specific plan benefits, copays, etc. can be found in the Summary of Benefits and Coverage (SBC).

5.2 Life Insurance

The Borough at its sole discretion may provide life insurance at its expense for all regular full-time employees in an amount of at least \$50,000 upon completion of such employee's probationary period.

5.3 Continuation of Health Care Coverage (COBRA)

Employees or their families may be eligible to temporarily continue health and dental coverage at group rates in certain instances when coverage under these plans would otherwise end. Employees choosing this coverage would be responsible for paying the entire monthly premium. Coverage will terminate if either the premium isn't paid, the former employee becomes eligible under another group health plan, or New Britain Borough no longer provides group health coverage to its employees.

5.4 Workers' Compensation Insurance

The Borough provides workers' compensation insurance at no cost to all employees. This program covers injuries and illnesses sustained in the course of employment that require medical, surgical, or hospital treatment. Coverage requires following the procedures and regulations from the insurer and does not cover any activity that is not part of the employee's work-related duties.

- A. Employees who qualify for the program shall not be entitled to use any paid leave during the period of eligibility. In addition, paid leave shall not accrue during the period of eligibility.

5.5 Retirement Benefits

The Borough maintains a defined contribution pension plan for all regular full-time employees. The Borough contributes annually 5% of the employee's annual pay into the plan at no cost to the employee. The employee is allowed to make voluntary pre-tax payments into the plan. Details on the plan can be found in the Borough Pension Ordinance.

For all employees, the Borough makes employer contributions to Social Security, as required by law.

5.6 Flexible Scheduling

The Borough may provide alternative work scheduling, as defined herein, at its' discretion. Whether an employee may utilize alternative work scheduling shall be in the sole discretion of the Borough and will be determined on a case-by-case basis. The Borough Manager must approve any and all alternative work scheduling prior to its implementation. The Borough retains the right to modify or terminate the alternative work scheduling at its discretion at any time. The types of flexible work arrangements described herein are not appropriate for all employees or positions and are not a universal employee benefit.

Alternative work scheduling, as used herein, shall include, but not be limited to:

- Flextime, in which an employee works a normal workday, but there is flexibility in an employee's set scheduled starting and ending times. Some employees, due to family or personal obligations or preferences, work very early in the morning and leave earlier in the afternoon. Other flextime employees may prefer or need to start later in the day and work into the evening.
- Four-day workweek, in which an employee works a consistent number of extended hours per workday, reducing the workweek to four days a week.
- Half-day on Friday, in which an employee works extended workdays Monday through Thursday and a half day each Friday. (For exempt employees only, there may be the option of extended hour days and one full day off every other week.)

5.7 Paid Time Off

For regular full-time employees, the Borough offers a limited number of paid holidays each year, as well as paid leave. More information on this benefit can be found in "Section 6 – Leave Policies."

5.8 – Training and Development

Employees are expected and encouraged to participate in training and professional development each year. The Borough provides paid time and reimbursement for such opportunities on a case by case basis.

Section 6 – Leave Policies

The following list of designated paid leave policies apply to regular full-time Borough employees only.

6.1 Paid Holidays

The following list of designated paid official holidays applies to regular full-time Borough employees:

New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving Day, Christmas Eve, Christmas Day

If one of the above holidays falls on a Saturday, it will be celebrated on the Friday immediately preceding the holiday. If one of the above holidays falls on a Sunday, it will be celebrated on the immediately following Monday.

To receive pay for a holiday, the regular full-time employee must have worked the last regularly scheduled working day immediately preceding the holiday and the first regularly scheduled working day immediately following the holiday unless the employee receives prior written approval from the Borough Manager.

6.2 Paid Leave

Regular full-time employees shall have their vacation accrue monthly, beginning after the first month of employment. Employees shall have paid leave accrue at the following rate based upon length of service:

Year 1: 5 vacation days, 10 sick days

Years 2-10: 10 vacation days, 10 sick days

Years 11+: 15 vacation days, 10 sick days

Paid leave can only be used when providing a minimum of two weeks' notice to the employee's supervisor via a leave request form. Depending on the staffing needs of the Borough, the Borough reserves the right to deny a request for paid leave. Paid leave

may be used in full day or half day increments. The only exceptions to this policy are paid leave used for a medical illness or a death.

Medical illness is either a *bona fide* personal illness; medical, psychological, dental, optical or other health related appointments arranged during work hours; non-job related injury; or exposure to a contagious disease which would endanger others. For a medical illness, the employee must call in immediately (if during non-work hours leave a voicemail) and complete a leave request form upon return to work. ***Email and text messages are not sufficient forms of communication (a phone call or voicemail is required).*** For any paid leave for medical purposes exceeding more than two days in a single work week or four (4) days in a four (4) work week period (nonconsecutive or consecutive), the employee must provide a doctor's note to have the paid leave approved. The Borough reserves the right to request a medical statement (written statement by the employee setting forth the reason for the leave) and/or to require a medical examination prior to an employee's return to work.

For bereavement, the employee must use the leave within two weeks following the death. The employee is allowed three (3) days for the death of a spouse, child, parent, or sibling, one (1) day for any in-law, grandparent, grandchild, uncle, aunt, or cousin. Any additional paid leave for bereavement shall be at the discretion of the Borough Manager. Borough employees upon written request and permission of the Borough Manager may use paid or unpaid leave to attend a funeral relating to a Borough employee, elected official, or appointed volunteer.

A maximum of 10 days paid leave may be carried over from year to year, with any remaining leave forfeited. At the end of an employee's term of employment with the Borough, only five (5) days of paid leave will be paid.

6.3 Military Leave

Borough employees serving in the uniformed services (Army, Navy, Marine Corps, Air Force, Coast Guard, National Guard and commissioned corps of the Public Health Services) shall be granted an unpaid leave of absence in accordance with state and/or federal law.

6.4 Family and Medical Leave

Reasonable requests for leave for certain family and medical reasons will be considered, limited to the following circumstances: 1) because of the birth of a son or daughter of the employee and in order to care for such son or daughter; 2) because of the placement

of a son or daughter with the employee for adoption or foster care; 3) in order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter or parent has a serious health condition; 4) because of a serious health condition that makes the employee unable to perform the function of the position of such employee; and/or, 5) because of the qualifying exigency, as defined by law, arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.

Requests for leave pursuant to this Section shall be granted at the discretion of the Borough Manager, consistent with the other policies of this manual.

Section 6.5 *Civil Leave*

Civil leave is the approved absence from work with pay when serving jury duty or when subpoenaed as a witness to represent the Borough. Employees will not be discriminated against or terminated because they have taken civil leave.

Employees shall complete a Leave Request Form when requesting civil leave. They may also be required to present proof of summons for jury or witness duty.

If an employee is not accepted as a juror, the employee will be expected to report to work. Should the employee need only part of a day to appear in court, s/he is expected to return to work for the remainder of the day.

Section 6.6 *Late Policy*

If an employee is going to be more than five minutes late, s/he must call a supervisor as soon as possible and no later than his or her scheduled starting time. If a supervisor is not available, the employee should contact the Borough Manager or leave a voicemail. ***Email or text message communication is not sufficient.*** Notwithstanding the foregoing, it is *not acceptable* to be late, and the Borough reserves the right to terminate and/or discipline an employee for lateness. Those with Borough business often arrive when the Borough Office opens, and all employees are expected to be on time.

Section 6.7 *Absence Without Leave (AWOL)*

AWOL is defined as an employee's absence from duty without Borough approval. An employee who is AWOL will not be paid for the time missed (including salaried employees, whose pay will be docked) and may be subject to disciplinary action, up to and including dismissal from employment.

Section 7 – Employment Policies

Section 7.1 *Hiring Policy*

New Britain Borough is an equal opportunity employer and adheres to the provisions of all applicable state and federal laws. A fundamental goal of New Britain Borough is to ensure that every employee has equal opportunity to grow and benefit from employment, to earn, to learn, to advance and to enjoy working for an organization that is a source of pride and satisfaction to its residents.

To further these goals, New Britain Borough pledges to provide equal opportunity without regard to race, color, familial status, sex, ancestry, religion, color, sexual orientation, gender identity, age, national origin, handicap, disability, use of guide or support animals because of the blindness, deafness or physical handicap of the user, or veteran status. The Borough also pledges to make reasonable accommodations for the known physical or mental disabilities of otherwise qualified applicants for employment.

New Britain Borough strives for a competitive hiring process to find the best talent possible to serve residents and those doing business in the Borough. To that end, all employment opportunities at the Borough are to be publicly advertised, all employment applications received are to be kept on file for at least two years.

The Borough may require current employees and applicants to whom a conditional offer of employment has been extended, to undergo medical examinations, drug and alcohol screening, criminal background checks and/or motor vehicle record checks for business necessity purposes.

Section 7.2 *Separations*

Employees leaving the Borough's employment may be asked to complete a voluntary Employee Separation Form that requests employees to indicate the reason for separation.

Employees must provide two (2) weeks prior notice of their intent to resign or retire from the Borough. Failure to give such notice and to complete the Employee Separation Form may result in denial of re-employment rights and a forfeiture of accrued leave to be paid out.

Employees must return all keys, any identification cards, and all other Borough property to the Borough Manager upon the date of separation.

Employees who leave the Borough voluntarily and then become re-employed will have employee status and benefits based on the rehire date. No consideration or credit will be given for the prior employment. Employees who leave the Borough through an involuntary reduction in the work force and are rehired will be given credit for previous service as long as the employee returns within one year of the last day of prior employment.

Section 7.3 – Disciplinary Action

The borough is committed to providing prompt and quality service to residents and those with business in the Borough at all times. Employees are expected to conduct themselves with this in mind. Employees may be subject to disciplinary action, up to and including discharge, at the sole discretion of the Borough.

The following is a non-exclusive list of activities subject to disciplinary action. It is not possible to list every offense or misconduct, however this list provides guidance as to what types of conduct may result in discipline.

- Attendance – Improper or unauthorized use of paid leave; Excessive absenteeism; Absent without leave; Repeated unauthorized late arrivals or early departures from work;
- Behavior – Granting or accepting favors that might be construed as influencing the performance of duties; Revealing confidential information; Engaging in any criminal action; Any violation of the polices in this manual; Insubordination (refusal to carry out instructions); Falsification of any work related records (such as payroll, employment application, etc.); Soliciting outside work for personal gain during business hours; Participating in any off-duty employment prohibited by the Borough; Discourteous treatment of the public or other employees; Conduct that poses an unreasonable risk to the health and safety of the public, the Borough, its employees or finances; Lying; Theft (punishment will include claim for restitution); Gambling on Borough property or while on duty, including voluntarily being in the presence of such activity; Use of illegal drugs or legal drugs/alcohol while on duty or on Borough property; Performing private work on Borough property or with the use of Borough owned materials, equipment, tools or labor;
- Performance – Inefficiency, incompetence or negligence in the performance of duties; Refusal or inability to improve job performance in accordance with written or verbal direction; Refusal to accept reasonable assignments from a supervisor; Damage of Borough property from careless use; Using authority as a Borough official to obtain non-public information for personal gain; Refusing to

take a drug/alcohol test; Operating a vehicle on Borough business with a revoked/suspended license and/or irresponsibly;

Nothing in this section 7.3, or otherwise should be interpreted or construed to provide any entitlement to employment. Any and all employment with the Borough is at-will, and an employee may be terminated for any reason or no reason at any time at the Borough's discretion.

Section 7.4 – Performance Reviews

All Borough employees will be subject to performance review:

- Upon completion of a probationary period;
- At the request of either the employee, his/her immediate supervisor, the Borough Manager, or Borough Council;
- Annually by October 31 each year;

The performance review will be completed by the employee's immediate supervisor based on the Performance Review Evaluation Form (with the exception of the Borough Manager, who will be reviewed by the Administrative Committee). The supervisor will then meet with the employee to explain the results and provide a copy of the review. The employee will then sign an acknowledgment that s/he received the review and discussed it. The supervisor will then sign the review confirming the meeting with the employee. Copies of the review will be provided to the Borough Manager and placed in the employee's personnel file.

Section 8 – Workplace Policies

Section 8.1 - Harassment Policy

Harassment of any kind, including but not limited to, on the basis of gender, race, religion, color, sex, age, national origin, disability, veteran status, gender identity or sexual orientation, is not acceptable at New Britain Borough. All employees share responsibility for ensuring that the workplace is free from harassment.

Sexual harassment is a form of harassment with specific distinguishing characteristics. It consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- 2) Submission to or rejection of such conduct is used as a basis for employment decisions affecting an individual;

- 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates a hostile working environment.

Employees must avoid any action or conduct that could be viewed as sexual harassment. This includes but is not limited to physical assaults of a sexual nature, sexually suggestive physical contact, unwelcome sexual advances, direct or subtle pressure to engage in sexual activity; verbal abuse of a sexual nature, including comments about an individual's body or sexual activities, the display of sexually suggestive materials in the workplace and the inappropriate use of sexually explicit or offensive language or jokes.

Consequently, any employee who is aware of such behavior should promptly bring it to the attention of the Borough Manager in writing. If the alleged harassment involves the conduct or action of the Borough Manager, the conduct should be reported to any member of Borough Council or the Borough Solicitor in writing.

The Borough takes very seriously all complaints of harassment and will promptly investigate all allegations of harassment in as confidential a manner as possible. It is against this policy to retaliate against a complainant for filing a charge of harassment. A charge of retaliation may be pursued using the steps followed for a complaint of harassment.

To file a knowingly false or malicious complaint of harassment or retaliation is a violation of this policy. Such conduct may be investigated using the steps followed for a complaint of harassment. A complaint under this provision shall not constitute prohibited retaliation.

Any employee suspected and/or found in violation of this policy will be subject to appropriate disciplinary action, up to and including termination of employment. The Borough reserves the right to take any action required in response to a complaint to address and/or prevent the alleged harassment.

Section 8.2 – Ethics Policy

Employees shall not engage in any conduct that constitutes a conflict of interest or that gives the appearance of such. A conflict of interest is defined as an abuse by an employee of his/her office, employment, or any confidential information (any information not obtainable from a public document or making inquiry to a public source) for the private financial gain of that employee, a family member or a business connection.

No employee shall solicit anything of monetary value, including, but not limited to, a gift, loan, political contribution, reward, or promise of future employment based upon any understanding that the employee's judgment would be influenced thereby. Employees may accept gifts in compliance with state ethics law, as long as the employee complies with any and all requirements of state or local law, reports the gift and the gift has no bearing on the employee's judgment, as determined by in the sole discretion of the Borough Manager. These limitations are not intended to prohibit the acceptance of items of negligible value that are distributed generally, nor to prohibit employees from obtaining services, loans, etc. from private institutions that would otherwise be available on the same terms and conditions (such as a home mortgage) to any and all members of the public. Even in this circumstance, employees should disclose any private relationship or affiliation with such entities (i.e., if the Zoning Officer had to review a permit from her/his personal depository institution). Where possible, employees should avoid relationships that might be considered evidence of favoritism or collusion.

Section 8.3 – No Smoking Policy

Smoking is not permitted in any Borough owned building or on or in any Borough owned property (including vehicles and parking lots). The no smoking policy applies to all tobacco products, including but not limited to, cigarettes, pipes, vaporizers, e-cigarettes, chewing tobacco and cigars.

Section 8.4 – Drug and Alcohol Policy

The use of alcoholic beverages by employees during working hours, on Borough property or while performing duties assigned by the Borough is prohibited. An employee is not permitted to report to work while under the influence of alcoholic beverages. "Under the influence" is defined as when consumption of any alcoholic beverage has impaired, or is likely to impair, the employee's performance in the sole judgment of her or his supervisor.

The possession or use of illegal drugs or the improper use of any other drugs during working hours, on Borough property, or while performing duties assigned by the Borough is prohibited. Employees found in possession of illegal drugs during working hours or on Borough property are subject to disciplinary action up to and including termination. An employee is not permitted to report to work while under the influence of any illegal drug.

When reasonable suspicion exists that an employee has possession of alcohol, illegal drugs or controlled substances without a valid right or prescription, a supervisor (with the concurrence of the Borough Manager) shall have the right, to the extent allowed by law, to require the employee to submit immediately to a search of his or her desk, cabinet, locker or other items on the Borough's premises. Refusal to agree to a lawful inspection is considered insubordination.

An employee who is convicted or pleads guilty under a criminal drug or alcohol statute must notify his or her supervisor no later than five (5) calendar days after such a conviction or plea.

An employee whose job performance is adversely affected by prescription drugs (including medical marijuana) creates a risk to the safety, security and health of coworkers and the public. Employees are instructed to take all medications in accordance with prescriptions.

Section 8.5 – Disability Discrimination Policy

New Britain Borough will make all decisions regarding recruitment, hiring, selection, training, advancement, discharge or other terms and conditions, or privileges of employment based on job-related qualifications and abilities. New Britain Borough does not tolerate discrimination against any qualified individual with a disability or because they are related to/associated with a person with a physical or mental disability.

New Britain prohibits verbal, physical or visual conduct that belittles or demeans any qualified individual with a disability.

Any employee who believes s/he is being discriminated against because of a mental or physical disability should bring it to the attention of the Borough Manager for it to be investigated. If the alleged discrimination involves the Borough Manager, the employee should bring it to the attention of a member of Borough Council, the Borough Solicitor..

Qualified individuals with disabilities may make requests in writing to the Borough Manager for a reasonable accommodation. The Borough will fully comply with any and all requirements of state or federal law with regarding to employees with disabilities.

Section 8.6 – Emergency Action Plan

Please consult the Borough Emergency Action Plan (EAP) for situations such as an active shooter, fire, tornado, etc.

Section 9 – Rules and Regulations

Section 9.1 – Chain of Command / Complaint Procedure

The following procedure shall be followed by any employee who has a complaint, benefit dispute, request, or allegation of neglect/abuse or suggested change to policy/procedure:

1. Request made to immediate supervisor in writing;
2. In the event of an unsatisfactory disposition or no resolution in Step 1, the employee shall provide the Borough Manager with a copy of the written request or complaint. The Borough Manager will then hold a meeting with the employee to address it;
3. In the event of an unsatisfactory response in Step 2, a meeting may be requested and held with the Mayor, Council President and Council Vice President. A majority decision rendered by this group shall be final, with the advice of the Borough Solicitor.

Nothing in this section shall be interpreted to alter or modify the procedure to report allegations of harassment of any kind.

Section 9.2 – Personnel Records

The Borough reserves the right to maintain a personnel file on each employee containing essential job data and personal information necessary in the administration of employee benefits. Employees are required to notify the Borough Manager of any changes in basic information related to your employment or benefits, such as marital status, dependents, address, etc.

Information contained in your file is confidential and you have the right to review the file with the Borough Manager at a mutually convenient time. Unless required by a valid subpoena or court order, your records will not be provided to non-Borough third parties unless you sign a release authorizing such action. This release will include the date, person to whom the information will be released and the purpose of the release.

Section 9.3 – Workplace Violence

Workplace violence, intimidation, harassment and threats of violence will not be tolerated in any capacity. All employees (including supervisors and temporary

employees) and visitors should be treated with courtesy and respect at all times, including off-duty periods.

Employees are expected to refrain from fighting or other conduct that may be dangerous to others. No weapons of any kind (even unloaded or disassembled) should be brought by employees onto Borough property, including Borough vehicles or parking lots. Neither may an employee have a weapon, of any kind, while performing duties assigned by the Borough..

In addition, all actual violence or threats of violence should be reported as soon as possible to a supervisor, the Borough Manager, or a member of Borough Council in writing. This includes threats by fellow employees, as well as any contractors, vendors, solicitors, residents or other members of the public. When reporting such an incident or threat, please be as specific and detailed as possible. The Borough will keep all information reported as confidential as possible. *Do not place yourself in peril or try to intercede.*

Employees are directed to promptly call 911 if they believe they are in immediate danger, for any reason, regardless of any provision in this section 9.3.

The Borough encourages employees to bring disputes or difference with others to the attention of a supervisor or the Borough Manager before the situation escalates into potential violence. Employees are also encouraged to take advantage of the Employee Assistance Program (EAP) to receive confidential counseling regarding life and workplace issues.

Section 9.4 – Searches of Borough Premises

The Borough may conduct a search of any part of the Borough premises, including but not limited to computer files, desks, closets, lockers, filing cabinets, etc. to retrieve work related materials or to investigate violations of law or any of the rules and regulations contained therein. If you wish to maintain privacy, do not use Borough property or computers for your personal and private matters.

Section 9.5 – Technology Use (Phone, Computer, etc.)

Employees may be provided with access to a phone, computer and/or email to conduct Borough business. All information created, sent or received via the Borough's email system, computer network, including all email messages and electronic files are the property of the Borough. Any user of such systems should note that there is no expected privacy concerning any messages received, sent, accessed and/or stored therein. Employees should not maintain any sensitive or private information of these

systems. The Borough, in its absolute discretion, may disclose text or images to law enforcement agencies or other third parties without an employee's consent.

All employees are required to provide the Borough Manager with all usernames and passwords for any Borough phones (including cellular), computers, software and any other work related equipment. An employee shall not use another employee's password or impersonate another person while using Borough computer systems.

These devices and systems should not be used to receive, access, send and/or store obscene, pornographic, defamatory, offensive or inappropriate material of any kind.

In addition, they should not be used for conducting private and personal business, even during off work time or breaks. This includes personal shopping, to solicit money, to operate a business, to play any form of game, to gamble, or to engage in any illegal activity. Employees shall not purposefully introduce a virus, harmful component or corrupted data to the computer systems and shall not maliciously tamper with said systems.

Refrain from using social media while on work time or on equipment provided, unless it is work-related as authorized by your supervisor. Do not use New Britain Borough email addresses to register on social networks, blogs or other online tools utilized for personal use.

The Borough may suspend an employee's access to the Borough's electronic communications and information systems at any time, without notice, for any reason. The Borough retains the right to implement GPS tracking of any provided electronic device.

Any personal device used for Borough business requires prior approval from the Borough Manager and is limited to FLSA exempt employees.

Section 9.6 – Social Media Policy

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Borough of New Britain, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. It is generally good practice for anyone utilizing social media to consider the risks and rewards associated

with posting online content. As a Borough employee, you may post on social media about issues of public concern, only when you are not holding yourself out as a representative of the Borough. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects the operations or efficiency of New Britain Borough may result in disciplinary action up to and including termination. The Borough will issue discipline to the extent permitted by law.

Carefully read these guidelines, the Ethics Policy (Section 8.2) and the Harassment Policy (Section 8.1).

Borough employees are instructed not to represent themselves to be agents or representatives of the Borough in social media in any manner.

Do not post any information which would violate any state, federal or local law. Employees shall not post any information which is or could be exempt from Right to Know law when acting as a Borough employee, such as personal contact information for employees or reports and documents in draft form. As a private citizen, Borough employees may not post any information obtained solely through their employment with the Borough. Employees also must abide by financial disclosure laws. For example, it is generally illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Ethics Policy.

Express only your personal opinions. Never represent yourself as a spokesperson for New Britain Borough. If New Britain Borough is a subject of the content you are creating, be clear and open about the fact that your views do not represent those of the Borough, Borough officials, or other people working on behalf of the Borough. Borough logos, symbols and work related materials that are not subject to the PA Right-to-Know Law should not be posted online.

Employees are encouraged to openly address any complaints and/or issues related to social media to their supervisor and/or the Borough Manager.

[Section 9.7 – Media Policy](#)

The Borough Manager serves as the primary contact between the media and the Borough. Employees, volunteers, and elected officials should not speak to the media without first consulting and obtaining approval from the Borough Manager. All media inquiries should be directed to the Borough Manager.

Section 9.8 – Vehicle Usage

Anyone who operates a Borough motor vehicle (or a motor vehicle for a work related purpose) shall possess a valid license of the appropriate classification. All employees must complete a background check to verify the status of a driver's license and any past driving violations. An employee who has a change in the status of her/his license or is convicted of a driving violation must notify a supervisor or the Borough Manager in writing before the start of his/her next shift. Any and all employees who operate a motor vehicle for a work related purpose must comply with any and all traffic laws or regulations at all times, including but not limited to those referenced in this section 9.8.

No employee shall use a mobile device (such as laptop or phone) while driving a Borough vehicle (or personal vehicle for a Borough purpose). "Hands free" usage is also not acceptable. Employees should find a safe location to park while operating such devices (*i.e.*, a parking lot). Road shoulders are not considered to be a "safe location." Employees must wear a seat belt at all times.

Employees must at no time use a mobile device related to Borough business (such as checking Borough email, calling/texting a coworker, etc.) while operating any vehicle at any time.

The Borough retains the right to require employees to submit to a drug or alcohol test, including those employees who are accident, or who are cited in regards to vehicular operation or use who operate a vehicle at any time to perform their job duties, whether owned by the Borough or not,

Section 9.9 – Work Injuries

All employees are required to complete an Incident Report for any and all instances where an injury has occurred. This is to be done as soon as is safely possible following the incident/accidents no matter how minor the injury.

You have the duty to obtain treatment from one or more of the physicians designated by the workers' compensation insurance carrier for ninety (90) days from the first visit to a designated provider. In the case of trauma, go to the nearest emergency facility (subsequent non-emergency treatment will then be performed by a panel physician). When it is necessary for you to obtain medical treatment, you must report the injury to your supervisor as soon as you may safely do so. Failure to do so can delay your benefits or cause you to lose your right to benefits.

As long as these guidelines are followed, all reasonable medical supplies and treatment from a work injury will be paid for by New Britain Borough for 90 days. If deemed reasonable and necessary, the Borough will continue payment for treatment beyond this period. You also have the right to see a non-panel physician, but it will be at your own expense (if you seek such treatment, you must notify the Borough Manager in writing within five (5) days of the first visit).

The Borough reserves the right to discipline employees for incidents or accidents where negligence has been determined.

Section 9.10 – Infectious Material Exposure

Exposure to blood or other potentially infectious material from other individuals can cause serious disease. Such occurrences should be reported immediately to a supervisor. If the event of this occurrence, as soon as possible, but not later than seventy two (72) hours following such an exposure, an employee shall be provided with a confidential medical examination at the expense of the employer. If judged necessary by a licensed medical provider, infectivity status shall be confirmed through a blood test. If consent is not given, a court order may be sought by the Borough to secure a blood sample for testing. Maintenance and release of employee health and medical information will be done only in accordance with all existing state and federal regulations.

Please consult the blood borne pathogen protocol for more information.

Section 9.11 – Travel and Other Reimbursements

Elected Officials, Employees, and Volunteers (referred to in this section by the catchall “Employees”) are expected to exercise prudent judgment when incurring travel expenses on official Borough business. Non-business expenses and/or expense not made in accordance with this policy will not be approved or reimbursed.

Borough Council shall approve all requests for travel to attend a conference or meeting related to Borough business that includes an overnight stay and/or is more than 50 miles one way from the Borough office. All such requests should be made in writing with enough advance notice to be considered at the next Borough Council meeting. Registration fees will be paid at actual costs. Notwithstanding anything to the contrary herein, the Borough Manager retains the right to grant or deny permission for any employee to attend a conference or meeting.

The basis of travel reimbursement for lodging will not exceed standard room rates at official conference hotels for single occupancy.

Under certain circumstances, reimbursement for meals will be provided. Tobacco and alcoholic beverages are not reimbursable. Receipts must be provided for reimbursement and the trip must be pre-approved. Allowable tip rates shall not exceed fifteen percent of the meal cost, including tax. Reimbursement for meals for trips of a single day shall be paid at a maximum of \$15 for lunch (for any meals that day between 11am and 2pm) or \$25 for dinner (for a meal after 6pm), but not both. Reimbursement for meals may be given for a trip of more than one day at \$50 per diem. Expenses for conference luncheons, special banquets or other set prices special affairs will be reimbursed on the basis of actual expenditure with pre-approval and documentation.

Whether for travel to a conference/meeting or for use of a personal vehicle for Borough business, reimbursement shall be set at a rate equal to the standard mileage rate provided by the Internal Revenue Service. Employees must have a valid driver's license and proof of insurance before using a vehicle in such a capacity. Normal commute miles are not eligible for reimbursement. In all circumstances, employees must complete a Mileage Reimbursement Form. Reimbursement will be paid at actual cost, but must be justified if actual mileage exceeds the most direct route by more than ten percent (10%). Travel to locations more than 150 miles one way will not exceed the value of the lowest priced coach airfare option within two months prior to the trip date. Expenses for tolls, public transit, etc. will be authorized when such is the least costly alternative given the individual circumstances of the trip.

Under no circumstances will reimbursements be provided for lodging, mileage, food or other expenses incurred by a non-employee (such as a spouse or significant other). Any reimbursement requests submitted more than 30 days after the cost was incurred are ineligible for repayment. No expenses beyond those noted herein will be considered for reimbursement.

All claims for approval/reimbursement shall include an itemization of expenses, a brief explanation of the purpose of the meeting/trip, a synopsis for Council of lessons learned/action items, and shall include all necessary documentation to verify costs.

Section 9.12 – Safety Policy

The Safety Policy is to prevent accidents and injuries and reduce operating costs by following safe and accepted procedures. If you are unsure of the correct safety

procedure for a certain situation, or feel a particular situation is unsafe, you should immediately notify your supervisor.

The following list is not exhaustive but rather a general outline of potentially hazardous situations to be avoided. All employees should use common sense and proper advanced planning to eliminate hazardous situations.

- Use of drugs or alcohol while on the job;
- Failure to wear a seat belt;
- Attempting to dismount from a moving vehicle or piece of equipment;
- Failure to observe warning tags or signage;
- Failure to inspect equipment prior to use or without proper training/supervision;
- Wearing inappropriate clothing for the type of work performed (such as jewelry or loose clothing);
- Employees should not use any type of personal audio/video play with one or more headphones during working hours;

Any injury or accident, no matter how minor, must be reported immediately.

Please see the Borough Safety Manual for more information.

Section 9.13 – Funeral Gift Policy

At the discretion of the Borough Manager, the Borough may purchase a card and gift (cannot be cash or gift card) or flowers for any employee or elected official that has a death in the family. The maximum value equal \$25 for a spouse, child, parent, or sibling, and \$10 an in-law, grandparent, grandchild, uncle, aunt, or cousin.

Section 9.14 – Lost and Found Policy

Any found item will be placed in the “Lost and Found bin”. If the item is not claimed within 30 days of placement, Borough employees and volunteers will be notified of the specific item and asked to submit their name for a random drawing and given the time/date of the drawing. If there is no interest in the item within seven calendar days of the notification, the item will be discarded.

Appendix A – Employee Acknowledgment Form

This is to acknowledge that I, _____, have received my own copy of the New Britain Borough Personnel Manual. A copy of this document will also be available for review in the Borough Manager’s office. In consideration of my employment with New Britain Borough, I hereby agree to read and familiarize myself with these rules as they have been set forth.

I further recognize that New Britain Borough reserves the right to modify, change, or delete any of the foregoing rules, policies or procedures and that it is my responsibility to familiarize myself and comply with future changes. I acknowledge that this Manual and the rules, policies and procedures stated herein are not intended to create a contract between New Britain Borough and its employees or property rights for its employees, and that my employment is “at will” – I may terminate my employment at any time for any reason or no reason and New Britain Borough retains the same right.

DATE

SIGNATURE