

Town of Waynesville
North Carolina



PERSONNEL POLICY MANUAL
Employee Handbook

**Revisions, additions and/or deletions to Policy Manual are approved
and adopted by the Mayor and Town Council**

Welcome

Welcome to the Town of Waynesville! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of the opportunities to enhance your career and further the Town of Waynesville's goals.

You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. With your active involvement, creativity, and support, the Town of Waynesville will continue to achieve its goals. We sincerely hope you will take pride in being an important part of the Town of Waynesville's success.

The purpose of this policy manual is to provide officials and employees of the Town of Waynesville (hereinafter referred to as the Town) with a concise document which contains the general personnel policies governing Town personnel. This policy manual replaces and supersedes all previously issued manuals, policies, memorandums, and directives.

The issuance of this personnel policy manual does not constitute a contractual relationship with employees and is adopted by Resolution by the Mayor and Town Council. The Town has the right to change or suspend any provisions of this manual at any time at the Town's discretion. No term of this personnel policy manual will be binding on the Town.

Reference is made throughout this manual to the personal pronouns "his," "him," and "he." The use of these terms is not intended to imply gender and consequently such reference means all persons.

Please take time to review the personnel policies contained in this manual. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department.

BE IT RESOLVED, by the Town Council of the Town of Waynesville, that the following policies apply to the appointment, classification, benefits, salary, promotion, demotion, dismissal, and conditions of employment of the employees of the Town of Waynesville.

Adopted this 11th day of March, 2025.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

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ARTICLE I. GENERAL PROVISIONS

Section 1. Purpose of the Policy

It is the purpose of this policy, and the rules and regulations set forth to establish a fair and uniform system of personnel administration for all employees of the Town under the supervision of the Town Manager. This policy is established under authority of Chapter 160A, Article 7, of the General Statutes of North Carolina. Nothing contained in this article should be construed as creating any type of employment contract between or among the town and any of its employees, either express or implied. Additionally, nothing contained in this article shall restrict the town's right to unilaterally change the policies, practices and procedures described herein. While, in the normal course of events, the town intends to follow the provisions set forth in this article, in whole or in part, and other policies, practices and procedures affecting personnel, certain situations may occur in which the town, at its sole discretion, will not follow this policy unless otherwise required by law.

Section 2. At Will Employment

The employment relationship between the Town and the employee is terminable at the will of either at any time and with or without cause and with or without notice, unless otherwise stated in a written individual employment agreement signed by the Manager on behalf of the Town Council. No employee, officer or representative of the Town has any authority to enter into any agreement or representation, verbally or in writing, which alters, amends, or contradicts this provision or the provisions in these policies. Any exception to this policy of at-will employment must be expressly authorized in writing, approved by the Council, and executed by the officers designated by the Council.

None of the benefits or policies set forth herein are intended, because of their publication, to confer any rights or privileges upon employees or to entitle them to be or remain employed by the Town. The contents of this document are presented as a matter of information only.

These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel policies. Nothing herein is intended to or creates an employment agreement, express or implied. Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period. The Town explicitly reserves the right to modify any of the provisions of these policies at any time and without any notice to employees.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the [National Labor Relations Act \(NLRA\)](#). Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. Town of Waynesville employees have the right to engage in or refrain from such activities.

Notwithstanding any of the provisions within these policies, employment may be terminated at any time, either by the employee or by the Town, with or without cause and without advance notice.

Section 3. Merit Principle

All appointments, promotions, and other human resource transactions shall be made solely based on merit, except where organizational needs warrant other considerations. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, color, religion, gender, national origin, political affiliation, sexual orientation, age, disability, genetic information, marital status, veteran status, or based on actual or perceived gender identity.

Section 4. Responsibility of the Town Manager

The Town Manager shall be responsible to the Town Council for the administration and technical direction of the personnel program. The Town Manager shall appoint, suspend, and remove all Town employees except those whose appointment is otherwise provided for by law. The Town Manager shall make appointments, dismissals, demotions, and suspensions in accordance with the Town charter and other policies and procedures spelled out in other Articles in this Policy. The Town Manager will be responsible for interpreting policies when necessary and recommending to the Town Council policy changes and new policies. The Town Manager will also be responsible for determining conditions of employment. The Town Manager shall supervise or participate in:

- 1) Recommending rules and revisions to the personnel system to the Town Council for consideration.
- 2) Making changes as necessary to maintain an up-to-date and accurate position classification plan.
- 3) Preparing and recommending necessary revisions to the pay plan.
- 4) Determining which employees shall be subject to the overtime provisions of [FLSA](#).
- 5) Developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Town.
- 6) Performing such other duties as may be assigned by the Town Council not inconsistent with this Policy; and
- 7) Appointing an employee to the role of Human Resources Director.

Section 5. Responsibility of the Town Council

The Town Council shall be responsible for establishing and approving personnel policies, the position classification and pay plan, and may change the policies and benefits as necessary. They also shall make and confirm appointments when so specified by the general statutes.

Section 6. Responsibility of the Human Resources Director

The Human Resources Department is responsible for maintaining all official personnel files which include but are not limited to the following: employment applications, conditions of employment, reference checks, performance evaluation forms, attendance records, disciplinary actions taken, commendations received, and documentation of all other personnel actions as deemed pertinent by the Town Manager.

The responsibilities of the Human Resources Director shall be to ensure the establishment, implementation and management of a modern personnel system reflecting the [Equal Employment Opportunity](#) and non-discriminatory vision and values of the Town of Waynesville. Those responsibilities include, but shall not be limited to, the following:

- 1) Recommending rules and revisions to the personnel system to the Town Manager for consideration.
- 2) Recommending changes as necessary to maintain an up-to-date and accurate position classification plan.
- 3) Recommending necessary revisions to the pay plan.
- 4) Recommending which employees shall be subject to the overtime provisions of FLSA.
- 5) Maintaining a roster of all persons in municipal service.
- 6) Establishing and maintaining a list of authorized positions in municipal service at the beginning of each budget year which identifies each authorized position, class title of position, salary range, any changes in class title and status, position number and other such data as may be desirable or useful.
- 7) Developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Town.
- 8) Developing and coordinating training and educational programs for Town employees.
- 9) Periodically investigating the operation and effect of the personnel provisions of this Policy; and
- 10) Performing such other duties as may be assigned by the Town Manager not inconsistent with this Policy.

Section 7. Application of Policies, Plan, Rules, and Regulations

The personnel policy and all rules and regulations adopted pursuant thereto shall be binding on all Town employees. The Town Manager, Town Attorney, members of the Town Council and advisory boards and commissions will be exempted except in sections where specifically included. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

Section 8. Departmental Rules and Regulations

Because of the personnel and operational requirements of the various departments of the Town, each department is authorized to establish supplemental written rules and regulations applicable only to the personnel of that department. All such rules and regulations shall be subject to the approval of the Town Manager and shall not in any way conflict with the provisions of this Policy but shall be considered as a supplement to this Policy.

Section 9. Structure of the Organization

A. Chain of Command

The following procedures should be used when communicating with the chain of command:

Routine matters: Consult with your direct supervisor.

Extraordinary matters: Consult with your direct supervisor or department-head, first, then the Town Manager, or appropriate staff as may be required.

Press inquiries: The Town Manager should receive all initial media contacts, and in their absence, they should be directed to the appropriate staff member handling a matter about which the media is inquiring, or who has expertise in the area of inquiry. It is important that requests, emails, or calls are centrally handled to avoid having more than one spokesperson commenting on the same subject, and to ensure that any comments made are consistent with the views of the Town Manager.

Communication: All employees should consult regularly with their direct supervisor. One of the most difficult functions of any large organization is communication and keeping the right people informed about matters they should know or need to know. Your direct supervisor should have a working knowledge of the status of all assignments, and it is the responsibility of both the supervisor and the employee to ensure that this happens. For routine matters, the Department Head will establish the manner of communication. Department Heads should always be kept informed on matters that could have a serious impact on the Town and the Assistant Town Manager and Town Manager should be informed, as the situation requires.

B. Emergency or Extraordinary Matters

For emergency or extraordinary matters that the employee believes should be discussed without delay, the Department Head or the Town Manager must be notified as soon as possible. In the absence of the Department Head or the Town Manager, the Assistant Town Manager or the Department Head of another department should be contacted.

It is very difficult to define what might be included in this category, but the best course of action is that when in doubt, let your direct supervisor know what is happening if it appears that the act has potential for interest from the Town Council, the press, the public, or other municipalities. The Department Head will then decide whether the Town Manager, or others, should be consulted. Even when the Town Manager is directly consulted or otherwise involved in the matter, the appropriate Department Head should also be notified to avoid gaps in communication.

C. Non-routine Administrative Decisions

The Town Manager is the ultimate decision-maker on all issues and should be consulted as necessary for any decision. However, in the interest of efficient administration of the office, and to keep appropriate staff informed of matters affecting the office, the Assistant Town Manager should, under normal circumstances, be consulted by the appropriate Department Head, or a

supervisor in their absence, when there is an administrative office decision to be made. This includes, among other things, permission for travel, dealing with other municipalities and state agencies, or similar situations that may arise.

D. Suspected Fraud, Waste, or Abuse

Any employee suspecting fraud should promptly report such fraud or suspected fraud to the Assistant Town Manager and the Finance Director.

Suspected waste or abuse should be reported to the supervisor first, then a Department Head.

Section 10. Definitions

For the purposes of this Policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Allocated Position. An allocated position is authorized as a regular position by the Town Council. Regular allocated positions are assigned a specific job title, salary grade, salary range, duties, and minimum qualifications. Appointments to allocated positions are made through a competitive selection process. All town positions are subject to budget review and approval each year by the Town Council.

Continuous Service. Years of regular service with the Town of Waynesville without a termination and rehire of employment. This does not include [Family and Medical leaves of absence](#). Continuous service regarding Health Insurance for Retirees only includes full-time, regular employees.

Exemptions -General. The exempt or non-exempt status of any particular employee must be determined on the basis of the nature of work performed, the duties, responsibilities assigned, and the terms or conditions of employment and in accordance with [the Fair Labor Standards Act \(FLSA\)](#) testing.

Definitions:

Exempt. Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay.

Nonexempt. Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

Grievance. A claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment expectations.

Immediate Family. Immediate family, for purposes of these policies, means employee's spouse, guardian, children, brother, sister, parent(s), in-laws of the employee and anyone living as a part of the household of the employee. Employment of individuals who are cohabiting or were formerly related shall be subject to the same conditions as immediate family or close relatives.

For the purpose of this policy, “cohabiting” shall mean to live together in a sexual relationship when not legally married.

Part-Time Employee. Employees who are not in a temporary status and who are regularly scheduled to work fewer than 30 hours weekly, but at least 19 hours weekly, and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the Town and are subject to the terms, conditions, and limitations of each benefits program.

Pay Status. When an employee is working or is on paid leave (vacation leave or sick leave).

Probationary Employee. A person appointed to an allocated position who has not yet successfully completed the designated probationary period. A probationary employee may be rejected, dismissed, demoted, or suspended without the right to appeal. A probationary employee does not accrue or have access to vacation leave. A probationary employee accrues and has access to sick leave. An employee who successfully completes the probationary period will be considered a regular employee of the Town.

Probationary Period. The initial six (6) months ([12 months for Sworn Law Enforcement Officers](#)) of employment or promotion representing the period of observable work performance to determine the suitability and ability of the employee to satisfactorily perform the duties and responsibilities of the position. The Probationary Period may be extended up to an additional six (6) months but shall not exceed twelve (12) months (18 months for Sworn Law Enforcement Officers).

Regular Full-Time Employee. Employees who are not in a temporary status and work a minimum of 30 hours weekly and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

Temporary or Seasonal Employee. A person hired by a department to perform additional extra help. Many work on a seasonal or short-term basis. Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work fewer than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

Trainee. Employee status when an applicant is hired (or employee promoted) does not meet all the requirements for the position. During the duration of a trainee appointment, the employee is on probationary status. An employee in a trainee status may be compensated at a reduced rate of pay until they meet all requirements for the position.

Volunteers. Excluded from the definition of “employee” and this from coverage of the FLSA, individuals who volunteer services to the Town, such as volunteer fire fighters and who volunteer services without compensation, but are paid expenses, reasonable benefits, or a nominal fee.

ARTICLE II. POSITION CLASSIFICATION PLAN

Section 1. Purpose

The position classification plan provides a complete inventory of all authorized and allocated positions in the Town service, and an accurate description and specification for each class of employment. The plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

Section 2. Composition of the Position Classification Plan

The classification plan shall consist of:

- 1) A grouping of positions in classes which are approximately equal in difficulty and responsibility which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions.
- 2) Class titles descriptive of the work of the class.
- 3) Written specifications for each class of positions; and
- 4) An allocation list showing the class title of each position in the classified service.

Section 3. Use of the Position Classification Plan

The classification plan is to be used:

- 1) As a guide in recruiting and examining applicants for employment.
- 2) In determining lines of promotion and in developing employee training programs.
- 3) In determining salary to be paid for various types of work.
- 4) In determining personnel service items in departmental budgets; and
- 5) In providing uniform job terminology.

Section 4. Administration of the Position Classification Plan

The Human Resources Director shall allocate each position covered by the classification plan to its appropriate class and shall be responsible for the administration of the position classification plan. The Human Resources Director shall periodically review portions of the classification plan and recommend appropriate changes to the Town Manager.

Section 5. Authorization of New Positions and the Position Classification Plan

New positions shall be established upon recommendation of the Town Manager and approval of the Town Council. New positions shall be recommended to the Council with a recommended class title after which the Town Manager, or designee, shall either allocate the new position into the appropriate existing class, or revise the position classification plan to establish a new class to which the new position may be allocated. The position classification plan, along with any new positions or classifications, shall be approved by the Town Council and on file with the Human Resources Director.

Section 6. Request for Reclassification

Any Department Head who considers a position within their department to be misclassified shall submit a request in writing for reclassification to the Human Resources Director. Upon receipt of such request, the Human Resources Director shall study the request, determine the merit of the reclassification, inform the Town Manager of the request, and make any recommended revision to the classification and pay plan to the Town Manager.

ARTICLE III. THE PAY PLAN

Section 1. Definition

The pay plan includes the basic salary schedule and the “Assignment of Classes to Grades” adopted by the Town Council. Each position is assigned a classification title, and each title is assigned to a salary grade with a specific salary range. Positions are assigned to grades within the pay plan based on the duties and responsibilities assigned. Positions with more complex tasks, more responsibility, or requiring more technical knowledge are assigned to higher salary ranges than positions with less responsibilities or knowledge requirements. Salary ranges are set based on two components: competitiveness with the market and internal equity with similar positions and occupational groups. The pay classification system contains a salary range delimited by a minimum and a maximum rate. These rates are adopted by the Town Council upon recommendation of the Town Manager and are updated at times determined by the Town Manager.

Section 2. Administration and Maintenance

The Town Manager, assisted by the Human Resources Director, shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate listed within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new pay plan.

The pay plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the Town, and other factors. To this end, each budget year the Human Resources Director may make comparative studies of all factors affecting the level of salary ranges including the consumer price index, anticipated changes in surrounding employer plans, and other relevant factors, and will recommend to the Town Manager such changes in salary ranges as appear to be pertinent. Such changes may be made in the salary ranges such that the minimum and the maximum change according to the market. Periodically, the Town Manager shall recommend that individual salary ranges be studied and adjusted as necessary to maintain market competitiveness. Such adjustments will be made by increasing or decreasing the assigned salary grade for the class and possibly adjusting the rate of pay for employees in the class when the action is approved by the Town Council.

Section 3. Starting Salaries

Last updated: March 11, 2025

A new regular employee is normally hired at the minimum of the salary range for the classification involved. Appointments above the minimum may be made with approval of the Human Resources Director and the Town Manager when deemed in the best interest of the Town and will be based on such factors as exceptional qualifications of the applicant much higher than the required education and experience for the class, shortage of qualified applicants, equal pay justification or operational need.

Section 4. Trainee Designation and Provision

Applicants being considered for employment or Town employees who do not meet all the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred by the Town Manager to a "trainee" status. In such cases, a plan for training, including a time schedule, must be prepared by the Department Head.

"Trainee" salaries shall be no more than two grades below the minimum salary rate established for the position for which the person is being trained. A new employee designated as "trainee" shall be regarded as being in a probationary period. However, trainee periods may extend from three to eighteen months. A trainee shall remain a probationary employee until the trainee period is satisfactorily completed.

If the training is not successfully completed to the satisfaction of the Town Manager, the trainee shall be transferred, demoted, or dismissed. If the training is successfully completed, the employee shall be paid at least the minimum rate established for the position for which the employee was trained.

Section 5. Cost of Living Adjustment

Upward movement within the established salary range for an employee is not automatic but rather based upon specific performance-related criteria. Procedures for determining performance levels and performance pay increases or other performance-related movement within the range shall be established in procedures approved by the Town Manager. Cost of Living Adjustment (COLA) increases may be granted annually to offset inflation and maintain the value of a person's income. The amount of COLA increase may vary from year to year, depending on the budget adopted by the Town Council. Employees who are at the maximum amount of the salary range for their position classification are eligible to be considered for a COLA.

Section 6. Salary Effect of Promotions, Demotions, Transfers, and Reclassifications

Promotions. A promotion is a move to a position with a higher salary grade. The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility. When an employee is promoted, the employee's salary shall normally be advanced to the minimum of the new salary grade, or to a salary which provides an increase of approximately 5% over the employee's salary before the promotion, whichever is greater. In the event of highly skilled and qualified employees, shortage of qualified applicants, or other reasons related to the merit principle of employment, the Town Manager may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employees' qualifications for the job and relative worth to the Town, taking into account the

range of the position and the relative qualifications of other employees in the same classification. In no event, however, shall the new salary exceed the maximum rate of the new salary range. In setting the promotion salary, the Town shall consider internal comparisons with other employees in the same or similar jobs.

Demotion. A demotion is a move to a position in a lower salary grade. Demotions can be either voluntary, where the employee chooses to take a position in a lower salary grade, or involuntary/disciplinary, resulting from inefficiency in performance or as a disciplinary action. When an employee is voluntarily demoted to a position for which qualified, the salary will be cut to reflect a decrease in job responsibilities. The new salary shall be set in the lower pay range that provides a salary commensurate with the employee's qualifications and is consistent with the placement of other employees within the same classification. Employees who accept a voluntary demotion and retain their salary, and are then promoted within 12 months, will retain that same salary. If the demotion is the result of discipline, the salary shall be decreased at least 5%. If the salary of the demoted employee is above the maximum of the new range, the employee's salary shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

Lateral Transfer. A lateral transfer is a move from one position to another position at the same salary grade. The salary of an employee who takes a lateral transfer shall remain the same and not be changed by the reassignment.

Reclassification. A reclassification is a change in a position's salary grade and title due to a significant increase or decrease in job responsibilities and duties. An employee whose salary is below the minimum of the new salary grade will receive a salary increase at least up to the new minimum salary. If the current salary is above the new salary range minimum, there may be a pay increase based on increased job responsibilities and commensurate with the employee's qualifications and is consistent with the placement of other employees within the same classification.

If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

Labor Market Adjustment. When an employee's position is adjusted to a class having a higher salary range due to the current labor market trends for hiring and retention, the employee's salary will be adjusted to at least the minimum of the new salary range.

Redefinition of Class. When an employee's position is redefined due to redefinition of position class or class series to include departmental organizational changes and/or classification description, no salary increase will be given, only the position title will change.

Section 7. Salary Range Revisions

A salary range revision is a change in the salary range or grade assigned to a specific class of positions. The change may be based upon increased salaries in the relevant labor market, recruitment and retention data, or increased complexity in job content. Salary equity within the work unit must be maintained and other management needs must be given consideration when salary changes based on range revisions are made. When a class of positions is assigned to a higher salary grade, the employees' salaries may also change according to the following guidelines:

- 1) Employee salaries shall be increased, if they are below the new minimum, to at least the minimum rate of the new salary range.
- 2) Salaries that fall between the new minimum and the midpoint of the new salary range do not have to be increased. If funds are available and where appropriate, individual salary increases may be considered but the total cannot exceed the dollar amount provided by the difference in the minimum salaries of the old range and the new range. If the employee's current salary is at the midpoint or above of the new salary range, the salary will remain the same.
- 3) When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If this assignment to a lower salary range results in an employee being paid at a rate above the maximum established for the new class, the salary of that employee shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

Section 8. Transition to a New Salary Plan

The following principles shall govern the transition to a new salary plan:

- 1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- 2) All employees being paid at a rate lower than the minimum rate established for their respective classes shall have their salaries raised to the new minimum, or higher, for their classes.
- 3) All employees being paid at a rate above the maximum rate established for their respective classes shall be maintained at that salary level until such time as the employees' salary range is increased above the employees' current salary.

Section 9. In-Range Salary Adjustment

It is the policy of the Town of Waynesville, subject to the availability of funds, to grant in-range salary adjustments to recognize job change of employees in regular full-time positions, to establish equitable salary relationships, and/or to respond to labor market conditions. Only regular full-time employees are eligible for increases under this policy. In-range adjustments may be considered in the following circumstances:

- 1) Job Change – This type of adjustment is to compensate for changes in job duties and responsibilities as documented in position classification specifications that are at a higher

level, but not enough to justify a reclassification to a higher salary grade, or a salary range revision.

- 2) Recruitment/Retention Problems – This type of salary adjustment may be made to reduce or avoid turnover due to market or other conditions that affect retention.
- 3) Salary Equity – This type of salary adjustment is used to establish or re-establish equitable salary relationships among employees in a relevant work unit performing the same type and level of work considering education, skill, related work experience, length of service and performance level.

A completed request for an in-range salary adjustment must be made in writing by the Department Head and include the following information: employee name, classification title, current salary, summary of conditions that support the request, and justification for percent increase requested. It is the responsibility of the Human Resources Director to assess salary administration priorities and in-range salary adjustment requests based on documentation and justifications and make recommendations to the Town Manager. As part of this process, the salary of each employee in the department should be examined for equity purposes. The recommended salary increase can be made up to 15%, subject to the approval of the Town Manager.

Section 10. Effective Date of Salary Changes

Salary changes approved after the first working day of a pay period shall become effective at the beginning of the next pay period, or at such a specific date as may be provided by procedures approved by the Town Manager.

Section 11. Overtime Pay Provisions

Employees of the Town can be requested and may be required to work in excess of their regularly scheduled hours as necessitated by the needs of the Town and determined by the Department Head. Overtime work must be approved in advance by the supervisor. Employees are not allowed to perform work during any time that they are not scheduled to work unless they receive approval from their supervisor.

To the extent that local government jurisdictions are so required, the Town will comply with the [Fair Labor Standards Act \(FLSA\)](#). The Human Resources Director shall determine which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

All employees will have an established work week from Thursday through Wednesday for the purpose of computing overtime compensation. The work week will run from midnight to midnight. Exception: Law enforcement personnel and fire fighters will work a 28-day work cycle. Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7-day period; 171 hours for police and 212 hours for fire personnel in a 28-day cycle). It is the policy of the Town that employees

receive overtime pay at a rate of one-and-one-half (1 ½) hours for each hour of overtime worked beyond the FLSA established limit. An employee must physically work over 40 hours, 171 hours, or 212 hours, as may be applicable, to earn overtime. In no event will vacation, sick leave, or holidays be included in the computation of hours worked for FLSA purposes. Employees in positions determined to be "exempt" from the FLSA are not eligible for overtime pay.

Disaster Overtime Pay.

Emergency Situations – non-exempt employees

In emergency situations, non-exempt employees will be compensated at their usual overtime rate of time and one half for hours worked in excess of (40) forty hours per week and double time for hours worked on weekends and holidays. Police Officers are paid regular pay for hours worked up to 171 in a 28-day cycle and any hours over 171 are paid at time and one half. Fire Fighters are paid regular pay for hours worked up to 212 in a 28-day cycle and any hours over 212 are paid at time and one half.

Emergency Situations – exempt employees

For exempt employees (including Department Heads) required to work extended hours during an emergency, the Town Council shall compensate for hours worked over and above the regular workweek at their regular hourly rate.

Waynesville Police Department – exempt employees

Exempt employees of the Waynesville Police Department shall be compensated for hours worked above and beyond the regular workweek at time and one half the hourly rate through government programs or grants where the Town is compensated for the pay. For example, but not limited to, the Governor's Highway Safety Program and TFO program with any of the Federal Agencies. All Federal and State employment laws and statutes, as well as grant related requirements, will be followed in applying this policy.

Section 12. Call-back Pay, Stand-by Pay

The Town of Waynesville must provide a variety of critical emergency services 24 hours a day, seven days a week. The need for these services may occur when employees with the necessary skills are not on duty. As a result, the Town must be assured that skilled employees are always readily available by placing some employees on standby status. At other times it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. Employees in such positions will share in the responsibility for continuous service, in accordance with the nature of each position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary action up to and including dismissal.

Call-Back Pay. Non-exempt employees will be paid at one and a half times their hourly rate of pay for hours worked outside their normal schedule if they are actually required to respond or return to work. When a non-exempt employee is called back to work or a worksite because of special needs or an emergency, non-exempt employees will be paid for a minimum of two hours of work, even if their actual work time was shorter. "Callback" provisions do not apply to

previously scheduled overtime work (scheduled one or more days in advance). If more than one callback occurs within a given shift, total callback time cannot exceed two hours unless the work time exceeds two hours. On-call duty will not be assigned to employees who are on approved vacation leave, sick leave, civil leave, or military leave without authorization from the Town Manager.

Stand-by Pay. Each applicable department has an established rotation where different employees share responsibility for being ready to respond or return to work for a specified period of time when called. On-call status means being fit and able to report to work within an acceptably short period of time, as designated by the department.

Hours actually worked while on stand-by are calculated beginning when the employee reports to the work site and are added to the regular total of hours worked for the week. In addition, employees on stand-by will be paid an established flat stand-by rate of no less than two hours of compensation for each on-site call-back response. Stand-by time is defined as that time when an employee must remain near an established telephone or otherwise substantially restrict personal activities in order to be ready to respond when called.

Time spent by an employee who is required to remain on-call/stand-by on the Town's premises or so close thereto that he cannot use the time for his own purposes is considered working time. However, if he is required only to leave word where he may be reached, or has the use of the Town's cell phone, the hours spent on call-or on stand-by are not regarded as working time.

Stand-by duty will not be assigned to employees who are on approved vacation leave, sick leave, civil leave, or military leave without authorization from the Town Manager.

On-call status – a non-exempt employee must be available for contact and be able to respond, and/or report back to work if needed.

Call-back status – is when a non-exempt employee has left the worksite and is requested to respond on short notice to an emergency work situation to:

- avoid significant service disruption.
- avoid placing employees or the public in unsafe situations, or
- protect and/or provide emergency services to property or equipment.

Call-back may involve either: going back to work or responding via telephone/computer.

Section 13. Police Department's Field Training Officer Program

Field training plays an important part in the effective training of new Police Officer recruits. Through exposure to actual experiences and the accompanying field problems, patrol situations, investigations, and crime incidents, the recruit learns to apply classroom principals to live situations. The field training experience is also used to see if a new recruit can function effectively as a police officer. Ideally, field training serves as a continuation of the selection process in addition to its training functions. Each new incoming Police Officer to the Town of Waynesville will spend time under a Field Training Officer (FTO). The Town acknowledges that

an FTO must prepare and complete Daily Observation Reports, plan for tasks to be completed, prepare training scenarios, develop remedial strategies, etc. To compensate an FTO for their time spent conducting the extra duties required while performing in the role of FTO, an FTO assigned to a new incoming officer will record one (1) hour of Compensatory Time for each 12-hour shift worked in the capacity of FTO. Compensatory Time under the FTO program will be recorded in the appropriate OT/Compensatory Time column on the FTO's timecard each work period.

Section 14. Holiday Pay

Holidays are equivalent to 8 hours straight-time pay for all regular, nonexempt, full-time employees regardless of their typical workweek schedule and are excluded from hours worked in calculating overtime. Part-time and temporary employees, including summer employees, are not eligible for holiday pay.

Holiday pay shall be at the employee's regular straight-time rate, inclusive of shift premiums, times his regularly scheduled hours (not to exceed 8 hours).

A holiday shall be considered as 8 hours worked for the purpose of computing overtime; with the exception of police and fire employees whose holiday pay is based on their shift hours.

To receive holiday pay, an employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the Town may require verification of the reason for the absence before approving holiday pay.

Regular holidays which occur during a vacation, sick leave, or other paid leave period of any officer or employee of the town shall not be considered as vacation, sick leave, or other leave.

Section 15. Payroll Deduction

Deductions shall be made from each employee's salary, as required by law. Additional deductions may be made upon the request of the employee on determination by the Town Manager as to capability of payroll equipment, associated increase in workload and appropriateness of the deduction.

Section 16. Hourly Rate of Pay

Employees working in a part-time or temporary capacity with the same duties as full-time employees will work at a rate in the same salary range as the full-time employees. The hourly rate for employees working other than 40 hours per week, such as police officers working an average 42 hours per week, will be determined by dividing the average number of hours scheduled per year into the annual salary for the position.

Section 17. Longevity Pay

Effective 7/1/01, full-time employees will receive longevity pay in the last week of October, for each year that reflects the years of service as of July 1, of that fiscal year. Any employee that retires from service with the Town between July 1, and the date when that last payroll of October is issued, will receive the longevity check at their time of retirement. An employee will only be entitled to receive one longevity check in any fiscal year.

Employees will receive longevity pay in the last week in October (unless it is a payroll week; in which case it would be the first week in November) that reflects years of service as of July 1, of each year according to the following schedule:

Years of Service	Longevity Amount
5 - 9	\$300.00
10 - 14	\$500.00
15 - 19	\$700.00
20 plus	\$1,000.00

If an employee goes on leave without pay, longevity shall not be paid until the employee returns to work.

Section 18. Acting Assignment and Pay

An employee who is formally designated to perform the duties of a position that is assigned to a higher salary grade than that of the employee's regular classification, or a Department Director assuming the duties of two departments for a period of 30 days or more shall receive an increase for the duration of the "Acting" assignment. The employee shall receive a salary adjustment of at least 5% upon the start of the assignment. The salary and relative qualifications of the employees in the same or similar classification will be taken into account. The salary increase shall be temporary and upon completion of the assignment, the employee shall go back to the salary he or she would have had if not assigned to the "Acting" role, taking into account any increases the employee would have received if he/she had not been placed in the "Acting" role.

Section 19. Time Records

All employees are required to complete accurate bi-weekly time reports showing all time actually worked. These records are required by governmental regulations and are used to calculate regular and overtime pay. At the end of each pay period, the employee and his or her supervisor must sign the time record attesting to its correctness before forwarding it to the Finance Department for payroll activity. All time records that are not approved by the supervisor will be returned to the employee and must be signed and approved by the supervisor, or the department head if the supervisor is unavailable, before payroll.

Records of hours worked, and wages paid are required to be kept for each employee subject to this policy. Records must be preserved for at least three years. Such records will be kept by the Human Resource office.

The Human Resources department will audit time and attendance records for the purpose of maintaining fiscal responsibility.

Section 20. Work (general terms)

Work Week. A work week is a regular recurring period of 168 consecutive hours. The work week need not coincide with the calendar week. It may begin any day of the week and at any hour of the day, but it must in each case be established in advance. The work week may be changed, but only if the change is intended to be permanent and is not made to evade the policy. The Town will operate under a one work week period. All employees will have an established work week from Thursday through Wednesday for the purpose of computing overtime compensation. The work week will run from midnight to midnight. Exception: Law enforcement personnel and fire fighters will work a 28-day work cycle.

Unauthorized Work. Hours worked by an employee without his supervisor's permission or contrary to his instructions may or may not be considered as hours worked. Unrecorded hours worked during a workweek by an employee at the job site or at his home must be counted as hours worked if the supervisor knows or has reason to know of such practice. The Town must enforce the no-work rule and may not unjustly benefit from work performed without prior knowledge.

Hours Worked. "Hours worked" is defined as the time during which an employee is required, suffered, or permitted to be on duty on the Town's premises or at a prescribed workplace. Ordinarily, an employee's working hours will include all hours from the beginning of the workday to the end with the exception of periods when the employee is relieved of all duties for the purpose of eating meals.

Pay Information. The Town of Waynesville's pay periods for all employees is bi-weekly on Thursday. If pay day falls on a federal holiday, employees will receive their paycheck on the preceding workday, when possible. Pay is directly deposited into the employee's checking or savings account as set up during the onboarding process. The only exception is the first check following employment may be in the form of a check to allow for proper direct deposit routing to be confirmed by the Finance Department.

Use of Town Property. Use of Town-owned property is intended for official Town business only. Town-owned property including supplies, tools, materials, equipment, and vehicles are not for personal use and should not be removed from Town property except in the conduct of official Town business. Vehicles owned by the Town will be cared for in a responsible way. Such vehicles are to be used exclusively for Town business, except in special circumstances the Town Manager may authorize an employee to take a vehicle home if it is in the best interest of the Town. Use of Town vehicles for commuting to and from work usually will be limited to an employee who is subject to emergency call-back work. Employees who drive Town-owned vehicles back and forth to work will be subject to all provisions of the Internal Revenue Service regarding private use of Town vehicles and will provide information on their driving record prior to being hired.

Use of Personal Vehicle for Business. When it is necessary to use a personal car for Town business, with prior approval of the Town Manager, the Town will pay the prevailing Internal Revenue Service rate for business mileage for use of the private vehicle. A travel expense form must be completed by the individual and submitted to the department head for approval. It should be understood that no coverage for physical damage to an employee's personal vehicle is covered by the Town.

Seatbelt Policy. Seatbelts are to be worn by drivers and passengers in Town vehicles or in personal vehicles while on Town business if seatbelts are available and the vehicle is being used for transportation.

Tobacco-Free Workplace Policy. Smoking and use of tobacco products is not allowed in Town buildings, vehicles, or work areas at any time. Tobacco products (including, but not limited to, cigarettes, pipes, chewing/smokeless tobacco, electronic smoking devices, e-cigarettes, and other tobacco products. See Town of Waynesville Tobacco Ordinance for definitions and specific public areas where tobacco products are prohibited.

The Town is committed to providing support to all employees who wish to stop using tobacco products and ensuring that employees have access to assistance with tobacco cessation. For more information, please visit or call the Human Resources Department.

ARTICLE IV. RECRUITMENT AND EMPLOYMENT

Section 1. Equal Employment Opportunity Statement

The Town of Waynesville fosters, promotes, and maintains a consistent recruitment program to promote equal employment opportunity and to identify and attract the most qualified applicants for all vacancies. This intent is achieved through consistency in announcing all positions, evaluating all applicants on the same criteria, providing reasonable accommodations as needed, and by applying consistent testing methods when applicable. The Town shall select employees on the basis of the applicant's qualifications for the job and award them, with respect to compensation and opportunity for training and advancement, without regard to race, religion, color, gender, national origin, age, veteran status, marital status, political affiliation, sexual orientation, disability, genetic information, or on the basis of actual or perceived gender identity.

Section 2. Recruitment, Selection, and Appointment

Recruitment Sources. When job vacancies occur within the Town, the Human Resources department will be responsible for informing each department head and placing vacancy notices in conspicuous places where Town jobs are customarily posted such as the Town of Waynesville website. Postings for vacant positions may be posted internally and externally at the same time. Internal job postings will be listed in-house for at least five (5) working days. Current employees must file a written internal application with the Human Resources department to be considered

for the vacant position. The Human Resources office is responsible for the distribution of vacancy notices that will provide a reasonable opportunity for all employees to be aware of vacancies.

Information on job openings and hiring practices may be provided to a variety of recruitment sources, including professional organizations and news media. Individuals shall be recruited from a geographic area as wide as necessary and for a period of time sufficient to ensure that well-qualified applicants are obtained for Town service. In rare situations because of emergency conditions, high turnover, etc., the Town may hire or promote without advertising the position, upon approval of the Town Manager.

Job Advertisements. Jobs may be advertised in local newspapers, professional publications, and other relevant publications to establish a diverse and qualified applicant pool. The North Carolina Division of Employment Security may also be used as a recruitment source. Employment advertisements shall contain assurances of equal employment opportunity and shall comply with Federal and State statutes.

Employment Application. All persons expressing interest in employment with the Town shall be given the opportunity to file an official Town of Waynesville application for employment for positions that are vacant. Applications will be accepted at any time a job vacancy exists. Applications may be submitted through [NCWorks](#) (formerly NC Office of Employment Security) or the Human Resources Department. All information provided on the application must be true and correct with the provision of false information being grounds for elimination from consideration and/or dismissal from Town employment. Additional disciplinary procedures can be instituted as provided in G.S. 14- 3 and G.S. 14-122.1. (Adopted by the Mayor and Board of Aldermen, 10/7/98). The applications are typically screened and referred to the hiring department by Human Resources. The hiring department conducts interviews, checks references, and selects the candidate best qualified for the job. Both Human Resources and the Town Manager approve hires before job offers are made.

Applications will be kept in an inactive reserve file for a period of one year, in accordance with [Equal Employment Opportunity Commission](#) and [North Carolina Municipal Records Retention and Disposition schedule guidelines](#).

Selection. Department Directors, with the assistance of the Human Resources Director, shall make such investigations and conduct such examinations as necessary to assess accurately the knowledge, skills, and experience qualifications required for the position, including education verification and criminal history. All selection devices administered by the Town shall be valid measures of job performance.

Testing. Applicants for certain positions may be required to take various job-related tests which measure ability, aptitude, agility, or skill. The Town may also require a polygraph examination for law enforcement applicants. Law enforcement personnel will be required to have been administered a psychological screening examination by a clinical psychologist or psychiatrist licensed to practice in North Carolina in accordance with 12 NCAC 9B.0101. Law enforcement personnel who carry firearms may be subject to periodic evaluation for mental and physical

fitness for duty. All tests given to applicants will be administered and evaluated by qualified individuals chosen by the Town and at the Town's expense. All tests administered will conform to all applicable legal regulations.

Medical Examination/Fitness for Duty. All applicants will be required to undergo a drug screening and physical examination by a licensed physician after receiving a conditional offer of employment. Such examinations will be at the expense of the Town.

Identification. All personnel employed by the Town must present a valid driver's license or other acceptable form of identification at the time of employment.

All new appointments to the Town will present proof of identification and employment eligibility before they are placed on the Town payroll. New appointments are required to present acceptable documentation in accordance with the [Immigration Reform and Control Act of 1986](#). The Human Resources department will be responsible for obtaining adequate identification to satisfy the requirements of the Act. Documentation will be maintained on file in accordance with the Act.

Background Checks. All employees who go through the Town's hiring process will complete a background check. Such background checks may also apply to internal candidates who are being considered for a promotion or transfer. A background check form is part of the onboarding paperwork and will be provided to those who are offered a position with the Town of Waynesville.

Background screening will not be used to disqualify someone or reduce the number of applicants for a position. Background checks are meant to reinforce a hiring decision and ensure candidates who have been selected for a job are suitable. Any person found guilty of driving while intoxicated/impaired, or any other felony within two (2) years of their application for employment with the Town of Waynesville, or during their employment with the Town of Waynesville, shall be disqualified from employment with the Town of Waynesville.

Appointment. Before any commitment is made to an applicant, either internally or externally, the Department Head shall make recommendations to the Human Resources Director regarding the salary requested and the reasons for selecting the candidate over other applicants. The Human Resources Director and Department Head shall make recommendations to the Town Manager regarding the candidate and starting salary of appointments for his/her approval.

Selective Service Compliance. All new appointments to the Town, who are U.S. male citizens, 18 to 26 years of age, must certify they have registered for Selective Service. This applies to all positions, whether full-time, part-time, or seasonal.

Applicants not in compliance are ineligible for employment. After notification of ineligibility, the applicant has thirty (30) days to provide the Town with information that he is now in compliance with the federal law.

The Town Manager may then give the applicant a hearing and if the applicant proves that the failure to register “was not a knowing and willful failure,” he may be hired by the Town. This procedural requirement only applies to applicants hired by the Town after October 1, 1989 ([G.S. 143B-421.1](#)).

Americans with Disabilities Act (ADA) and Reasonable Accommodation. To ensure equal employment opportunities to qualified individuals with a disability, the Town of Waynesville will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require reasonable accommodation should contact the Human Resources Department.

The Town has designated a coordinator to handle issues related to [the Americans with Disabilities Act of 1990 \(ADA\)](#). All requests for reasonable accommodation, auxiliary communication aids and services, alternative accessible formats for notices, policies, and other information, as well as complaints regarding the Town’s ADA program should be directed to the ADA Coordinator:

Human Resource Department
Town of Waynesville
16 S. Main Street/PO Box 100
Waynesville, NC 28786
Telephone (828) 456-2028
Fax # (828) 456-2000

Any complaint or grievance relating to disability must be filed in writing directly with the ADA Coordinator, and can be appealed, if necessary, to the Town Manager.

Service Animals. The Town of Waynesville is responsible for assuring the health and safety of all employees. In keeping with this objective, the town does not permit employees to bring their household pets in city facilities where food is being prepared and/or served.

Employees should, in general, refrain from bringing pets to work. While an occasional short-term visit may be acceptable, depending on the location and circumstances, a regular and/or lengthy pet presence is prohibited. Animals may pose a threat of infection and may cause allergic reactions in other employees. Some employees may feel threatened or be distracted by the presence of animals, particularly dogs. In addition, the town wishes to prevent pets from fouling the office space or damaging city property.

An employee who requires the help of a service animal, defined per Federal Code 28 CFR 36.104 as “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability”, will be permitted to bring that service animal to the office, provided that the animal’s presence does not create a danger to others and does not impose an undue hardship upon the town.

All dogs, permitted under the service animal exception, must always be leashed and be in the continuous full control of their owners. They should always be in the physical presence of the

owner and in the owner's office or in the immediate workspace around the owner. An employee who brings an animal to the office is completely and solely liable for any injuries or damage caused by the animal. The town shall not be liable for loss or injury to any animal brought into the office.

Minimum Age Requirement. The minimum age for employment with the Town is eighteen (18) for all full-time positions. Exceptions to the minimum age are provided for under the law if the applicant procures an employment certificate from the Haywood County Health and Human Services Department and is hired in a part-time or seasonal capacity. For example: Lifeguards. No individual under the age of 16 will be employed by the Town of Waynesville in any capacity.

Section 3. Probationary Period

An employee appointed, promoted, or transferred to a regular position shall serve a probationary period. The probationary period serves as an extension of the selection process. It provides time for the employee to adjust and allows the supervisor time to ensure the new employee can satisfactorily meet performance expectations before granting regular status. Employees shall serve a six-month probationary period, except that sworn police and Department Directors shall serve a twelve-month probationary period. Employees hired as "trainees" shall remain on probation until the provisions of their traineeship are satisfied. During the probationary period, supervisors shall monitor an employee's performance and communicate with the employee concerning performance progress. Supervisors are encouraged to have an informal review with employees six months into a twelve-month probation.

Before the end of the probationary period, the supervisor shall conduct a performance conference with the employee to discuss accomplishments, strengths, and needed improvements. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Probationary periods may be extended for a maximum of six additional months if performance is deemed unsatisfactory after the initial probationary period. Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this policy.

During a performance evaluation prior to completion of the probationary period, the employee's immediate supervisor will indicate in writing the following:

1. That the employees' progress (accomplishments, strengths, and weaknesses) has been discussed with the new employee.
2. Whether the new employee is performing satisfactory work.
3. Whether the employee should be retained in the present position or should be released and whether the probationary period should be extended for up to an additional six (6) months. If an employee's probation is extended, a work plan for achieving satisfactory performance should be included with the evaluation, including specific requirements and/or parameters, such as expected time to complete certain tasks.

Following successful completion of the 6-month probationary period, an employee's pay will be adjusted to allow for an increase of (5%) in accordance with the Town's pay plan. Likewise, the employee becomes eligible to take accumulated vacation leave.

An employee serving a probationary period will receive all benefits provided in accordance with these policies except employees serving a probationary period following initial appointment will not be permitted to take vacation leave during the probationary period.

If a probationary employee is terminated during the probationary period, the employee will not be paid for accumulated vacation leave.

A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted and demoted employees who are on probation retain all other rights and benefits such as the right to use the grievance procedures.

Probationary Period - Water/Wastewater Operations

An employee appointed to a regular apprenticeship position in Wastewater or Water Operations ultimately requiring State certification of a minimum grade C license or a class I certification will serve an extended probationary period to allow time for testing and written notification from the State, that the employee has successfully passed the certification process. This extended probationary period may last up to one (1) year but may not exceed one (1) year. Failure to pass the certification process within one (1) year will result in the apprentice being dismissed. Initial testing will occur approximately six (6) months following training. Upon receiving written certification from the State, pay will be adjusted in steps to achieve a pay increase of (5 %). Apprenticeship trainees will be hired at 10% below the regular starting rate. Following state certification, the apprentice will be promoted to Operator I and advanced to the minimum grade and step in accordance with the pay plan. Upon satisfactory completion of a 6-month period following promotion to an operator, the employee will be advanced by the pay steps necessary to allow for an increase of five (5%) of the current grade.

Probationary Period - Law Enforcement

Sworn law enforcement personnel are required to serve a 12-month probationary period (1 2 NCAC 9C.0302).

Section 4. Promotion

Promotion is the movement of an employee from one position to a vacant position in a class assigned to a higher salary grade. The Town strives to promote and provide career opportunities for its employees whenever possible. Therefore, when a current employee applying for a vacant position is the best suited of all applicants, that applicant shall be appointed to that position. The town will balance three goals in the employment process: 1) obtaining the best possible employee who will provide the most productivity in that position; 2) providing equal employment opportunity and a diversified workforce to the community; and 3) the benefits to employees and the organization of promotion from within. Therefore, except in rare situations

where previous town experience is essential (such as promotions to Police Sergeant), or exceptional qualifications of an internal candidate so indicate, the Town will consider external and internal candidates rather than automatically promote from within. Candidates for promotion shall be chosen based on qualifications and their work records. Internal candidates shall apply for promotions using the internal application for employment.

Section 5. Demotion

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. Demotion may be voluntary or involuntary. An employee whose work or conduct in the current position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such disciplinary demotion shall follow the disciplinary procedures outlined in this Policy.

An employee who wishes to accept a position with less complex duties and reduced responsibilities may request a voluntary demotion by using the same application process as external candidates. A voluntary demotion is not a disciplinary action and is made without using the above-referenced disciplinary procedures.

Section 6. Lateral Transfer

A Lateral Transfer is the movement of an employee from one position to another position in the same salary grade. If a vacancy occurs and an employee in another department is eligible for a transfer, the employee shall apply for the transfer using the usual application process. The Department Head wishing to transfer an employee to a different department or classification shall make a recommendation to the Town Manager with the consent of the receiving Department Head. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this Policy. An employee who has successfully completed a probationary period may be transferred into the same job classification without serving another probationary period.

Section 7. Commitment to Diversity, Inclusion, and Belonging

The Town of Waynesville is committed to fostering, cultivating, and preserving a culture of diversity, inclusion, and belonging.

Our human capital is the most valuable asset we have. The collective sum of the individual differences, life experiences, knowledge, inventiveness, innovation, self-expression, unique capabilities, and talent that our employees invest in their work represents a significant part of not only our culture, but our reputation and organizational achievement as well.

We embrace and encourage our employees' differences in age, color, disability, ethnicity, family or marital status, gender identity or expression, language, national origin, physical and mental ability, political affiliation, race, religion, sexual orientation, socio-economic status, veteran status, and other characteristics that make our employees unique.

The Town of Waynesville’s diversity initiatives are applicable—but not limited—to our practices and policies on recruitment and selection; compensation and benefits; professional development and training; promotions; transfers; social and recreational programs; layoffs; terminations; and the ongoing development of a work environment built on the premise of gender and diversity fairness that encourages and enforces:

- Respectful communication and cooperation between all employees.
- Teamwork and employee participation, permitting the representation of all groups and employee perspectives.
- Work/life balance through flexible work schedules to accommodate employees’ varying needs.
- Employer and employee contributions to the communities we serve to promote a greater understanding and respect for the diversity.

The Town of Waynesville is committed to taking the following actions in support of an inclusive workplace:

- Provide ongoing education and training to all employees on diversity, belonging, and inclusion topics.
- Support the creation and operation of a diversity, inclusion, and belonging council comprising employees from all levels of the organization.
- Provide all employees with a safe avenue to voice concerns regarding diversity, belonging, and inclusion in our workplace.
- Support flexible work arrangements that accommodate the different needs of all employees.
- Conduct periodic employee surveys and focus groups to identify the areas where our company supports inclusive practices, as well as where there is room for growth.

All employees of The Town of Waynesville have a responsibility to treat others with dignity and respect at all times. All employees are expected to exhibit conduct that reflects inclusion during work, at work functions on or off the work site, and at all other town-sponsored and participative events. All employees are also required to attend and complete annual diversity awareness training to enhance their knowledge to fulfill this responsibility.

All Town of Waynesville employees are also expected to support an inclusive workplace by adhering to the following conduct standards:

- Treat others with dignity and respect at all times, while not limiting the ability of employees to organize and engage in protected concerted activity regarding the terms and conditions of employment.

- Address and report inappropriate behavior and comments that are discriminatory, harassing, abusive, offensive, or unwelcome.
- Foster teamwork and employee participation, encouraging the representation of different employee perspectives.
- Seek out insights from employees with different experiences, perspectives and backgrounds.
- Avoid slang or idioms that might not translate across cultures.
- Support flexible work arrangements for co-workers with different needs, abilities and/or obligations.
- Confront the decisions or behaviors of others that are based on conscious or unconscious biases.
- Be open-minded and listen when given constructive feedback regarding others' perception of your conduct.

The Town of Waynesville will not tolerate unlawful discrimination, harassment or any behavior or language that is abusive.

Any employee found to have exhibited any inappropriate conduct or behavior against others may be subject to disciplinary action. Possible consequences include additional training, verbal and written warnings, suspension and termination of employment.

Employees who believe they have been subjected to any kind of discrimination that conflicts with the company's diversity policy and initiatives should seek assistance from a supervisor or an HR representative.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the National Labor Relations Act, including Section 7 and 8(a)(1) rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

ARTICLE V. CONDITIONS OF EMPLOYMENT

Section 1. Work Schedule

The working hours for most Town administrative offices are 8:30 a.m. to 5:00 p.m., Monday through Friday. Departments that provide services to citizens on other schedules or on a 24-hour per day basis have different work schedules in order to effectively provide those services. Department Heads shall establish work schedules, with the approval of the Town Manager, which meets the operational needs of the department in the most cost-effective manner possible.

Section 2. Political Activity

Political beliefs or party affiliation are not relevant factors in employment. Each employee has a civic responsibility to support good government by every available means and in every appropriate manner, including voting for the issues and candidates of their choice. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate for and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- 1) Engage in any political or partisan activity while on duty.
- 2) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office.
- 3) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes.
- 4) Coerce or compel contributions from another employee of the Town for political or partisan purposes;
- 5) Use any supplies or equipment of the Town for political or partisan purposes;
- 6) Hold an elected federal office;
- 7) Hold an elected state office;
- 8) Hold an elected office of Haywood County or a municipality within Haywood County;
- 9) Current non-conflicting offices to this policy, or offices exempt are Haywood County School Board, Maggie Valley Sanitary District, Junaluska Sanitary District, and Haywood County Soil & Water Conservation District.

Any violation of this section shall subject the employee to disciplinary action including dismissal.

Section 3. Outside Employment

The work of the Town shall have precedence over other occupational interests of employees. The Town understands that for various reasons employees may seek to hold other jobs while continuing to work for the Town. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. Outside employment is prohibited when it would create a conflict of interest or interferes with the employees' ability to perform work for the Town in a satisfactory manner. No full-time employee of the Town shall report to duty within 8 (eight) hours of completion of a shift with an outside employer. Reporting to duty without adequate rest may present a danger to oneself, coworkers, and the community we serve.

Before an employee begins working at another outside position, he or she must obtain approval from the Department Head by completing a Dual Employment form. The Department Head will review such requests for possible conflict of interest and then submit a record of the employment review via the Dual Employment form to the employee's personnel file. Failure to obtain permission or accept another position after permission has been denied will be grounds for

disciplinary action, up to and including termination. In addition, if an employee's outside position interferes with the employee's ability to work at the Town, the employee will be subject to discipline for poor performance or poor attendance in accordance with normal disciplinary policy, up to and including termination.

Examples of conflicts of interest in outside employment *include but are not limited to*:

- 1) Employment with organizations or in capacities that are regulated by the employee or employee's department; or,
- 2) Employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's Town duties.

Employees are prohibited from other employment while on a leave of absence (Workers' Compensation leave, Family Medical Leave, etc..) from the Town, except when the leave is for military or public service or when the Town has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude outside employment.

Section 4. Employment of Relatives (Nepotism)

The Town of Waynesville is committed to a policy of employment and advancement based on qualification and merit and does not discriminate in favor of or in opposition to the employment of relatives.

The Town is committed to the highest standards of professional conduct and integrity and believes that familial relationships in the workplace can result in conflicts of interest, or an appearance of conflict of interest, and/or situations that might impair objective judgment or create a hostile work environment.

It is the policy of the Town that persons considered for employment or promotion shall be evaluated on the basis of individual merit, including qualifications, experience and training, without reference to considerations of race, gender, color, religion, disability, age, sexual orientation, national origin, or any other factors not involving personal professional qualifications and performance. Notwithstanding this policy, the Town retains the right to refuse to appoint a person to any position wherein his/her relationship to another employee has the potential for creating adverse impact on supervision, safety, security, or morale or involves a potential conflict of interest. The purpose of this Nepotism Policy is to prevent improper favoritism in employment based upon family or personal relationships within the Town.

Objectives:

- To promote fairness in employment, supervision, discipline, transfer, promotion, demotion, salary administration and other human resource management considerations.
- To prevent improper favoritism, real or perceived conflicts of interest, or undue influence based upon family or personal relationship.

- To enhance the overall internal control system and reduce the probability of placing public assets in jeopardy.

A relative may not occupy a position which has influence over another related family member's employment, transfer or promotion, salary administration, or other human resource management consideration, including any position having responsibility for the direct supervision of the other related person.

If relatives are considered for employment, transfer, demotion, or promotion by the Town, it is necessary for the Human Resources Director to certify that such action will not result in one family member supervising another member of the family, or in any other violation of this section.

Relatives of current employees (permanent or temporary) may not be employed within the same department, except as provided by exception below. A person related to an incumbent employee may not be employed if the professional qualifications of other candidates for the available position is demonstrably superior to those of the related person.

“Family member”/“relative” is defined as one of the following: relationships by blood or legal adoption—

parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin; and relationships by marriage—husband, wife (as defined by state law), stepparent, stepchild, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above, and cohabitating couples or significant others.

In addition, the Town also prohibits the employment of a person into any position who is a relative of individuals holding the following positions: Mayor, Mayor Pro Tem, Councilmember, Town Manager, Assistant Town Manager, Town Attorney, Finance Director, or Human Resources; with the exception noted below related to a limited duty assignment.

Existing Employees

If an existing employee of the Town becomes subject to this policy as a result of the election of a relative, the Town Manager will assess whether or not there would be any conflict of interest prior to requesting the resignation of an existing employee. Changes in marital, domestic partner/cohabitant or relationship status will result in one of the related persons resigning his/her position within 180 days. Every effort will be made to accommodate the displaced employee with a transfer to another position within the Town for which he/she is qualified, if such a position becomes available during the 180-day period. If the change in relationship status also results in a direct supervisory relationship between two relatives, the Town Manager shall arrange for an alternate supervisory relationship for the duration of the 180-day period, after consultation with the employees' Department Head or Human Resources Director.

It shall be each employee's affirmative duty to immediately disclose any circumstances which may constitute a violation of this policy. Failure to do so will result in disciplinary action.

Any employees who may be related to any elected official prior to the approval of this revised policy would be considered grandfathered in and not subject to Town Manager assessment related to conflicts for as long as such an employee is employed by the Town.

Exception: Unpaid volunteers and individuals hired for temporary positions, with duration of 100 days or less within any one-year period, e.g., student internships or limited professional consulting relationships, are exempt from this section. Also exempt are part-time public safety employees in fire and police, who generally are full-time employees of other agencies, and who occasionally and voluntarily provide supplemental staffing in the form of off-duty or overtime routine staffing or special event coverage or response to emergency calls for service. Any other exceptions to this policy shall be made only with the expressed and documented approval of the Town Manager.

Section 5. Workplace Harassment Prohibited

The Town of Waynesville strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The environment of the Town should be characterized by mutual trust and the absence of intimidation, oppression, and exploitation. The Town will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the Town will seek to prevent, correct, and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Department heads and supervisors who knowingly allow or tolerate discrimination, harassment, or retaliation, including the failure to immediately report such misconduct to human resources (HR), are in violation of this policy and subject to discipline.

Prohibited Conduct Under this Policy

The Town of Waynesville, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of the Town's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race (including hairstyle/texture), color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information or marital status.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including [Title VII of the Civil Rights Act of 1964](#), the [Age Discrimination Act of 1967](#) and the [Americans with Disabilities Act of 1990](#). This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination.

Harassment

The Town of Waynesville prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, or coerce an employee, co-worker, or any person working for or on behalf of the Town.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, sexual orientation, pregnancy, appearance, disability, gender identity or expression, marital status or other protected status, including epithets, slurs and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

Sexual Harassment

Sexual harassment is a form of unlawful employment discrimination under [Title VII of the Civil Rights Act of 1964](#) and is prohibited under the Town's Workplace Harassment Policy. According to the [Equal Employment Opportunity Commission \(EEOC\)](#), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when ... submission to or rejection of such conduct is used as the basis for employment decisions ... or such conduct has the purpose or effect of ... creating an intimidating, hostile or offensive working environment."

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.

- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

Consensual Romantic or Sexual Relationships

The Town strongly discourages romantic or sexual relationships between a manager or other supervisory employee and an employee who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion, or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department, or other actions may be taken.

If any employee of the Town enters into a consensual relationship that is romantic or sexual in nature with an employee who reports directly or indirectly to that employee, or if one of the parties is in a supervisory capacity in the same department in which the other party works, or if

one of the parties is a member of the Administration Department, the parties must notify the HR director or other appropriate officer. Because of potential issues regarding quid pro quo harassment, the Town has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties where neither one supervises nor otherwise manages responsibilities over the other.

Once the relationship is made known to the Town of Waynesville, the Town will review the situation with human resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the HR director and senior management will decide which party will be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

Retaliation

No hardship, loss, benefit, or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the HR director will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the HR department.

Complaint Procedure

The Town of Waynesville has established the following procedure for lodging a complaint of harassment, discrimination, or retaliation. If an employee is seeking resolution to an adverse employment condition because of a misinterpretation, unfair application, or lack of established policy should refer to the Grievance Procedure located in Article IX of this personnel policy. The Town will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. Complaints should be submitted no more than 15 days after an incident has occurred, preferably in writing. The HR director may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the HR director will dictate the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or department head that violation of this policy may be occurring, the HR director will notify senior management and review the complaint with the town's legal counsel.
3. The HR director will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
5. During the investigation, the HR director, together with legal counsel or other management employees, will interview the complainant, the respondent, and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the HR director or other person conducting the investigation will submit a written report of his or her findings to the Department Head. If it is determined that a violation of this policy has occurred, the HR director will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
 - a) the severity, frequency, and pervasiveness of the conduct;
 - b) prior complaints made by the complainant;
 - c) prior complaints made against the respondent; and
 - d) the quality of the evidence (e.g., firsthand knowledge, credible corroboration).

If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR director may recommend appropriate preventive action.

7. Senior management will review the investigative report, and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR director and other management staff as appropriate, and decide what action, if any, will be taken.
8. Once a final decision is made by senior management, the HR director will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

Alternative Legal Remedies

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.

Section 6. Solicitation and Acceptance of Gifts and Favors

An employee will not accept any gift or gratuity, whether in the form of service, loan, thing of value, or promise from any person, business concern, or organization who is interested directly or indirectly in business dealings with the Town. These limitations are not intended to prohibit the acceptance of articles of nominal value which are distributed generally, nor to prohibit employees from obtaining personal loans from regular lending institutions. An employee will not grant, in the discharge of his official duties, any improper favor, service, or thing of value.

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.”

“Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift. Employees are also prohibited from distributing written materials, handbills, or any other type of literature during working time and, at all times, in “working areas,” which includes all office areas. “Working areas” do not include break rooms, parking lots, or common areas shared by employees during nonworking time.

Section 7. Performance Evaluation

Purpose

The performance appraisal process provides a means for discussing, planning, and reviewing the performance of each employee.

Performance appraisals influence all aspects of the employee’s career, and it is critical that supervisors are objective in conducting performance reviews and in assigning overall performance ratings.

Eligibility

Supervisors and/or Department Directors shall conduct Performance Evaluation conferences with each employee at least once a year.

In the event an employee is rated “below expectations” overall, their supervisor will develop a written Performance Improvement Plan outlining performance deficiencies and measures to be taken to correct these deficiencies. A deadline for correcting these deficiencies shall also be set on or before the next performance review date. If the employee’s performance does not improve to a satisfactory standard by the deadline date, the supervisor will initiate progressive disciplinary action as deemed necessary.

Section 8. Commitment to Safety

Protecting the safety of our employees and visitors is the most important aspect of running our organization.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

Safety is the responsibility of both the Town and all employees. It is the policy of the Town to establish a safe work environment for employees. The Town will establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. [Occupational Safety and Health Administration \(OSHA\)](#) training is provided with onboarding and annually as required. Department Heads and supervisors are responsible for ensuring the safe work procedures of all employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend safety training programs as a condition of employment. Employees who violate such policies and procedures shall be subject to disciplinary action up to and including dismissal.

Each Town employee is responsible for following:

- (1) Developing and maintaining safe work habits.
- (2) Reporting all accidents and injuries promptly.
- (3) Pointing out dangerous practices and working conditions.
- (4) Assisting with investigations of accidents.
- (5) Taking proper care of equipment.
- (6) Wearing proper clothing, and avoiding loose sleeves, cuffs, rings, bracelets, and long hair around moving machinery.
- (7) Knowing the location and use of fire extinguishers, the location of fire exits and the best method for reporting a fire.

Section 9. Drug Free and Alcohol-Free Workplace

It is the policy of the Town of Waynesville to maintain a drug-and alcohol-free work environment that is safe and productive for employees and others having business with the Town. The Town is concerned with the safety of both employees and the public. As such, the town provides a drug-and alcohol-free workplace for all employees and conducts pre-employment, random, post-accident, and reasonable suspicion drug testing in addition to any required by law. The Town has established a detailed policy and procedure relating to employee substance abuse and drug testing to ensure the safety and well-being of citizens and employees, and to comply with any state, federal, or other laws and regulations.

Any person found guilty of driving while intoxicated/impaired, or any other felony within two (2) years of their application for employment with the Town of Waynesville, or during their employment with the Town of Waynesville, shall be disqualified from employment with the Town of Waynesville.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs while on Town or client premises or while performing services for the Town is strictly prohibited. The Town of Waynesville also prohibits

reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, the Town of Waynesville prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Town's reputation in the community.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

Pre-employment: As required by the Town for all prospective employees who receive a conditional offer of employment.

For Cause: Upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or has adversely affected the employee's job performance.

Random: As authorized or required by federal or state law – the most common requirement is for those individuals holding a Commercial Driver's License (CDL).

Post-Accident: Following an accident involving any Town vehicle or an on-the-job injury requiring more than just first aid care. A supervisor will accompany the employee to the requisite facility for testing.

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance screening will be subject to termination. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offence.

Substance Abuse Policy

The Town has established policies and procedures related to employee substance abuse to ensure the safety and well-being of citizens and employees and to comply with any federal, state, or other laws and regulations. The Town has resources available to assist employees with treatment options. Employees should contact Human Resources for a list of these options.

Section 10. Workplace Violence Prevention

The Town of Waynesville is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent individual or from behaving in a threatening or violent manner. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy

covers any violent or potentially violent behavior that occurs in the workplace or at Town sponsored functions.

All Town of Waynesville employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline. Any individual engaging in violence against the Town, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

The Town of Waynesville prohibits the possession of weapons in municipal buildings, including, but not limited to, town hall, public works facilities, town garage, fire stations, police facilities, or other municipally owned buildings and Town vehicles with the exception of town employees and members of their immediate families living on town property while in the confines of their residences as set forth in [Ordinance No. O-14-13](#). Additionally, while on duty, employees may not carry a weapon of any type, excluding sworn law enforcement officers. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other miscellaneous tasks), martial arts paraphernalia (throwing stars, nun chucks), stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for any offense.

In the event of an emergency, notify the appropriate emergency personnel by dialing 9 for an outside line, then dial 911 to activate the medical emergency services.

The Town of Waynesville's Safety Policy in its entirety is available in Human Resources.

Section 11. Internet, Social Media and Email Policy

Objective

The Town of Waynesville recognizes that use of the internet and email is necessary in the workplace, and employees are required to use both responsibly and lawfully, as unacceptable use can place The Town of Waynesville and others at risk for harassment, security breaches and similar issues. This policy outlines the guidelines for acceptable use of The Town's technology systems.

Scope

This policy must be followed in conjunction with other Town of Waynesville policies governing appropriate workplace conduct and behavior. Any employee who abuses the company-provided access to email, the internet, or other electronic communications or networks, including social media, may be denied future access and, if appropriate, be subject to disciplinary action up to and including termination. The Town of Waynesville complies with all applicable federal, state

and local laws as they concern the employer/employee relationship, and nothing contained herein should be misconstrued to violate any of the rights or responsibilities contained in such laws.

Questions regarding the appropriate use of The Town's electronic communications equipment or systems, including email and the internet, should be directed to your supervisor or the information technology (IT) department.

Policy

The Town of Waynesville has established the following guidelines for employee use of the company's technology and communications networks, including the internet and email, in an appropriate, ethical and professional manner.

Confidentiality and Monitoring

All technology provided by The Town of Waynesville, including computer systems, communication networks, company-related work records and other information stored electronically, is the property of the Town and not the employee. In general, use of the company's technology systems and electronic communications should be job-related and not for personal convenience. The Town reserves the right to examine, monitor and regulate email and other electronic communications, directories, files and all other content, including internet use, transmitted by or stored in its technology systems, whether onsite or offsite.

Internal and external email, voice mail, text messages and other electronic communications are considered business records and may be subject to discovery in the event of litigation.

Employees must be aware of this possibility when communicating electronically within and outside The Town.

Appropriate Use

The Town of Waynesville employees are expected to use technology responsibly, lawfully, and productively as necessary for their jobs. Internet access and email use is for job-related activities; however, minimal personal use is acceptable.

Employees may not use The Town's internet, email or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. No messages with derogatory or inflammatory remarks about an individual's race, age, sex, disability, religion, national origin, physical attributes, gender identity, sexual preference or any other protected class may be transmitted. Harassment of any kind is prohibited.

Abusive, excessively profane, or offensive language and any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement and unauthorized access to any computers on the internet or email—are forbidden.

Copyrighted materials belonging to entities other than The Town of Waynesville may not be transmitted by employees on the company's network without permission of the copyright holder. Employees may not use The Town's computer systems in a way that disrupts its use by others. This includes sending or receiving excessive numbers of large files and spamming (sending unsolicited email to thousands of users).

Employees are prohibited from downloading software or other program files or online services from the internet without prior approval from the IT department. All files or software should be passed through virus-protection programs prior to use. Failure to detect viruses could result in corruption or damage to files or unauthorized entry into company systems and networks.

Every employee of The Town is responsible for the content of all text, audio, video or image files that he or she places or sends over the company's internet and email systems. No email or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else. The Town's organizational identity is attached to all outgoing email communications, which should reflect corporate values and appropriate workplace language and conduct.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the [National Labor Relations Act](#), including Section 7 and 8(a)(1) rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

Computers, Internet, Email, and other Resources

All electronic communication devices and sources used for Town business are the property of the Town and, as such, may be monitored, audited and reviewed for proper use. Employees shall not make any intentional use of the Internet, email or other electronic communications devices or sources that are illegal, malicious, inappropriate or obscene. An employee's access to the internet is a function of the business need of their position and is not a general employee benefit. Internet and computer access is governed by the Administrative Rules Manual policies. Improper use of the Internet, Email and other Town electronic business devices or sources will subject the employee to disciplinary action up to and including termination of employment.

The Town provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voice mail, fax, scanner, Internet, intranet, e-mail, text messaging, or any other Town-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Social Media

Purpose. To adopt a social networking and social media policy that shall apply to the use of social media by town employees to discourage abusive or offensive online behavior.

Definition. The words and terms used in this policy mean the following:

1. **“Capacity as a Town Employee”** is conduct that occurs when the employee is:
 - I. Performing work assigned by their town employer.
 - II. Engaging in conduct subject to their town employer's control.
 - III. Representing themselves in a manner that a member of the public could reasonably expect that they are speaking on behalf of their town employer; or

- IV. Sharing information that they would not possess if not for their status as a town employee.
2. **“Comment”** means a response to an article or social media content submitted by a commenter.
3. **“Social Networking” or “Social Media”** means interaction with external websites or services based upon participant contributions to the content. Types of social media include social and professional networks, blogs, micro blogs, video or photo sharing and social bookmarking.
4. **“Town Resources”** means any Town-owned property, physical or digital, including but not limited to Town computers, tablets, cellular telephones, and/or internet service.
5. **“Town Time”** means the time the employee is receiving wages or other remuneration from the town, including when the employee is working from home or engaging in work activities at a location other than the employee’s designated worksite.

Policy

This policy applies to the conduct of all employees of the Town of Waynesville, including those work purposes, utilize social media or social networking, while acting in their capacity as a town employee, on town time, and using town resources.

Scope of Conduct

Town of Waynesville employees must never use their agency email account or password in conjunction with a personal social networking or social media site and/or account. Individual social media conduct affects the public view of the Town of Waynesville and can possibly subject an employee to corrective actions up to and including termination. If employees have questions or need further guidance on this office’s social media policy, please contact human resources.

It is likely that all Town of Waynesville employees may have social networking and social media sites and/or accounts and likely use one or more forms of social media platforms or applications. These sites and/or accounts should remain personal in nature and be used to share personal opinions or non-work-related information. Following this principle helps ensure a clear distinction between sharing personal views and views that might be perceived to be the views of the Town of Waynesville government due to the employee/users’ association as a town employee.

All employees of the Town of Waynesville are to refrain from engaging in the following behaviors during normal working hours; logging in, streaming, watching, listening to, creating, commenting on, posting, or engaging in any other behaviors not listed that can be associated with social media applications or platforms and user behaviors.

Furthermore, all employees of the Town of Waynesville are discouraged from sharing content or creating comments on social media containing the following, when it is directed at a citizen of the Town of Waynesville:

- I. Obscene sexual content or links to obscene sexual content.
- II. Abusive behavior and bullying language or tone.
- III. Conduct or encouragement of illegal activity; and
- IV. Disclosure of information which an agency and its employees are required to keep confidential by law, regulation, or internal policy.

Employees are reminded that disclosure of confidential or proprietary information is always prohibited, not solely just through social media conduct. Town of Waynesville employees are prohibited from using the Town of Waynesville name to endorse, denigrate, or otherwise comment on a person, product, cause, or opinion. Any such disclosures or actions may subject the offending employee to corrective actions up to and including termination.

The Town Manager or their personally named designees are the sole voices for The Town of Waynesville on any social media platform or to the public in general. There are four approved social media accounts for on-duty use – one for Administration, Fire Department, Police Department and Recreation Department. Therefore, no other employee, except for staff with expressed approval of the Manager or a designee, shall respond to questions on any social media platform, make posts, comments, or reply to other comments regarding the official work of the town.

Lastly, employees are reminded that employment with the Town of Waynesville is a matter of public information whether it is specified on your social media accounts. Employees should be mindful that whenever you discuss issues through an online platform or network, those comments can be tied back to your employment with the town. All Town of Waynesville employees should be courteous and civil when interacting with the public on social media. Nothing in policy is meant to prevent an employee from exercising their right to make a complaint of discrimination or other workplace misconduct, or to express an opinion on a matter of public concern.

Network and Device Usage Policy

Purpose: The Town of Waynesville is committed to ensuring the integrity and security of its network and devices while complying with North Carolina law S.L. 2024-26. This policy outlines the acceptable use of Town-owned networks and devices to prevent unauthorized viewing of pornography and to promote a professional work environment.

Scope: This policy applies to all Town of Waynesville employees, officials, and representatives who use Town-owned networks and devices, including but not limited to computers, tablets, smartphones, and other electronic devices.

Policy Statements:

1. **Prohibition of Pornography:** Effective October 1, 2024, viewing, accessing, or downloading pornography on Town-owned networks and devices is strictly prohibited. This includes any material defined as pornography under S.L. 2024-26.

2. Deletion of Unauthorized Material: All employees and officials must delete any pornography currently stored on Town-owned devices by January 1, 2025. Failure to comply may result in disciplinary action.
3. Reporting Requirements: Employees are required to report any unauthorized viewing or attempted viewing of pornography immediately to their supervisor or the designated IT department. All reports will be taken seriously and investigated accordingly.
4. Policy Development: Departments must adopt their own specific policies governing the usage of networks and devices in accordance with this overarching policy. These policies should detail acceptable practices and any additional guidelines necessary for their operations.
5. Exceptions: Specific exceptions may be made for employees or officials who need to view material defined as pornography under this law as part of their official duties. Such exceptions require prior written approval from department heads and must be adequately documented.
6. Consequences of Violations: Violations of this policy will result in disciplinary action, up to and including termination of employment, depending on the severity of the violation.

Nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment as protected under the National Labor Relations Act. Employees have the right to engage in or refrain from such activities.

Open Records and Record Disposition

Social media and Social Networking content may meet the definition of “a record” subject to the [North Carolina General Statutes Chapter 132](#), Public Records. This policy details the lawful retention and disposition of every record created or received by the Town of Waynesville. Our office follows the General Records Disposition Schedule for local government agencies.

Employees are reminded that social media content, text messages, and emails on public or private platforms regarding the official work of the town or town business may be a record subject to disclosure under the [North Carolina General Statutes Chapter 132](#).

On-duty use of social media

Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference Town clients, customers, or vendors without express permission. The Town monitors employee use of Town computers and the Internet, including employee blogging and social networking activity. Individuals appearing on these approved sites may have identifying Town of Waynesville uniforms, logos or other identifiers in images posted here.

Off-duty use of social media

Employees may maintain personal websites or weblogs on their own time using their own facilities. Employees must ensure that social media activity does not interfere with their work. In general, the Town considers social media activities to be personal endeavors, and employees

may use them to express their thoughts or promote their ideas; however, no individual shall be appearing on social media in any identifying uniform, badge or other item identifying them as a Town of Waynesville employee.

Social Media Expectations

Respect. Demonstrate respect for the dignity of the Town, its owners, its customers, its vendors, and its employees. A social media site is a public place, and employees should avoid inappropriate comments. For example, employees should not divulge Town of Waynesville confidential information such as trade secrets, client lists, or information restricted from disclosure by law on social media sites. Similarly, employees should not engage in harassing or discriminatory behavior that targets other employees or individuals because of their protected class status or make defamatory comments. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

Post disclaimers. If an employee identifies himself or herself as a Town employee or discusses matters related to the Town on a social media site, the site must include a disclaimer on the front page stating that it does not express the views of the Town, and that the employee is expressing only his or her personal views. For example: “The views expressed on this website/Weblog are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting expressing an opinion related to the Town or the Town’s business. Employees must keep in mind that if they post information on a social media site that is in violation of Town policy and/or federal, state, or local law, the disclaimer will not shield them from disciplinary action.

Competition. Employees should not use social media to criticize the Town’s competition and should not use it to compete with the Town.

Confidentiality. Do not identify or reference Town clients, customers, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the confidentiality policy. If in doubt, ask before publishing.

Violations of this policy may result in discipline up to and including immediate termination of employment.

Note: Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve or discuss terms and conditions of employment, such as wages, working conditions, and benefits.

Section 12. Attendance

Objective

The Town depends on employees to provide needed services every day. Regular attendance is mandatory and is part of the work standards for all jobs. Poor attendance can negatively affect

performance evaluations or may lead to disciplinary action. Excessive absenteeism or a chronic attendance/tardiness problem(s) can lead to disciplinary action up to and including termination. The purpose of this policy is to set forth The Town of Waynesville's policy and procedures for handling employee absences and tardiness to promote the efficient operation of the organization and minimize unscheduled absences.

Policy

Punctual and regular attendance is an essential responsibility of each employee at The Town of Waynesville. Employees are expected to report to work as scheduled, on time and prepared to start working. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

This policy does not apply to absences covered by the [Family and Medical Leave Act \(FMLA\)](#) or leave provided as a reasonable accommodation under the [Americans with Disabilities Act \(ADA\)](#). These exceptions are described in separate policies.

Department Heads shall establish work schedules, with the approval of the Town Manager, which meets the operational needs of the department in the most cost-effective manner possible. All regular full-time employees, both non-exempt and exempt, are expected to work a 40-hour workweek. Hours worked in excess of a 40-hour workweek by an exempt employee is considered accomplishment of assigned responsibilities for which there is no additional compensation. All employees are expected to arrive on time, ready to work, every day they are scheduled to work.

Absence

"Absence" is defined as the failure of an employee to report for work when he or she is scheduled to work. The two types of absences are defined below:

- *Excused absence* occurs when all the following conditions are met:
 - The employee provides to his or her supervisor sufficient notice at least 48 hours in advance of the absence.
 - The absence request is approved in advance by the employee's supervisor.
 - The employee has sufficient accrued paid time off (PTO) to cover the absence.
- *Unexcused absence* occurs when any of the above conditions are not met. If it is necessary for an employee to be absent or late for work because of an illness or an emergency, the employee must notify his or her supervisor no later than the employee's scheduled starting time on that same day. If the employee is unable to call, he or she must have someone make the call.

An unexcused absence counts as one occurrence for the purposes of discipline under this policy. Employees with three or more consecutive days of excused absences *because of illness or injury* must give The Town of Waynesville proof of physician's care and a fitness for duty release prior to returning to work.

Employees must take earned PTO for every absence unless otherwise allowed by company policy (e.g., leave of absence, bereavement, jury duty, administrative leave).

Tardiness and Early Departures

Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than their regular starting time. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary.

Employees who must leave work before the end of their scheduled shift must notify a supervisor immediately.

Tardiness and early departures are each one-half an occurrence for the purpose of discipline under this policy.

Disciplinary Action

Excessive absenteeism is defined as two or more occurrences of unexcused absence in a 30-day period and will result in disciplinary action. Eight occurrences of unexcused absence in a 12-month period are considered grounds for termination.

Job Abandonment

Any employee who fails to report to work for a period of three days or more without notifying his or her supervisor will be considered to have abandoned the job and voluntarily terminated the employment relationship.

Section 13. Job Performance

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed. Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and discussion between the employee and the supervisor about job performance and expectations for the coming year. However, performance discussion may occur at any time.

Section 14. Dress and Grooming

Objective

Employee appearance contributes to The Town of Waynesville's culture and reputation. Employees are expected to present themselves in a professional manner that results in a favorable impression by customers, visitors, and coworkers. The Town of Waynesville provides a casual yet professional work environment for its employees. While the dress code is business casual, it is important to project a professional image to our customers, visitors, and coworkers. All employees are expected to dress and groom themselves in a manner that is consistent with good hygiene, safety, and professionalism.

Procedures

The Town's department heads may exercise reasonable discretion to determine the appropriateness of employee dress and appearance, always taking safety into consideration. Employees who do not meet a professional standard may be sent home to change, and

nonexempt employees will not be paid for that time. Reasonable accommodation will be provided where required.

Employees who are issued Town uniforms by their respective departments are expected to always wear uniforms while on duty. Additionally, employees working on private property or out in the community are readily identified by wearing a Town uniform and/or ID Badge; other forms of identification allow citizens to identify employees when service is needed. Uniforms are not to be worn off-duty. All other employees are expected to dress appropriately, wearing clothes that are neat, clean, and well-arranged in appearance.

While not all inclusive, unacceptable or inappropriate work attire would be short shorts; low-rise jeans, hip hugger jeans; T-shirts bearing writing and/or logos (other than the Town of Waynesville logo) and short waisted T-shirts; halter, tank, tube and spaghetti strap tops worn without a sweater or jacket and any low-cut clothing that expose or reveal personal body parts, i.e. midriff area.

(1) Hygiene: All employees shall be aware that appropriate hygiene and undergarments (underwear and bras) are always required. Hair should be clean and appropriately kept. Beards and mustaches should be kept clean and neatly trimmed. Clothing and shoes should be clean and neatly worn (absent of holes). Grooming accessories including perfumes, colognes or sprays should be applied so as not to affect other employees who may have allergies or sensitivities to scent.

(2) Jewelry and body art: Visible tattoos may be required to be covered at director or department manager discretion if the tattoo is offensive in its general nature or presentation. No tongue rings, brow rings, facial piercings, or visible belly-button rings will be allowed. Individuals in safety sensitive areas with ear piercings should wear a clear stud or no earring while on duty. Conventional dress generally allows pierced ears; however, earrings should be conservative and good taste.

(3) Religious accommodation may be made for some form of body jewelry or piercings but will be discussed with department management and human resources should a religious accommodation be requested by the employee.

Department heads will be responsible for ensuring that dress code guidelines set forth in this policy are followed. They may further define dress codes for administrative and office personnel, should the need arise. Employees that are deemed to be in violation of this policy will be subject to appropriate disciplinary measures, as well as being sent home without pay to change into appropriate professional attire.

Uniforms are issued to employees in certain departments with the understanding that upon receipt, they are the property of the Town. If uniforms are damaged because of neglect or abuse, individuals will be required to replace them at their own expense. The Town will replace uniforms damaged because of job requirements or performance. Damaged uniforms should be reported immediately to the employee's supervisor. Employees leaving Town employment must

turn in all uniforms and/or any Town property acquired. Items not returned will be deducted from the employee's final paycheck.

Section 15. Use of Office Space, Equipment, and Clean Desk Policy

While some workspace personalization is permitted, it should be limited to those areas within an individual staff person's workspace and should maintain a professional environment.

Appropriate personal photographs and mementos are permitted and should be kept to a minimum and may include a plant in modular workspaces depending upon the available surface. The work area should be kept orderly, organized, and free of clutter.

Personalization should not damage Town property, violate any policy of the Town of Waynesville, present a safety hazard, or interfere with the orderly functioning of the workplace. Personal items should not be displayed in common areas, such as hallways, reception areas, conference, and break rooms.

Section 16. Workplace Environment & Personal Devices

Noises and voices can carry. Remember to modulate your voice when having conversations and handling phone calls. The volume of personal wireless devices should be kept on the low or "vibrate" setting so as not to disturb co-workers. Employees desiring more privacy may choose to step out of the work area to take a brief, personal cell phone call.

Use of earbuds while driving or performing safety sensitive tasks is strictly prohibited. Employees should not engage in the watching of phones, tablets, or other electronic screens or streaming capable devices during normal working hours. These devices are not conducive to a professional environment or employee productivity. Use of these devices during break periods or lunch is acceptable.

Employees are strictly prohibited from downloading onto their portable devices any confidential or proprietary information from Town computers.

To accomplish their tasks, employees of the Town of Waynesville are given access to a wide range of town-owned equipment. There is, however, a certain amount of responsibility involved in using the equipment. Employees will be trained in the use of all job-related equipment; and employees are responsible for using all Town equipment in a prudent manner and in accordance with proper operating procedures.

With the noted exceptions within this policy, all Town equipment and materials are not to be used for personal purposes. Employees may not use Town equipment for commercial solicitation or for conducting or pursuing their own business interests or those of another organization, excluding Town sponsored charitable campaigns or events. Any questions about proper use should be directed to department management.

Employees should also note that all messages sent and received, including personal messages and all information stored on the Town's email, voicemail system, or computer systems, are Town property, and subject to the Open Records Act rules, regardless of the content and should not be considered "private" information or transmissions. As Town property, usage must be able to withstand public scrutiny. The Town reserves the right to access, inspect and monitor the usage of all its technology resources including files or messages stored on those resources at any time, in its sole discretion, in order to determine compliance with its policies, for purposes of legal proceedings, to investigate misconduct, to locate information or for any other business purpose. Misuse may result in disciplinary action up to and including termination.

Section 17. Professionalism

There are many occasions when employees of the Town of Waynesville are required to interact with members of the public. Because they represent the Town of Waynesville, employees are expected to be professional, courteous, patient, and helpful in all instances of public contact.

When an employee visits a member of the public in person or on the phone, they should always maintain their professionalism. When assistance can be given by this organization, employees should ensure that requests for material are made in the proper manner, and that any requests for information are forwarded to the proper individual. If the individual can be helped by another organization or agency, the employee should, when possible, direct the individual to the proper agency. It is the policy of the Town of Waynesville that all phone calls are returned within twenty-four (24) hours after they have been received. If an employee is unable to return a call, arrangements should be made to ensure that the employee's calls are covered.

Employees may also be asked to respond to various questions raised in public correspondence. These letters should be drafted in a timely fashion, and in consultation with the individual who has asked the employee to draft the correspondence. Any information provided in the correspondence should conform to the requirements of the North Carolina Open Record's Policy, and a copy should be maintained of the letter mailed to the requestor.

Section 18. Meal and Rest Breaks

Employees are entitled to a 30-minute unpaid meal break each day. If a nonexempt employee is required to work through a meal break, he or she will be paid for the 30-minute period. Employees are also entitled to two paid 15-minute rest periods each day. Meal and rest breaks will be scheduled by the department head or supervisor.

Section 19. Adverse Weather/Emergency Closings

Statement of Purpose. The Town of Waynesville must ensure the delivery of critical services to citizens and businesses even during times of adverse weather conditions and facilitate an orderly transition to more limited operations if conditions make that necessary. It is the intent of this policy to establish a uniform policy regarding how operations will be affected during times of adverse weather conditions and to establish guidelines for accounting for work hours, and to educate Town employees on their responsibilities.

Definitions.

Adverse Weather Event: Snow, ice, high winds, storms, tornados, earthquakes, hurricanes, flooding, and other weather events that may create a variety of safety risks to employees, impede the ability of employees to travel to or from work, or impact the Town's ability to maintain normal operations for customers, members, or the general public.

Communications. All Offices/Agencies/Departments will be given sufficient notice of authorized delayed openings or early closing to the public. Employees will be notified by their supervisor concerning deviations in public opening/closing times due to adverse weather conditions. Department Heads or their designees shall be responsible for developing and maintaining procedures for notifying employees of expectations for remaining at work, reporting to work, or accounting for lost time from work time when adverse weather conditions arise.

Policy. The Town of Waynesville Offices/Agencies/Departments shall remain open for the full scheduled workday unless authorization for a delayed opening or early closing to the public is received from the Town Manager.

When the Town Manager closes an Office/Agency/Department to the public, staff of these divisions must use accrued compensatory or vacation if they cannot report to work as scheduled. Department Head's will plan to provide alternative work tasks for staff of Offices/Agencies/Departments that are closed to the public. Time off without pay must be taken if the employee has no accrued compensatory or vacation time. Sick leave may not be used for adverse weather conditions.

Employees who leave work before the end of their scheduled shift must gain the appropriate approval from their supervisor and be required to use earned compensatory time or vacation time for hours taken if they wish to be compensated. Time off without pay must be taken if the employee has no accrued compensatory or vacation time. Sick leave may not be used for adverse weather conditions.

Following severe weather conditions occurring during the night, it is the responsibility of each employee to report to work as scheduled. Employees who do not feel they can make it to work due to adverse weather conditions must use compensatory or vacation time for hours not worked. It is the responsibility of the employee to make a judgment about their personal safety concerning travel to and from work during adverse weather conditions. It is the employee's responsibility to notify their supervisor of any decision regarding a deviation from scheduled work hours. The Town Manager has the authority to alter the regular business hours open to the public in the event of adverse weather conditions. The Town Manager also has the ability to close Town Offices/Agencies/Departments in the event that a State of Emergency is declared by the Governor of North Carolina. Employees must use compensatory or vacation time if the decision is made to close Town offices due to the declaration by the Governor.

Employees are to be mindful of the weather conditions and be cognizant of the conditions including wearing proper footwear to prevent slips and falls.

Section 20. Training and Advanced Certification

Statement of Purpose. The purpose of this policy is to outline the Town of Waynesville expectations, requirements, and benefits regarding additional training and certifications achieved by employees which have *been explicitly requested, approved, and/or required by the Town*. A list of Department Head approved certifications is available in Appendix A of this policy. This list is not intended to be exhaustive, but rather a guide for staff and supervisors. All salary increases associated with training and advanced certification must be budgeted and approved ahead of time by the Department Head.

Training Programs & Seminars. The Town of Waynesville encourages employees to seek training to assist with their job responsibilities and/or the required continuing education hours for current certifications. When an employee finds a training program that he/she would like to attend, they should seek prior approval from their immediate supervisor and Department Head and follow the specific instructions outlined below in the General Guidelines for Approval.

At the supervisor's discretion, he/she will be permitted to attend during regular work hours or as the training is available and will be paid their normal salary for the time spent in training in accordance with FLSA laws (out-of-state travel must be pre-approved by the Town Manager). Other expenses incurred as related to the training program shall be covered as outlined by the *Town of Waynesville Travel Policy*, including any subsequent revisions to the policy.

Certification Schools.

A. General Guidelines for Approval

When additional certifications are explicitly requested and/or required by the Town, employees may attend the certification school during regular work hours when practical, if courses are available. Employees will be paid their normal salary for the time spent in school and travel time in accordance with FLSA laws and the *Town of Waynesville Travel Policy* as referenced above. All such requests for employees to attain additional certifications shall be submitted in writing to Human Resources. The Department Head and employee shall affix their signatures to the request with a statement indicating acknowledgement of this policy and the employees' acceptance of the request. The Human Resources Department shall make a recommendation for approval or denial to the Town Manager who will make the final determination for approval or denial.

B. Coverage Allowance and Limits for Schooling Expenses

The Town will pay for one (1) certification school for each employee for a single certification level and up to three (3) attempts at the exam for a single certification level. If the employee is not successful in passing the exam after three (3) attempts, the Town will not pay for any further schools or exams for that certification level for the employee. Any further attempts at that certification level will be the responsibility of the employee (all costs & time required). If an employee fails a certification exam that is paid for by the Town, they will be required to review the failed exam (as noted in their exam failure letter) before being permitted to re-take the

exam. If the employee fails to review the exam, they will not be permitted to go to any future certification school for 24 months.

The employee must provide a copy of all correspondence, and certificates received in association with certification schools to Human Resources. This includes confirmation regarding school registration, certificate of school attendance, confirmation of acceptance to take exam, and the certification certificate or notification of exam failure.

Pay Incentives.

A. Application of Pay Incentives

The specific intent of this policy is to enable the Town to identify a critical need wherein a current employee may be explicitly requested or required to attain additional certification levels with the recommendation of Human Resources and approval of the Town Manager.

This policy is not retroactive; therefore, pay incentives do not apply to current employees who hold such certifications, whether or not they were requested or required to attain the certification prior to the adoption of this policy.

B. Pay Incentives for Professional Certifications

When an employee is explicitly requested or required to attain additional certification levels in order to enhance the ability of the Town to provide professional Town services, the employee shall receive a 5% increase from his/her current salary for each level of certification or specific certification(s) requested by the Town. The maximum incentive per calendar year is 10%.

Certification Requirements.

A. Certification Renewal Fees

The Town will pay annual or other periodic renewal fees for approved job-required certifications. The renewal documentation must be submitted to the employee's supervisor in a timely manner for processing.

B. Continued Certification Requirements

Employees who receive a pay incentive based on the application of this policy must maintain the level of certification achieved which resulted in the pay incentive. If the certification lapses, is suspended, or the employee changes roles within the organization where the certification is no longer utilized, the pay incentive received may be removed at the discretion of the Town Manager.

Section 21. Career Development Program (Career Track)

Purpose. The Town of Waynesville Career Development Program is a method by which an employee can develop and progress within the organization. The Career Development Program provides employees with an ongoing mechanism to enhance their skills and knowledge that can lead to mastery of their current jobs, as well as promotions and transfers to new or different positions. The purpose of the Career Development Program is to directly impact the entire

organization by improving morale, career satisfaction, motivation, productivity, and responsiveness in meeting departmental and organizational objectives.

Policy. Each department within The Town of Waynesville will develop a specific Career Track for each position within the department that will be shared with staff for the purpose of their Career Development. Career Tracks must be approved by the Department Head and the Town Manager before implementation. Changes to Career Tracks must also be approved by the Department Head and the Town Manager.

Career Tracks will include an outline of possible training and classroom opportunities as well as a minimum requirement of continuing education hours needed to achieve the merit increase percentage approved by the Town Council. Employees are eligible for one Career Development merit increase per fiscal year. The funding of the Career Development Program is at the discretion of the Town Council and is subject to change.

Employees will submit a completed training form with certificates earned to their Department Head along with a current performance evaluation (less than one year old) for review. The Department Head will approve or disprove the request for the merit increase and forward their recommendation to the Town Manager for final approval or disapproval.

Section 22. Employee Dating Policy

Objective

The Town of Waynesville strongly believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

Individuals in supervisory or managerial roles, and those with authority over others' terms and conditions of employment, are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

Procedures

- During working hours and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
- During non-working time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in nonwork areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.

- Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on town premises, whether during working hours or not.
- Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to The Town of Waynesville's disciplinary policy, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
- Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is romantic or sexual relationships between supervisors and subordinates.
- Any supervisor, manager, director or other town official in a sensitive or influential position with The Town of Waynesville must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor or the Director of Human Resources (HR). The Town of Waynesville will review the circumstances to determine whether any conflict of interest exists.
- When a conflict-of-interest or potential risk is identified due to a town official's relationship with a co-worker, The Town of Waynesville will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as the transfer of one or both parties to other positions or departments. If one or both parties refuse to accept a reasonable solution, such refusal will be deemed a voluntary resignation.
- Failure to cooperate with The Town of Waynesville to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
- The provisions of this policy apply regardless of the sexual orientation of the parties involved.
- Where doubts exist as to the specific meaning of the terms used above, employees should make judgments based on the overall spirit and intent of this policy.
- Any concerns about the administration of this policy should be addressed to the director of HR.

ARTICLE VI. RECORDS AND REPORTS

Section 1. Personnel Files

Employee personnel records are maintained by the human resources department and are considered confidential. As required by law, some records relating to medical issues and internal investigations are maintained in separate files. For purposes of this policy, a personnel file

includes records related to performance and training as well as other records used for hiring, promotion and disciplinary decisions. The personnel file does not include any reference checks, medical records, or investigation files. Depending upon the circumstances, employees may be provided with access to records pertaining to internal investigations, with appropriate redactions to protect the rights of others.

Employees, or their representative, may request access to their personnel file by submitting a request to human resources in writing. Upon receipt of the written request, human resources will schedule an appointment to view the file during normal office hours within 3 days of the request unless otherwise required under state law. Employees are not permitted to remove any documents from the personnel file but may provide a written response to any document in the personnel file. Written responses will be attached to the original document in the personnel file.

Employees may also request copies of documents in their personnel file. Requests for copies must be made in writing to human resources and pay the Town's established printing costs. The Human Resources office will comply with appropriate requests for copies of documents within seven (7) working days from receipt of the request.

Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel files are to be reviewed in the Human Resources department. Employee files may not be taken outside the department. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Section 2. Public Information

In compliance with GS 160A-168(b), Privacy of Employee Personnel Records, the following information, with respect to each Town employee, is a matter of public record:

- 1) Name.
- 2) Age.
- 3) Date of original employment or appointment to the service.
- 4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the Town has the written contract or a record of the oral contract in its possession.
- 5) Current position.
- 6) Title.
- 7) Current salary.
- 8) Date and amount of each increase or decrease in salary with that municipality
- 9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
- 10) Date and general description of the reasons for each promotion with that Municipality.
- 11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.

12) The office to which the employee is currently assigned.

The term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the Town.

Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Town may adopt.

Section 3. Access to Confidential Records

All information contained in a Town employee's personnel file, other than the information mentioned above, is confidential and shall be open to inspection only in the following instances:

1) The employee or his/her duly authorized agent may examine all portions of his/her personnel file except letters of reference solicited prior to employment, and information concerning a medical disability, mental or physical, that a prudent physician would not divulge to the patient.

2) A licensed physician designated in writing by the employee may examine the employee's medical record.

3) A Town employee having supervisory authority over the employee may access employee's personnel file for information listed above, if job related; excludes medical and psychological records which are maintained under strict confidentiality separate from the personnel records.

4) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.

5) An official of an agency of the State or Federal Government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the Town Manager to be necessary and essential to the pursuit of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee, or for the purpose of assisting in an investigation of the employee's tax liability. However, the official having custody of the personnel records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.

6) An employee may sign a written release to be placed in his/her personnel file that permits the record custodian to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.

7) The Town Manager, with the concurrence of the Town Council, may inform any person of the employment, non-employment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a Town employee, and the reasons for that action. Before releasing that information, the Town Manager shall determine in writing that the release is essential to maintaining the level and quality of Town services. The written determination

shall be retained in the Town Manager's office, is a record for public inspection, and shall become a part of the employee's personnel file.

8) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.

9) A record will be made of each disclosure and placed in the employee's file (except disclosures to the employee and the supervisor).

Section 4. Personnel Actions

The Human Resources Director, with the approval of the Town Manager, will prescribe necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of the personnel system. There shall be one set of official personnel files, centrally located as designated by the Town Manager. Any document not located there is not an official part of that employee's personnel record. These files shall contain documents such as employment applications and related materials, records of personnel actions, documentation of employee warnings, disciplinary actions, performance evaluations, retirement and insurance records, letters of recommendation, and other personnel-related documents.

Section 5. Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

Section 6. Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

Section 7. Penalties for Permitting Access to Confidential Records

Section 160A - 168 of the General Statutes of the State of North Carolina provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction will be fined in an amount consistent with the General Statutes of the State of North Carolina.

Section 8. Examining and/or Copying Confidential Material Without Authorization

Section 160A - 168 of the General Statutes of the State of North Carolina provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who will knowingly and willfully examine in its official filing place, remove, or copy any portion of a confidential personnel file will be guilty of a misdemeanor and upon conviction will be fined consistent with the General Statutes of the State of North Carolina.

Section 9. Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with GS 121-5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever, alters, defaces, mutilates, or destroys it will be guilty of a misdemeanor and upon conviction will be fined in an amount provided in GS 132-3.

ARTICLE VII. SEPARATION AND REINSTATEMENT FROM EMPLOYMENT

Section 1. Types of Separations

All separations of employees from positions in the service of the Town will be designated as one of the following types and will be accomplished in the manner indicated: resignation, reduction in force, disability, voluntary retirement, dismissal, or death.

Section 2. Resignation

In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice, including the reasons for their resignation and the effective date of resignation, to their supervisor at least 10 working days (two weeks) in advance of the last day of work. The employee does not have the authority to rescind a resignation after it has been initiated.

In the event that an employee does not provide the appropriate notice of resignation in writing, they are not eligible for rehire in future. All resignations must be retained in the employee's personnel file to be considered of record.

Holidays and/or vacation will not be counted toward the 10-day notice.

Employees who provide the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire. For Department Directors or Supervisors, a minimum of 30 days is requested as a notice of resignation to allow for proper succession transitioning.

An employee who desires to terminate his employment with the Town should give written notice to his department head two weeks prior to his last intended day of employment. Resigning department heads will give one month's notice. An employee who does not provide the required notification will have recorded on his service record that he resigned without giving proper notice. Failure to provide minimum notice shall result in the forfeit of payment for accumulated vacation leave unless the notice is waived upon recommendation of the Department Director and approval by the Town Manager.

An employee who is absent from work three consecutive days without reporting to his supervisor the reason for his absence will be considered to have terminated his employment

without notice, and notation to this effect will be recorded on the employee's service record. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

Section 3. Reduction in Force

Reduction in force is the involuntary separation of an employee due to lack of work or funds, outsourcing of services, decreased workload or elimination of the employees' position due to reorganization. Should it become necessary because of economic conditions to reduce the number of employees or work hours, this will be done at the discretion of the Town. The Town Manager, with the approval of the Town Council, has the authority to call for a reduction in force.

In the event a reduction in force becomes necessary, consideration will be given to the quality of each employee's performance, as documented by current performance appraisals, organizational needs, the need for the employees' service, and seniority in determining those employees to be retained. Employees who are laid off because of reduction in force will be given at least two weeks' notice of the anticipated lay-off and will be given first opportunity to return to work should an opening become available commensurate with his skills. No regular employee will be separated while there are temporary employees serving in the same class in the department unless the regular employee is not willing to transfer to the position held by the temporary employee. Under the provisions of the reduction in force, the Town Manager has the option to make changes to work time and/or workload to accomplish the reduction.

An employee who is separated because of a reduction in force may be reinstated within six months of the date of separation, upon recommendation of the Department Director, and upon approval of the Town Manager. An employee who is reinstated in this manner shall be credited with his or her previously accrued sick leave and previous service credit and will receive all benefits provided in accordance with this policy. The salary paid a reinstated employee who is separated because of a reduction in force will be as close as reasonably possible, given the circumstances of each employee's case, to the salary previously attained by the employee, plus any across-the-board pay increases.

Section 4. Voluntary Retirement

An employee who meets the conditions set forth under the provision of the North Carolina Local Government Employee's Retirement System may elect to retire and receive all benefits earned under the retirement plan.

Town employees participate in and are eligible to retire under the North Carolina Local Governmental Employees Retirement System (LGERS). Any employee who is planning to retire should meet with the Human Resources Department three months prior to the planned effective retirement date to complete necessary paperwork for LGERS. Those employees retiring from Town service will be paid up to 240 hours of vacation time not used. Employees may apply unused sick leave toward their retirement credit.

Any necessary paperwork for retirement should be completed with Human Resources at least ninety (90) days in advance to allow for proper processing by LGERS.

Section 5. Death

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

Section 6. Dismissal

An employee may be dismissed in accordance with the provisions and procedures of Article V of this Personnel Policy.

Section 7. Rehiring

An employee who resigns while in good standing may be reinstated, with the approval of the Town Manager, within six months of the date of separation. An employee who is reinstated within six months will be credited with previous years of service and previously accrued sick leave and will receive all benefits provided in accordance with this policy. The salary paid a reinstated employee, who returns within six months of the date of separation, will be as close as reasonably possible, given the circumstances of each employee's case, to the salary previously attained by the employee, plus any across-the-board pay increases.

An employee who resigns while in good standing and returns after six months from the date of separation will be regarded as a new employee (vacation leave and service start over).

Section 8. Disability

An employee who cannot satisfactorily perform the essential functions of a job because of a physical or mental disability may be separated. If requested by the employee, the town and employee must first fully explore reasonable accommodation(s) which might permit the employee to resume satisfactory performance. Reasonable accommodation may include transfer to a different position. The Town will comply with the Americans with Disabilities Act of 1990 (ADA) in this matter. Action may be initiated by the employee or the town, but, in all cases, it must be accompanied by medical or psychological evidence, as certified by a competent physician or psychologist, and deemed acceptable to the town manager. The town may require an examination, at the town's expense, performed by a physician of the town's choice.

Section 9. Unavailability when Leave is Exhausted

An employee may be separated if they become or remain unavailable for work after all applicable leave and benefits (not including COBRA) have been exhausted and the Town Manager does not grant leave without pay.

In most cases of separation, Human Resources and/or the Department Director will conduct an exit meeting on or before the last day of employment to collect all Town property, and to discuss final pay.

If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the individual's home address.

Section 10. Severance Pay

Purpose

The purpose of this policy is to outline the severance pay benefit of the Town of Waynesville.

Eligibility

This policy applies to all *exempt full-time employees*.

Triggering Events

In the event of an involuntary termination due to a reduction in force/downsizing, change in organization direction, job elimination, termination for performance, or termination for unavailability, the Town of Waynesville provides a severance benefit for the affected employees. *This does not apply to terminations for cause, refusal to be reassigned or refusal to be relocated, or retirement.*

Payment Amount

The rate of severance is based on length of service with the Town of Waynesville. No other local government service will be considered in the rate of severance.

Length of Service	Number of Weeks
Less than one year	0
One year - less than two	2
Two years - less than three	3
Three years - less than four	4
Four years - less than five	5
Five years - less than seven	6
Seven years or more	8

The maximum allowed severance is eight weeks. Severance is calculated on base pay only. Employees may choose to receive severance pay as a salary continuation benefit (continue payments on scheduled paydays) or in a lump sum. Federal, state and local tax withholding will apply.

Vacation

Accrued but unused vacation, not to exceed 240 hours, will be paid out to the employee. Vacation will stop accruing as of the effective date of termination.

Insurance Benefits

Health and dental insurance coverage, if applicable, end on the last day of employment. Upon termination of coverage, COBRA notification will be forwarded to the individual's home address.

ARTICLE VIII. DISCIPLINARY ACTIONS

Section 1. Policy

The Town expects employees to comply with the Town's standards of behavior and performance and to correct any noncompliance with these standards.

A non-probationary employee may be reprimanded, suspended, demoted or dismissed as provided below; however, nothing contained herein shall replace, change or modify the employment-at-will status as first stated in Article I. General Provisions of these policies.

The Town generally administers a progressive disciplinary procedure in which discipline is administered in proportion to the degree of severity and frequency of unacceptable employee behavior. Progressive discipline is intended to allow the employee the opportunity to correct deficiencies in work behavior by clarifying and prescribing to the employee the appropriate behavior. All disciplinary actions are subject to the approval of the Town Manager.

Employees may be disciplined for improper personal conduct or unsatisfactory performance of job duties, as described in this Article. The Town may also discipline employees for performance problems and/or conduct not specifically identified in this Article.

Probationary employees who have not attained regular status and temporary employees may be dismissed immediately for unsatisfactory job performance or improper personal conduct violations. There is no right of appeal. Appropriate documentation of the dismissal will be included in the employee's personnel file.

It is the duty and the responsibility of every Town employee to be aware of and to abide by existing policies and work rules.

Responsibilities of Employees

It is also the responsibility of employees to perform their duties to the best of their ability and to the standards set forth in their job descriptions or as otherwise established. Employees are encouraged to take advantage of all learning opportunities available and to request additional instruction when needed.

Responsibilities of Supervisors, Managers, and Directors

The immediate supervisor, manager, or director should approach corrective measures in an objective manner.

If the employee's performance of assigned tasks is an issue, the supervisor, manager, or director should confirm that proper instructions, appropriate orientation and adequate training have been given and that the employee is aware of job expectations. Both single incidents and patterns of poor performance should be of concern.

If misconduct is the issue, the supervisor, manager, or director should take steps to ensure that the employee is aware of the town's policies and regulations regarding employee conduct.

If, in either case, appropriate instruction or information was not communicated, the supervisor, manager, or director should immediately develop a plan for delivering such instruction or information and should review the content with the employee.

Section 2. Procedure

Whenever, in the supervisor's judgment, employee performance, attitude, work habits, or personal conduct falls below the acceptable level, the supervisor shall inform the employee promptly and specifically of such performance problem(s) and give counsel and assistance while completing the appropriate documentation for informal counseling. A reasonable period of time for improvement may be allowed before initiating formal disciplinary action and is within the discretion of the supervisor.

The Town generally follows the principles of progressive discipline to address issues such as poor work performance or misconduct to encourage employees to become more productive workers and to adapt their behavior to town standards and expectations. However, the supervisor, in consultation with the Human Resources Director, may determine the appropriate level of discipline, separate and apart from the progressive discipline, taking into consideration the particular incident. Disciplinary actions will be recorded in the employee's personnel file.

Disciplinary action may consist of any of the following, not necessarily in this order:

- Verbal warning counseling an employee about an issue of concern with a written record of the discussion, noting the date, event, and recommended action is placed in the employee's personnel file for future reference.
- Written warning is used for behavior or performance that a supervisor considers serious or when a verbal warning has not helped change unacceptable behavior or performance. The department head, in consultation with human resources, may place the employee on a performance improvement plan (PIP) not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements specified by the supervisor and the organization. The supervisor and employee should meet regularly to assess the progress of the PIP. If the

employee has met the goals and expectations described in the PIP, the supervisor will document that he or she has successfully completed the PIP. If established goals are not met, dismissal may occur.

- Written Warning with Condition(s) of Continued Employment
- Suspension
- Demotion
- Dismissal

The Town reserves the right to administer appropriate disciplinary action as needed. Each situation will be dealt with on an individual basis.

Written Warning(s)

A documented discussion of specific work-related concerns indicating unacceptable personal conduct or performance deficiencies will be made with corrective measures to be followed. The receipt of a written warning should be acknowledged in writing by the employee. If the employee refuses to properly acknowledge the receipt of any written warning, the supervisor issuing the written warning shall note the employee's refusal on the employee disciplinary report and have an additional supervisor sign the disciplinary report as a witness to the fact that the employee refused to sign the disciplinary report.

Written Warning with Condition(s) of Continued Employment

If an employee continues to perform his or her duties in an unsatisfactory manner, after the receipt of a written warning about deficiencies in the employees' work performance, or if the employee engages in improper personal conduct that involves a mitigating factor or a combination of mitigating factors deemed by management to warrant disciplinary action short of dismissal, the employee may be issued a written warning that contains conditions with which the employee must comply in order to maintain his or her employment with the Town. These conditions of employment may include, but are not limited to, performance requirements as well as a defined goal for the employee to attain in order to demonstrate that the employee is conducting him/herself in a manner that meets the expectations of the Town of Waynesville.

The issuance of a written warning by the Town to an employee is for the convenience of the Town and is not a precondition of an adverse employment action. An employee may have an adverse employment action (including but not limited to suspension, demotion or dismissal) taken against them without prior written warning by the Town.

Suspension

If the behavioral infraction is extremely serious to the Town, other employees, or the public, the employee may be suspended without warning.

Section 3. Non-Disciplinary Suspension

During the investigation, hearing or trial of an employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee when suspension would, in the opinion of the Department Director, the Human Resources Director, or Town Manager, be in the best interest of the Town, the employee may be suspended for part or all of the proceeding as a non-disciplinary action. In such cases, the Town Manager may temporarily relieve the employee of all duties and responsibilities and place the employee on unpaid or paid leave for the duration of the suspension. If the employee is reinstated following the suspension such employee shall not lose any compensation or benefits to which otherwise the employee would have been entitled had the suspension not occurred. If the employee is terminated following suspension, the employee shall not be eligible for any pay from the date of unpaid suspension.

Section 4. Rights of Appeal

In the case of a demotion or dismissal, a regular employee can appeal to the Town Manager in writing within seven (7) business days following the effective date of the personnel action that is under appeal. The Town Manager, or designee, will review the written reports utilized by the Department Head to take the personnel action under appeal, and may request additional information and documentation to consider the appeal. The Town Manager may request meetings with the employee as well as others involved. In deciding the issue on appeal, the Town Manager, or designee, may confirm or modify the recommendation of the Department Head and enter such order as the Town Manager may deem appropriate. The Town Manager's written decision shall be entered and forwarded to the Department Head and the employee within ten (10) business days from the date the written appeal was received. The decision entered by the Town Manager shall be final.

Section 5. Administrative Guidelines

As mentioned above, the Town will determine the appropriate level of discipline for both unsatisfactory job performance and conduct issues. Examples of both unsatisfactory job performance and improper personal conduct which could result in discipline are listed below. This list should not be considered exhaustive.

(A) Unsatisfactory Job Performance

Unsatisfactory job performance occurs when an employee fails to meet job requirements or performance standards as established by the Department Director or Town Manager. This policy does not require that progressive warnings address the same type of unsatisfactory performance.

The following list is illustrative, and is not an exhaustive or exclusive list, of the types of unsatisfactory job performance that may lead to the termination of an individual's employment with the Town:

- (1) Inefficiency or incompetence or negligence in performing duties;
- (2) Poor manner of work performance;
- (3) Failure to produce work of acceptable quality, quantity or accuracy;

- (4) Physical or mental incapability for performing duties after reasonable accommodation;
- (5) Careless, negligent or improper use of Town property;
- (6) Failure to maintain satisfactory and harmonious working relationships with fellow employees and the public;
- (7) Habitual pattern of failure to report for duty at the assigned time and place;
- (8) Absence without approved leave;
- (9) Improper use of sick or other leave privileges;
- (10) Failure to complete work within time frames established;
- (11) Repeated or serious incident of unsafe behavior at work;
- (12) Failure to obtain or maintain current license or certificate required as a condition of the job;
- (13) Failure to wear or use appropriate safety equipment or otherwise to abide by safety rules;
- (14) A rating below expectations overall or on a principal function for at least two consecutive performance reviews (may be mid-year reviews) spanning at least six months with no improvement.

(B) Improper Personal Conduct

An employee who engages in a single act of improper personal conduct is subject to dismissal from employment with the Town of Waynesville regardless of whether the employee has previously received a warning of any kind during his/her career with the Town.

The following list is illustrative, and is not an exhaustive or exclusive list, of the types of improper personal conduct that will lead to the termination of an individual's employment with the Town:

- (1) Conduct unbecoming a Town employee;
- (2) Fraud, theft or other illegal activities;
- (3) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- (4) Willful misuse or gross negligence in the handling of Town funds or missing Town funds;
- (5) Personal use of Town equipment or supplies;

- (6) Falsifying records for personal profit, to grant special privileges or to obtain employment;
- (7) Engaging in any action that would in any way seriously disrupt or disturb the normal operations of the Town;
- (8) Willful acts that would endanger the lives or property of others;
- (9) Willfully damaging Town property;
- (10) Possessing unauthorized weapons, alcoholic beverages, or illegal substances while on the job;
- (11) Violence or other aggressive, threatening, intimidating, bullying or disruptive behaviors whether by means of communication devices or by means of physical visits to the grounds or home of the targeted individual, for the purpose of harassing an individual;
- (12) Insubordination;
- (13) Accepting gifts for “favors” or “influence;
- (14) Without proper authorization, disseminating or otherwise releasing in any manner information that is lawfully maintained by the Town as confidential information;
- (15) Professional misconduct;
- (16) Leaving the work area repeatedly for excessively long periods without proper authorization;
- (17) Willful violations of Federal/State law or regulations or Town policies;
- (18) Violation of the Town’s policies prohibiting sexual harassment, unlawful discrimination, retaliation, workplace violence, and/or substance abuse;
- (19) Providing or maintaining false or improper records/documents;
- (20) Sleeping during work time;
- (21) Gambling during work time; and
- (22) Providing an untruthful statement or statements during an administrative investigation conducted by the Town and/or otherwise attempting to impede the ability of the Town to conduct an accurate and complete administrative

investigation.

Nothing in this policy is intended to, nor should be construed to limit or interfere with employee rights as set forth under all applicable provisions of the [National Labor Relations Act](#), including Section 7 and 8(a)(1) rights to organize and engage in protected, concerted activities regarding the terms and conditions of employment.

ARTICLE IX. GRIEVANCE PROCEDURE

Section 1. Policy

The Town is committed to providing employees an effective and responsive grievance process. The purpose of this article is to outline the procedure and to assure all employees that a response to their grievances will be prompt and fair. Employees utilizing the grievance procedure shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from Town service. The Human Resources Director is available to assist at all levels of the Grievance Procedure.

Section 2. Grievance Defined

A grievance is a claim or complaint by a current or a former employee based upon an event or condition within the control of the Town. **The event or condition must adversely affect the circumstances under which an employee works.** The event or condition creating the adverse affect is caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. An employee filing a grievance must be adversely affected by the condition or event being grieved and must clearly communicate how the condition is impacting said employee's work with the Town.

Disciplinary demotions or employment terminations do not fall under the Grievance Procedure. Refer to Article VIII. Disciplinary Actions; Section 4. Rights of Appeal of this Personnel Policy for information on appealing disciplinary demotions and termination of employment.

Section 3. Purposes of the Grievance Procedure

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their grievance can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work that affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures that affect employees;
- 4) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures; and

- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.
- 6) Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- 7) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the Town or its leaders, thus freeing up employee motivation, productivity, and creativity.

Section 4. Procedure

When an employee has a grievance, the following successive steps are to be taken unless otherwise provided. The number of business days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved.

Informal Resolution. Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. This is to ensure that the supervisor knows about and has had the opportunity to consider and investigate the problem and to resolve the problem informally before the formal grievance process is initiated. Either the employee or the supervisor may involve the respective Department Head and/or the Human Resources Director as a resource to help resolve the grievance.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the Department Head in writing. **The grievance must be presented within fifteen (15) business days of the event or within fifteen (15) business days of learning of the event or condition.** The grievance should contain the following: the decision, action, or policy the employee does not agree with, on what basis the action is wrong or unfair, and the proposed resolution the employee is seeking.

The Department Head shall submit a written response to the employee within fifteen (15) business days after receipt of the grievance. The Department Head should, and is encouraged to, consult with any employee of the Town in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the Department Head is required to cooperate to the fullest extent possible.

The response from the Department Head for each step in the formal grievance process shall be in writing and signed. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

In cases involving discrimination or harassment, which may involve the immediate supervisor or Department Director, the employee may file the grievance with the Human

Resources Director directly. In cases involving misconduct of the Town Manager, the employee may file the grievance with the Town Council through the Human Resources Director.

Step 2. If the grievance is not resolved to the satisfaction of the employee by the Department Head, the employee may appeal, in writing, to the Town Manager within seven (7) business days after receipt of the response from Step 1. The grievance should state why the employee disagrees with the Department Head's decision in Step 1, as well as offer a suggested resolution to the problem. The Town Manager shall respond to the appeal in writing, stating the determination of decision within fifteen (15) business days after receipt of the appeal. The Town Manager's decision shall be the final decision. The Town Manager will notify the Town Council of any impending legal action.

While all parties are entitled to seek legal advice, attorneys may not be present at administrative or investigative meetings related to the grievance without the consent of all parties. Filing a lawsuit or seeking any other administrative remedy against the Town while you have a grievance on the same issue will end your appeals under the Town's grievance procedure.

Section 5. Role of the Human Resources Director

Throughout the grievance procedure, the role of the Human Resources Director shall be as follows:

- 1) To advise parties (including employee, supervisors, and Town Manager) of their rights and responsibilities under this policy, including interpreting the grievance and other policies for consistency of application;
- 2) To be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents.
- 3) To give notices to parties concerning timetables of the process, etc.;
- 4) To assist employees and supervisors in drafting statements; and
- 5) To facilitate the resolution of conflicts in the procedures or of the grievance at any step in the process; and
- 6) To help locate resources as needed.

The Human Resources Director shall also determine whether or not additional time shall be allowed to either side in unusual circumstances if the parties cannot agree upon extensions when needed or indicated.

The Human Resources department maintains an Open-Door-Policy to assist all employees with grievances or complaints.

ARTICLE X. TIME OFF AND LEAVES OF ABSENCE

Section 1. Policy

The policy of the Town is to provide vacation leave, sick leave, and holiday leave to all regular full-time employees. Employees shall accrue leave proportionately with each payroll. An employee must be in “pay status” for a minimum of 50% of the pay period in order to accrue leave.

Section 2. Holidays

The Town follows the North Carolina State Holiday schedule. If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, the Town will select either the following Monday or the preceding Friday as a substitute holiday. The Town reserves the right to pay eligible employees in lieu of time off if the holiday falls on Saturday.

The Town observes and allows full-time employees time off with pay for the following holidays:

- New Year’s Day
- Martin Luther King Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Workday directly before or after Christmas (depending on day of the week for Christmas)
- Christmas

Holiday Pay

Full-time regular employees are eligible for holiday pay. Part-time and temporary employees, including summer employees, are not eligible for holiday pay.

Holiday pay shall be at the employee's regular straight-time rate, inclusive of shift premiums, times his regularly scheduled hours (not to exceed 8 hours).

A holiday shall be considered as 8 hours worked for the purpose of computing overtime; with the exception of police and fire employees whose holiday pay is based on their shift hours.

To receive holiday pay, an employee must be at work or taking an approved absence on the workdays immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid vacation or paid sick leave. If an employee is absent on one or both of these days because of an illness or injury, the Town may require verification of the reason for the absence before approving holiday pay.

Section 3. Religious Observances

The Town will reasonably accommodate absences from work for employees to participate in religious observances and practices to the extent the absence does not create an undue hardship.

Absences for Religious Purposes

In addition to regular Town of Waynesville holidays, an employee may take time off to observe a special or religious holiday, provided that work schedules can be accommodated without undue hardship to business operations.

This policy applies to all Town of Waynesville employees.

Procedures

Reasonable accommodations to religious observances and practices should be arranged with the employee's supervisor, who is encouraged to accommodate the employee's request to the extent that it is practicable. Employees are responsible for giving supervisors at least a two-week notice of the proposed absence.

Employees may request this time as either paid vacation or time off without pay or have the option to make up equivalent time by arrangement with their supervisor.

If a supervisor is unable to grant the employee the time off requested, the supervisor should discuss the employee's request with human resources prior to denying the request. If both the supervisor and the human resources representative agree that the time off would create an undue hardship, the request will be denied and alternative arrangements will be discussed with the employee.

Section 4. Vacation

The Town of Waynesville recognizes the importance of employees' having the opportunity to have leisure time and attend to nonwork matters. Therefore, the Town will attempt to grant all full-time, non-probationary employees vacation leave at the time they desire to take it. However, the Town must maintain adequate staffing at all times. Therefore, vacations must be scheduled in advance and with prior written approval of the employee's supervisor.

Eligibility

All regular, full-time, non-probationary employees are eligible for vacation accrual on the following basis:

Procedures

Accrual

Vacation is earned by the eligible employee in the following hourly, or fraction thereof, amounts:

- At a rate of 9.20 hours per month from the date of hire to their fifth-year anniversary (equivalent to approximately 112 hours or 14 days per anniversary year).
- At a rate of 11.20 hours per month, from their fifth-year anniversary to their 10th anniversary (equivalent to approximately 136 hours or 17 days per anniversary year).
- At a rate of 13.20 hours per month, from their 10th-year anniversary to their 15th anniversary (equivalent to approximately 160 hours or 20 days per anniversary year).
- At a rate of 15.20 hours per month, from their 15th-year anniversary to their 20th anniversary (equivalent to approximately 184 hours or 23 days per anniversary year).
- At a rate of 17.20 hours per month, from their 20th anniversary (equivalent to 208 hours or 26 days per anniversary year).

Probationary employees will accrue vacation leave but are not entitled to take such leave until completion of the probationary period.

Credit for Service

Newly hired employees will receive credit for years of service in calculating vacation for total years served in any unit of government which participates in NCLGERS, or any other unit of Local Government, including out of state Local Governments, as long as a letter from the previous employer is provided to verify the time contributed in the local government service. For example: if an individual has served for 10 years with another unit and transfers to Waynesville, they would accrue vacation based on their 10 years of service, rather than that of an employee with no NCLGERS service (i.e. 13.20 hours per month rather than 9.20). An individual who has a break in service longer than six (6) months is ineligible to accrue at a rate different from a newly hired employee.

Current employees may request a service audit to ensure that they are accruing vacation at a rate that honors their total years served in any unit of government which participates in NCLGERS, or any other unit of Local Government, including out of state Local Governments. The break in service rule shall still apply to current employees who request a service audit. If the service audit indicates that the current employee is eligible to accrue vacation at a higher rate, the new rate shall not be retroactive but will be put in place at the beginning of the next applicable pay period.

With the approval of the town council, the Town Manager can authorize a higher-than-vacation accrual when necessary to attract an applicant to a critical position during a tight labor market. Such accrual shall not exceed 26 days per year.

Advance

An employee that has at least one (1) year of service may request for an advancement in vacation leave to a maximum of 40 hours with the approval of the Town Manager. Approval or denial is at the Town Manager's discretion.

Vacation scheduling conflicts

When conflicts develop, they will be resolved fairly, but as deemed appropriate by management. All other factors being equal, preference will generally be given to the employee who makes the earliest request, but other legitimate factors may be considered, including seniority and the amount of vacation time already taken by the employees involved.

Minimum vacation time increments

Employees must take vacation time in increments of at least four hours. It is each supervisor's responsibility to monitor such absences and to ensure that they do not become excessive in relation to the hours worked by the employee.

Notice of absence and appropriate use

Generally, requests for vacation days must be submitted to the department head in writing at least one week in advance. Employees may have the right in certain circumstances to make leave requests under the Family and Medical Leave Act (FMLA) or other laws on shorter notice. If the employee is requesting vacation leave for family or medical purpose, the employee should make sure that this purpose is made clear to management. The supervisor must approve any exceptions to this provision or any conflicts in scheduling. A department may impose additional guidelines as necessary to ensure efficiency and adequate staffing levels.

An employee will not be permitted to work for the Town at the same time he is on vacation leave. Under no circumstances will an employee be paid for accumulated or unused vacation leave while still in the employment of the Town.

Unused vacation time

Vacation leave may accumulate to a maximum of thirty (30) days. When the maximum has been accumulated, all additional leave over thirty (30) days must be taken by December 31st. On January 1st the accumulated leave balance will be reduced back to the thirty (30) day maximum.

Vacation days reduced in excess of 30 days on January 1, will be transferred to the employee's accrued sick leave benefits. Time taken off by employees using approved leave with pay, or receiving workers compensation benefits, will be counted as time worked for the purpose of earning vacation leave.

Employees are cautioned not to retain excess accumulation of vacation until late in the calendar year; due to the necessity of keeping all town functions in operation, large numbers of employees cannot be granted vacation at any one time. If any employee has excess leave accumulation during the latter part of the calendar year and is unable to take such leave because of staffing demands, the employee will not receive special consideration, either in having vacation scheduled or in receiving any exception to the maximum accumulation.

Termination of employment

Upon termination of employment with the Town for whatever reason, an employee must have worked through the last day of the month of termination to earn vacation leave for that month. At the time of an employee's separation, any advanced vacation leave owed the Town will be deducted from the employee's final compensation. Upon submission of a resignation and the return of all Town owned property, an employee will be eligible to be paid for vacation leave accumulated to the date of separation, not to exceed the maximum thirty (30) days or 240 hours.

Pay in lieu of vacation

The Town will not pay employees for unused vacation except upon termination of employment.

Death of employee

The estate of an employee who dies while employed by the Town will be entitled to payment of all of the accumulated vacation leave credited to the employee's account, not to exceed thirty (30) days or 240 hours.

Shared leave

Vacation time can be transferred to fellow employees under certain conditions, after the receiving employee has exhausted all their accrued vacation time and sick leave, on a voluntary basis, when a deserving employee is threatened with loss of income due to extended illness or a family crisis. Transfer of time will require approval by the employee's supervisor and must be reviewed by the Town Manager and Human Resource office. No employee may transfer more than one-half of their time to a deserving employee, and the employee who is donating time may only donate accrued leave in excess of 40 hours of accrued vacation time. No employee shall donate accrued vacation time unless they have over 40 hours of accrued leave and the donation shall not deplete the giving employee's vacation balance to less than 40 hours. Time transferred/donated will be converted from the donating employee's dollar value to the receiving employee's dollar value in hours. This is a voluntary program in which no employee will coerce any employee to donate vacation time. Confidentiality between donor and recipient will be maintained.

Section 5. Sick Leave

The Town of Waynesville recognizes that employees will occasionally need time off from work to recover from an illness, to address their medical needs or to address the medical needs of a family member.

Policy

Sick leave with pay is a privilege granted by the Town for the benefit of an employee when sick or when tending to an immediate family member who is sick. "Immediate family member" will be defined as a spouse, parent, child, stepparent, brother, sister, grandparent, grandchild, daughter-in-law, son-in-law, mother-in-law, or father-in-law of the employee or legal guardian. As well as various combinations of half-brothers/sisters and legally adopted relationships that

can be derived from the family members named herein. Sick leave is also available when an employee has been exposed to a contagious disease and continuing to work could jeopardize the health of others.

Temporary/part-time employees are not entitled to earn sick leave. Temporary employees must take leave without pay for days missed due to sickness.

Time taken off by employees using approved leave, or time off under workers compensation, will be counted as time worked for the purpose of sick leave accumulation.

Accrual

For this purpose, each regular and probationary full-time employee will earn sick leave at the rate of eight (8) hours per month. Employees hired on or before the 15th of the month earn one-half day of sick leave for that month and those hired after the 15th of the month begin earning sick leave on the first of the following month. Permanent part-time employees will accrue sick leave benefits on a pro-rated schedule, based on hours worked.

There is no maximum accumulation for sick leave. Unused sick leave may be applied toward retirement credit, at the rate of one month of credit for every twenty (20) days of unused sick leave, under the rules of the North Carolina Local Governmental Employees Retirement System (NCLGERS).

Credit for Service

Newly hired employees who are transferring from another unit of local or state government may transfer Unused Sick Leave if their former unit participated in the NCLGERS and proper documentation is provided from the previous employer.

Use and Reporting

Sick leave must be charged as used. All employees will be eligible to use sick leave as soon as it is earned. Employees are required to notify their supervisors as soon as possible, but no later than 1/2 hour before the beginning of their regular workday, if they are unable to report to work due to illness.

Physician's Certification

The Town reserves the right to require documentation from a health care professional to verify the need for sick leave and/or authorizing the employee to return to work. The employee may be required to submit to such medical examination or inquiry as the department director deems desirable. The department director shall be responsible for the application of this provision to the end that:

- A. Employees shall not be on duty when they might endanger their health or the health of other employees; and
- B. There will be no abuse of leave privileges. Claiming sick leave under false pretense to obtain a day off with salary shall subject the employee to disciplinary action.

For all absences due to illness extending beyond three (3) days, a physician's certificate providing proof the employee was unable to work due to illness or injury is required before returning to work. A physician's certification regarding an employee's ability to return to work after an illness or injury may also be required. The Human Resources office and/or department head has the authority to request the certification. The Town Manager, at his discretion, may require a doctor's statement for any sick leave taken. Failure of an employee to provide requested proof will constitute a reason for nonpayment of the days taken. Such action may also be construed as grounds for further disciplinary action.

Termination of employment

All sick leave accumulated by an employee will end and terminate without compensation when the employee resigns or is separated from the Town, except as stated for employees retiring or terminated due to reduction in force.

Shared leave

Sick leave benefits may be transferred to fellow employees under certain conditions on a voluntary basis, when a deserving employee is threatened with loss of income due to extended illness or family crisis. Transfer of time will require approval by the employee's supervisor and must be reviewed by the Town Manager and Human Resource office. No employee may transfer more than one-half of their time to a deserving employee, and the employee who is donating time may only donate accrued leave in excess of 40 hours of accrued sick time. No employee shall donate accrued sick time unless they have over 40 hours of accrued leave and the donation shall not deplete the giving employee's sick leave balance to less than 40 hours

Time transferred/donated will be converted from the donating employee's dollar value to the receiving employee's value in hours. This is a voluntary program in which no employee will coerce any employee to donate sick leave time. Confidentiality between donor and recipient will be maintained.

Sick leave balances will roll over from year to year. Sick leave will not be paid out to the employee upon termination.

Section 6. Family and Medical Leave Act (FMLA) Policy

The Town of Waynesville complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of unpaid leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave).

The purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If you have any questions, concerns or disputes with this policy, please contact the Human Resources Director.

Eligibility

To be eligible for leave under this policy, employees must meet all of the following requirements:

- Have worked at least twelve (12) months for The Town of Waynesville.
- Have worked at least 1,250 hours for The Town of Waynesville over the twelve (12) months preceding the date the leave would commence.
- Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Reasons for Leave

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:

- The birth of a child or placement of a child with the employee for adoption or foster care.
- To care for a spouse, child, or parent who has a serious health condition.
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.
- For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or on call to covered active duty status.
- To care for a covered service member with a serious injury or illness.

Amount of Leave

An eligible employee can take up to 12 weeks of unpaid FMLA leave during any 12-month period. The Town will measure the 12-month period based on the calendar year. Each time an employee takes leave, the Town will compute the amount of leave the employee has taken under this policy since the beginning of the current calendar year, and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the Town will measure the 12-month period based on the calendar year. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

Eligible spouses who both work for the Town may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member).

Intermittent Leave or a Reduced Work Schedule Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

The Town may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption, or foster care of a child, the Town and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the Town's operations.

Employee Notice Requirement All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department head or HR department.

When the need for the leave is foreseeable, the employee must provide the Town with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Town's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, the HR department will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

Designation of FMLA Leave

Within five business days after the employee has submitted the required certification or other documentation, the HR department will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.

Employee Status and Benefits During Leave

The Town of Waynesville will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment of the health and dental insurance premiums, either in person or by mail. The

payment must be received in the Finance department by the 15th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. Information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the individual's home address. The Town will provide 15 days' notification prior to the employee's loss of coverage.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the Town will require the employee to reimburse the company the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the Town will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the Town may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the Town will discontinue coverage during the leave. If the Town maintains coverage, the Town may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the Town's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The Town may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use all paid vacation, personal or sick leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation, personal leave or sick leave (as long as

the reason for the absence is covered by the Town's sick leave policy) prior to being eligible for unpaid leave.

An employee granted unpaid leave without pay while on FMLA leave may be carried on the Town's books in a non-pay status. Benefit costs will be pro-rated for unpaid leave in any pay period to ensure this policy is applied consistently. An employee on unpaid leave, having exhausted accumulated sick and vacation leave will not accrue leave benefits, nor will they be entitled to paid holidays. That employee will however be eligible for cost of living adjustments and merit increments and be eligible to continue to receive the benefits under the Town's group insurance policies by paying the pro-rated employee portions.

Intent to Return to Work from FMLA Leave

On a basis that does not discriminate against employees on FMLA leave, the Town may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Definitions

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term or permanent periods of incapacity.

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state.

Child means a biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents "in law."

Qualifying exigency includes short-notice deployment, military events and activities, child care and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

Covered active duty for members of a regular component of the Armed Forces, means duty during deployment of the member with the Armed Forces to a foreign country. For a member of the Reserve components of the Armed Forces, means duty during the deployment of the member with the Armed Forces to a foreign country under a federal call or order to active duty in support of a contingency operation, in accordance with 29 CR 825.102.

The next of kin of a covered service member is the nearest blood relative, other than the covered service member's spouse, parent or child in the following order of priority: blood relatives who

have been granted legal custody of the service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

Covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status or on the temporary disability retired list for a serious injury or illness.

Serious injury or illness is one that is incurred by a service member in the line of duty on active duty that may cause the service member to be medically unfit to perform the duties of his or her office, grade, rank or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

Section 7. Bereavement Leave for Immediate Family and Others

Objective

The Bereavement Leave Policy establishes uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members and fellow employees or retirees of The Town of Waynesville.

Eligibility

All full-time, active employees are eligible for benefits under this policy.

Procedures

An employee who wishes to take time off due to the death of an immediate family member should notify his or her supervisor as soon as possible. If employee leaves work early on the day he or she is notified of the death, that day will not count as bereavement leave.

In addition to bereavement leave, an employee may, with his or her supervisor's approval, use any available vacation or sick leave for additional approved time off as necessary. Employees under discipline for attendance issues may be required to provide documentation with regard to their bereavement leave.

Bereavement pay is calculated based on the base pay rate at the time of absence, and it will not include any special forms of compensation, such as incentives, commissions, bonuses, overtime or shift differentials.

Paid bereavement leave will be granted according to the following schedule:

- Employees are allowed up to five days off from regularly scheduled duty with regular pay in the event of the death of the employee's spouse, domestic partner, child, stepchild, parent, stepparent, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepbrother, stepsister, grandparent, grandchild, spouse's grandparent, or an adult who stood in loco parentis to the employee during childhood. Bereavement leave granted must be used within 6 months of the death of the loved one, unless express written is provided by the Town Manager.

- Employees are allowed one day off from regular scheduled duty with regular pay in the event of death of the employee's brother-in-law, sister-in-law, aunt, uncle, niece, or nephew.
- Employees are allowed up to four hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the company, provided such absence from duty will not interfere with normal operations of the Town.

- **Section 8. Lactation/Breastfeeding Breaks Policy**

Objective

As part of our family-friendly policies and benefits, and PUMP Act compliance, The Town of Waynesville supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday.

Accommodation for Lactating Employees

For up to one year after the child's birth, any employee who is breastfeeding will be provided with reasonable break times to express breast milk. The Town of Waynesville has designated private areas as necessary.

Employees must reserve the room by contacting their supervisor.

A small refrigerator reserved for the specific storage of breast milk will be made available after an employee request is made by contacting their supervisor. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering.

Breaks of more than 20 minutes in length will be unpaid and recorded on timesheets where appropriate.

- **Section 9. Reasonable Accommodations for Pregnant Workers Policy**

Purpose

As required by the federal Pregnant Workers Fairness Act (PWFA), The Town of Waynesville will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation causes undue hardship to The Town of Waynesville's operations.

Policy

An employee or applicant may request accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to human resources (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable.

Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, HR will contact the employee or applicant to discuss the request and determine if accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, The Town of Waynesville will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The Town of Waynesville prohibits any retaliation, harassment or adverse action due to an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

- **Section 10. Unpaid Leave**

Policy

To ensure public accountability, the town normally does not pay employees for scheduled hours not worked when there is no leave time accrued or available which is appropriate to cover the absence. Leave without pay for employees who are exempt from the overtime provisions of the fair labor standards act will only be used in a manner which preserves the employee's exempt status. A regular employee may be granted a leave of absence without salary at the discretion of the town manager. The leave may be used for the reasons of:

- a. Personal disability after both sick leave and the desired amount of vacation has been exhausted;

b. Continuation of education or special work that will permit the town to benefit by the experience gained or the work performed; or

c. For other reasons deemed justified by the town manager.

Unpaid leave is granted to all employees who qualify for FMLA leave and have exhausted all forms of accrued leave, including sick leave, vacation, and donated leave.

Provisions

- Individuals employed by the Town for a minimum of 6 months are eligible to apply for an unpaid personal leave of absence.
- Unpaid personal leave may only be requested after all other appropriate leave balances have been exhausted.
- The Town will attempt to hold an employee's position open for the period of unpaid personal leave, if such leave is 2 weeks or less. If leave is greater than 2 weeks, the employee, if qualified, will be entitled to the first reemployment opportunity available over the next 60 days.
- Employee health benefits will continue in the same manner as received prior to the leave, if the leave is for 2 weeks or less, and the employee will be expected to remit payment for the employee's portion of the prorated health and dental insurance premium prior to departing for unpaid personal leave, and in an amount equivalent to the expected period of absence. If an employee requests leave which will extend beyond the 2-week period or fails to remit payment for the employee's portion of the prorated health and dental insurance premium, the employee will be advised of COBRA continuation rights.
- Unpaid personal leave requests are limited to one per year.
- Accepting employment elsewhere is not a qualified reason for unpaid leave under this policy and may result in termination of employment at the Town.
- An employee granted unpaid leave without pay may be carried on the Town's books in a non-pay status. Benefits will be pro-rated for employees using unpaid leave in any pay period to ensure this policy is applied consistently. An employee on unpaid leave, having exhausted accumulated sick and vacation leave will not accrue leave benefits, nor will they be entitled to paid holidays. That employee will however be eligible for cost of living adjustments and merit increments and be eligible to continue to receive the benefits under the Town's group insurance policies by paying the prorated employee portions.

Procedure for applying for unpaid personal leave

Requests for unpaid personal leave, outside of the provisions for FMLA entitlement, must be made in writing to the Town Manager using the standard Leave Request form.

All unpaid personal leaves must be approved by the Town Manager and recorded with the Human Resources Director.

Procedure for returning from unpaid personal leave

An employee who has been granted an unpaid personal leave of absence shall give the Department Head and Human Resources Director reasonable notification of the intent to return to work at least two weeks prior to the return date.

Upon receiving notification of the employee's availability, the supervisor or Department Head will arrange to have the employee reinstated to the employee's previous position, if available.

If the previous position is no longer available, the employee may be considered for other open positions which the employee is qualified for as they become available.

If no position exists, the employee will remain on unpaid leave status until a suitable opening develops. If such an opening does not occur within a 60-day period, any obligation to reinstate the employee is discontinued and the employee's leave status is changed to a voluntary termination. Information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the individual's home address. Future reemployment would be as a rehire with only legally required reinstatement of applicable benefits.

Section 11. Jury Duty/Court Appearance

Policy

The Town supports employees in their civic duty to serve on a jury. Employees must present any summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence. Nonexempt employees will be paid for up to 2 weeks of jury duty service at their regular rate. Exempt employees are subject to the same 2-week limitation except that they will also receive pay for any days they serve as a juror or witness in a workweek in which they actually perform work. All employees may use any accrued time off if required to serve more than 2 weeks on a jury. If an employee is released from jury duty after 4 hours or less of service, he or she must report to work for the remainder of that workday.

Time for appearance in court for personal business will be the individual employee's responsibility. Vacation hours will be used for this purpose.

Section 12. Time off for Voting

Policy

Town of Waynesville recognizes that voting is a right and privilege of being a citizen of the United States and encourages employees to exercise their right to vote. In almost all cases, you will have sufficient time outside working hours to vote. If for any reason you think this won't be the case, contact your supervisor to discuss scheduling accommodations.

ARTICLE XI. EMPLOYEE BENEFITS

Section 1. Eligibility

The Town of Waynesville recognizes the value of benefits to employees and their families. The Town supports employees by offering a comprehensive and competitive benefits program. For more information regarding benefit programs, please refer to the Employee Benefit Guide, or contact the Human Resources department. All regular full-time Town employees are eligible for employee benefits, subject to any waiting period.

As an integral part of a comprehensive, competitive compensation program, the Town offers a variety of benefits. Specific benefit programs will vary from time to time and the type, level, eligibility, and cost of such programs are subject to change at any time at the sole discretion of the Town. To that end, the Town will periodically review each employee benefit and may, with or without notification, modify, delete or add benefits at its own discretion as may be deemed to be appropriate and necessary. The Town reserves the right to re-evaluate healthcare benefits and to make changes in coverage and rates at its discretion without prior notice to employees.

Section 2. Group Health Insurance for Active Employees

Medical coverage will be made available to all regular full-time employees and their eligible dependents. Medical coverage is generally provided at no cost for the employee, although employees may be charged a premium for coverage of certain lifestyle risks, or voluntary participation in certain health-related programs and activities. In cases of unpaid leaves of absence, including FMLA related unpaid leaves of absence, the employee will be eligible to continue to receive the benefits under the Town's group insurance policies by paying the employee portions.

Dependent coverage is provided at a cost to employees. Employees with working spouses whose employers offer group health coverage must elect medical coverage through their spouse's employer and are therefore ineligible to participate in the Town's health plan. Non-working spouses can be covered as eligible dependents and are subject to the Town's fee structure plan for dependents.

Medical coverage will be effective on the first day of the month, following thirty (30) days of consecutive employment. The Town will comply with all federal, state or other regulations including but not limited to the [Health Insurance Portability and Accountability Act of 1996](#), (HIPAA) regarding protected health information and other requirements and the [Affordable Care Act \(ACA\) of 2014](#).

Under the [Federal Consolidated Omnibus Budget and Reconciliation Act](#), or COBRA, employees are eligible to continue health insurance at group rates for up to 18 months after employment. The employee must pay 100% of the Town's cost of both individual and dependent health insurance as well as any administrative fee charged by the plan administrator.

Section 3. Group Life Insurance for Active Employees

The Town will provide fully paid life insurance for full-time regular employees. Coverage amounts will be equal to one (1) times the annual salary of the employee with a minimum of

\$25,000 and a maximum of \$100,000. Coverage will be effective on the first day of the month following 30 (thirty) days of continuous employment. Dependent coverage is optional at the employee's cost.

Section 4. Group Dental Insurance for Active Employees

Dental coverage will be made available to all regular full-time employees and their eligible dependents. Dental coverage for all employees will become effective on the first day of the month following 30 (thirty) days of continuous employment. Coverage for eligible employees is paid by the Town, dependent coverage is provided at the group rate.

Section 5. 401K Plan

Town of Waynesville recognizes the importance of saving for retirement and offers eligible employees a 401(k) plan. Employer will contribute 5% of gross earnings into the Town sponsored 401(k) account for all eligible full-time employees effective from first day of employment. Employees may also contribute to the 401(k) account from date of hire.

Section 6. Retirement

All regular, full-time positions that are budgeted as permanent positions for a minimum of 1,000 hours per year are required to enroll in the North Carolina Local Governmental Employees Retirement System. The Town contributes to this tax-sheltered plan in addition to the six (6%) percent payroll deduction from employees. The Town will pay the employer's portion and deduct the employee's portion from their paycheck each pay period.

Specific information on the retirement plan is available during employee onboarding. Additional information may also be obtained from the Human Resource office.

The North Carolina Local Governmental Employees Retirement System has online resources available by visiting the North Carolina Local Governmental Employees Retirement System - <https://orbit.myncretirement.com/> or other information available to all Town employees from the Human Resources office.

Section 7. Group Health Insurance for Retired Employees

Retirees must meet the NC Local Governmental Employees Retirement System or the NC Law Enforcement Officers Retirement System's eligibility guidelines for retirement. The following benefits are available to employees who were hired before April 1, 2025.

1) A Retiree who has achieved at least ten (10) or more consecutive years of service with the Town, not including any accumulated sick or vacation time, and has reached 55 years of age, will receive health insurance coverage, at no cost to the retiree, until the retiree reaches Medicare eligibility through age or disability.

2) A Retiree of any age, who has achieved thirty (30) or more years of creditable service under the N. C. Local Governmental Employees Retirement System or the N.C. Law Enforcement Officers Retirement system, with at least half of that time (15 or more years) having been in active service with the Town of Waynesville, will receive health insurance coverage, at no cost

to the retiree, from the date of separation from the Town of Waynesville, regardless of age at the time of separation, until the retiree becomes Medicare eligible through age or disability.

The Town reserves the right to change benefits at its discretion without prior notice to retirees.

Section 8. Group Health Insurance for Retiree Dependents

Retirees who were hired before January 1, 2025 may obtain coverage for eligible dependents from the Town by paying the full premium for dependents as established by the insurance carrier. Employees who retire under conditions set forth in Subsection 1 or 2 above, may purchase coverage for their spouse, at their own expense, until the retiree's coverage terminates, then spouse would be eligible for medical coverage based on COBRA guidelines.

The coverage option in place on the day immediately prior to retirement is the coverage that is available to continue unless there is a qualifying event, or a change is made during the annual open enrollment period.

When the retiree reaches the age of 65 and the Town's regular health insurance coverage terminates. The spouse/dependents would be eligible for medical coverage based on COBRA guidelines.

Section 9. Group Dental Insurance for Retirees

Dental benefits are not available to retirees as a paid benefit; however, dental benefits may be purchased by retirees at a rate for group coverage. Dependents may retain dental continue coverage as outlined for group health coverage for retirees above and will be billed via a third party.

Section 10. Workers' Compensation

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment. Town of Waynesville pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

The Town abides by all applicable state workers' compensation laws and regulations. If an employee sustains a job-related injury or illness, it is important to notify the supervisor and Human Resources immediately. The supervisor will complete an injury report with input from the employee and return the form to the Human Resources department. Human Resources will file the claim with the insurance for the Town. In cases of true medical emergencies, report to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid vacation or sick leave for approved absences covered by the Town's workers' compensation program, except to supplement the workers' compensation benefits such as when the plan only covers a portion of the employee's salary as allowed by state law.

Section 11. Unemployment Compensation

In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance. Town employees who are terminated due to a reduction in force or released from Town service may apply for benefits through the local Division of Employment Security office, where a determination of eligibility will be made.

Section 12. Wellness Benefits

The mission of the Town's wellness program is to promote well-being for all its employees through education and initiatives that support healthy lifestyle choices both professionally and personally and to empower and encourage employees to take responsibility for their own well-being through healthy lifestyle choices. The program rewards employees quarterly when you turn in a passport booklet. Employees could potentially receive up to \$300 a year by living a healthy lifestyle.

Section 13. Employee Assistance Network

Employee Assistance Network is a program paid for by the Town for employees and immediate members of the household. This is completely confidential and already pre-paid for everyone for up to four visits. You and your immediate family members have access to a counselor through the EAN who will listen, understand, and help develop a plan to move forward. Additional costs are the responsibility of the employee but will usually be covered by health insurance.

Section 14. Law Enforcement Separation Allowance (LEOSA): Supplemental Retirement Income Plan

The Town will provide a special separation allowance to qualified officers who retire early and meet all of the following qualifications:

- 1) The officer must have completed 30 years or more of creditable service or have attained 55 years of age and have completed 5 or more years of creditable service;
- 2) The officer must not yet be age 62; and
- 3) The officer must have completed at least 5 years of continuous service as a law enforcement officer immediately before service retirement.

Payment of the separation allowance will cease if the officer

- 1) reaches age 62;
- 2) dies; or
- 3) is re-employed in any capacity by the State of North Carolina or any of its political subdivisions.

All law enforcement officers automatically become members of the State Supplemental Retirement Income Plan on the date of hire

ARTICLE XII. TRAVEL

Section 1. Purpose

It is the policy of the Town of Waynesville to authorize employees, elected officials, and appointed officials to conduct town business and to establish procedures for reimbursement of the costs associated with travel. Employees, elected officials, and appointed officials are encouraged to attend trainings, conferences, and meetings of professional associations.

Section 2. Applicability

1. All employees that are required to be away from the town in order to engage in an environment pursuant and relevant to their current position or their next level position.
2. All elected officials that are required to be away from the town in order to engage in an environment pursuant and relevant to their current position or their next level position.
3. All appointed officials that are required to be away from the town in order to engage in an environment pursuant and relevant to their current position or their next level position.

Section 3. General Policy

Training shall be defined as those conferences or sessions that provide certification or a learning environment for employees, elected officials, and appointed officials pursuant and relevant to their current town position or their next level position.

It shall be the general policy of the town to allow employees and officials to travel to training sessions, seminars, and meetings of professional associations under the guidelines specified in this policy. Service by Council members in an official capacity as representatives of the town on State or regional committees and boards is encouraged, and their travel expenses will be reimbursed.

All travel and reimbursement are contingent upon the availability of funds in the proper budget account and no travel or reimbursement will be permitted without the employee completing a Travel Approval Form and a Per Diem and Expense Form.

Abuse of this policy is subject to disciplinary action up to and including termination.

Section 4. Employee and Town Official Responsibility

An employee or official on town business is expected to exercise the same care in incurring expenses that a sensible person would exercise if traveling on personal business and spending personal funds. Training should always be scheduled at the closest location. The following conduct is discouraged and may result in the denial of travel authorization and reimbursement in the future:

- Excess costs
- Routes longer than the most direct way of travel

- Luxury Accommodations*

*Luxury accommodations would include beach houses, ocean view or other upgraded view rooms, suites, 2 bedroom or larger vacation rentals (Airbnb/VRBO -unless approved for multiple employees staying together or extended stays). Rooms listed as the conference-rate rooms would not be considered luxury. Suggested alternatives to the conference rate rooms offered are not considered conference rate rooms.

Section 5. Approval Authority

The responsibility for keeping within the travel budget of each activity lies with the approving authority. The authorization of all travel is as follows:

1. The Department Head shall authorize travel and training by employees within their department.

Section 6. Procedure

General Procedure

1. Requests for travel approval must be submitted to the authorizing party in advance of booking travel. The authorizing party will review the form to ensure all estimated travel expenditures are provided, are allowed by this policy, and are within available budget. The Finance Department will preaudit travel requests.
2. Per Diem and Expense Reimbursement Forms must be submitted to the Finance Department for processing no later than 7 business days prior to travel. Forms received less than 7 days prior will not be processed for payment prior to travel. Only those expenses allowed by this policy will be paid for by the town.
3. All expenditures related to each travel event should be included on the Per Diem and Expense Reimbursement Form. This includes deposits or other costs incurred in advance on a Town Purchasing Card.

Section 7. Reimbursable Expenses Guidelines

A. Personal Vehicles

The town prefers that personal vehicles be used only if a town vehicle is not available, not applicable, or not economical and practical. Use of a personal vehicle, when a town vehicle is available, must be approved in advance by the department head on the Travel Approval Form. Employees who choose to use a personal vehicle when a town vehicle is available, applicable, or economical and practical, will be reimbursed at one half of the current IRS standard mileage rate. If a town vehicle is not available, the requesting party may use a personal automobile and be reimbursed at the current IRS standard mileage rate. The IRS standard business mileage rate is updated annually at www.irs.gov. Mileage is calculated from your primary work location e.g.,

Town Hall, Finance Ops, WTP. If more than one employee is attending the same event, carpooling is encouraged even if a personal vehicle is being used, unless the authorizing party determines that it is not economical or practical. When a group of employees or officials are traveling together in the same vehicle to the same destination, only one traveler will receive reimbursement.

No reimbursement will be made for expenses incurred in making repairs or towing a personal vehicle.

B. Town Vehicles

Town vehicles should be used whenever possible for any authorized travel. The requesting party must obey all laws of the jurisdiction in which the automobile is being operated. The town will not reimburse any expenditures related to any law enforcement fines or fees incurred traveling on town business. The town vehicle will be used for town business and activities only. Non-town employees will not be allowed to ride in town vehicles. A town purchasing card may not be used unless there is an emergency. In the event the town vehicle breaks down and repairs are required or a rental car is required to complete the authorized travel, the town purchasing card is permissible to use. The employee's immediate supervisor shall be notified at the earliest possible time. In the event a purchasing card was not distributed to the employee, reimbursement will be made for repairs, gasoline, oil, parking, toll fees, and other unavoidable expenses of the town vehicle. A paid receipt must be included to support all reimbursement requests. Fuel for town vehicles should be purchased with the town fleet fuel card. Any employee or official operating a town vehicle should use the same care that a sensible person would use if operating his or her own personal vehicle. It is recommended that the employee attending training/conference or one employee from the group attending training requests a temporary purchase card from the Finance department prior to traveling to the training/conference.

C. Rental Vehicles

A rental vehicle may be used when it is determined that no other transportation is cost effective, practical, or possible. A rental vehicle will be used for town business and activities only. Use of a rental vehicle must be approved in advance on the Travel Approval Form. Additional vehicle rental expenses incurred while on town business may also be reimbursed upon completion of the trip with the proper documentation on a supplemental Per Diem and Expense Reimbursement Form. Town employees and officials are covered under town insurance when renting a vehicle. Additional insurance is not needed and will not be reimbursed.

D. Airfare

Generally, the lowest priced coach class airfare should be purchased. Other classes may be approved if additional documentation is provided detailing better rate, lack of availability, or necessity because of disability or other special need.

Air travel should be paid for with a Town Purchasing Card. Airfare purchased with personal funds will not be reimbursed until after travel is completed and documentation of payment is provided. Airfare purchased with "miles" or "points" will not be reimbursed.

One checked bag is approved per town-authorized traveler unless excess fees are due to a valid business purpose.

Travel to the airport is reimbursable and should be the most practical and economical method available. Personal vehicle travel to the airport will be reimbursed at the IRS standard business mileage rate at the time plus parking.

If parking at the airport, only the economy lots are approved for reimbursement.

E. Other Transportation

All necessary air, bus, taxi, train, or similar transportation must be obtained at the most cost-effective rate available for the economic benefit of the town. Reimbursements will be made for actual costs that are incurred and receipt supported with the completion of a supplemental Per Diem and Expense Reimbursement Form.

F. Accommodations

The town will not pay for out-of-town accommodations for travel within a 60-mile radius of Town Hall unless approved by the Town Manager or their designee prior to travel. Lodging costs in the host city may be claimed from the night before the authorized event starts, if not practical to travel the day of the event, through the night before it ends, unless timely return transportation is not possible, thereby necessitating additional lodging costs. Employees must provide documentation as to the purpose of being away from the town for the business benefit of the town for every day that travel is being requested. Going to an event earlier than necessary or staying later than necessary will not be paid for by the town.

Accommodation costs will be reimbursed at the actual amount incurred. Reservation confirmation for accommodations must be submitted with the Per Diem and Expense Reimbursement Form in advance of travel, including reservations made with a Town Purchasing Card. Employees and officials are limited to reserving the most cost-effective accommodations that will permit the employee or official to conduct his or her town business. Special government rates should be obtained if available.

Town employees and officials are responsible for any no-show fee incurred unless an emergency or other department head approved business reason causes the cancellation. Employees should always obtain a cancellation number from the accommodation's entity to protect against no-show billings. Funds prepaid by the town, which relates to canceled arrangements, must be refunded to the town by the employee or official.

No room incidentals are to be paid for by the town or charged to a town purchasing card. Miscellaneous expenses are not considered part of a per diem reimbursement; therefore, substantiation is required. The town will require actual receipts or written certification as substantiation. Miscellaneous expenses include cab fares outside of travel to and from the event site, fax, telephone, copy charges, and other business-related expenses. Any expense not in line with this policy will be paid for by the employee. If any unauthorized travel charge is

incurred on a town purchasing card, the town may deduct the expense from the employee's next payroll check.

G. Meals Per Diem

Employees and officials traveling on overnight town business may receive a per diem for meals for travel according to the following schedule:

- Breakfast – Depart prior to 6:00 a.m.
- Lunch – Depart prior to 10:00 a.m. (day of departure) or return after 2:00 p.m. (day of return)
- Dinner – Return after 8:00 p.m. If stopping for dinner would cause the employee or official to return after 8:00 p.m. when the employee or official would have otherwise returned prior to 8:00 p.m., dinner will not be reimbursed.

If a meal is included as part of a registration fee for an event paid requiring overnight travel, a deduction from the per diem will be made accordingly. Breakfast included as part of the normal room rate offered to everyone does not need to be deducted from the per diem rate. Per diem rates will be provided and updated as needed on the Per Diem and Expense Reimbursement Form.

If travel is unexpectedly extended, the traveler must submit a new per diem request Per Diem and Expense Reimbursement Form for approval upon return and will be reimbursed at the per diem rate.

If an employee receives per diem for days of travel that are cancelled or otherwise do not occur, the employee must return the per diem to the town.

H. Other Travel Expenses

Any phone charges, unless previously authorized or fully detailed and business related, are not permissible for reimbursement.

In-room movies or entertainment that are billed to the employee's or official's room that have no relation to the legitimate nature of the business travel is the responsibility of the traveler and will not be reimbursed by the town.

Parking fees and tolls will be reimbursed with proper documentation and receipts. These expenses should be included under "Other" on the Travel Form.

Gratuities paid for luggage handling at hotels, airports, or other similar areas will be reimbursed at a reasonable and customary rate.

Tips, vending machine purchases, and other similar expenses are included in the per diem meal allowance and will not be reimbursed by the town.

Reimbursement for purchases paid by the traveler with their own funds, or their personal debit or credit card, will not be reimbursed until travel is complete.

Section 8. Vacation, Familial Travel, or Traveling with Other Employees and Officials

A. Combining Business and Vacation

If an employee wishes to combine a town business-related trip with a personal vacation, the department head must approve the arrangement in advance on the Travel Approval Form. The town will only reimburse the portion of the trip that was for town business and activities.

The traveler must clearly detail and provide documentation of which expenses will be for the business portion of travel. The employee must specify the dates of the town business or activities and the total days of the trip in order to document work hours.

Great care must be exercised to ensure that the traveler does not, in appearance or fact, have personal gain at the expense of the town. Documentation must be provided showing the cost with and without personal travel to ensure the town does not incur additional expenses as the result of personal travel.

Any discounts received due to extended or combined travel, such as free days, discounted rates, etc., must be applied to the business portion of the travel.

It is the responsibility of the approving authority to ensure travel combining business and vacation meets all requirements of this policy.

B. Travel with Spouse or Family

Spouses and family members may accompany an employee or official on town business-related trips. However, the town provides reimbursement only for the employee's or official's expenses.

Spouses and family members are not allowed to travel in town vehicles.

Any additional expenses that the employee or official would not incur if traveling alone will not be reimbursed. Employees are required to put all expenses that are incurred due to spouse and family travel on a personal debit or credit card and they will be reimbursed only for their portion of the business-related costs upon return from travel. Employees must provide documentation of costs associated with single-person travel and documentation of actual costs incurred.

No purchase is to be put on the employee's town purchasing card that is over what the town would pay for a single employee traveling.

C. Travel with Someone from Another Organization

If an employee travels with someone from another organization in a vehicle owned by that person or his or her employer, and if he or she shares the cost of the trip, he or she can receive reimbursement for their share only if proper documentation and receipts are submitted. This method must be approved by the proper approval authority. A waiver may be required.

Employees are reminded that town insurance provides less coverage for town employees not traveling in town vehicles. More detailed information can be found in the Human Resources Department.

Section 9. Per Diem and Expense Reimbursement Form

The Per Diem and Expense Reimbursement Form must be submitted to the Finance Department prior to travel regardless of the employee's intent to request per diem. All expenditures related to each travel event, including any expenditures for travel paid for in advance on a town purchasing card must be detailed and documented on a Per Diem and Expense Reimbursement Form. The employee will complete the form and attach original bills and or receipts to support the following expenditures:

- Accommodations
- Transportation Costs
- Registration Fees (a brochure, agenda or program from the event detailing all days included in the event)
- Car Rental Fees (when applicable)
- Town Vehicle Expenditures (repairs, gas, oil, parking, tolls, etc.)

Employees may submit an updated and approved Per Diem and Expense Reimbursement Form for any additional costs incurred during travel upon their return. Employees who travel with non-town employees must also provide documentation for what was paid during the business portion of the travel.

Section 10. Violations of Policy

An employee submitting a falsified Travel Form knowingly will be subject to disciplinary action up to and including termination. A department head who approves a Travel Form which is known to be falsified will be subject to disciplinary action up to and including termination. If an employee receives reimbursement, or causes to be paid, an expenditure deemed unallowable under this policy, the town may deduct that amount from the employee's next paycheck, in addition to other disciplinary action.

Section 11. Travel Policy Revisions

The Town Manager is authorized to make future revisions to this policy, including an adjustment to the per diem rate for meals while traveling, mileage reimbursements, and other monetary matters. It is understood that any substantive changes to the Travel Policy should only be implemented after first consulting with the Town Council.

ARTICLE XIII. CONFLICTS OF INTEREST AND CONFIDENTIALITY

Section 1. Conflicts of Interest

Employees should avoid any situation which involves or may involve a conflict between their personal interest and the interest of The Town of Waynesville. As in all other facets of their duties, employees dealing with customers, suppliers, contractors, competitors or any person doing or seeking to do business with The Town of Waynesville are to act in the best interest of the the Town of Waynesville. Each employee shall make prompt and full disclosure in writing to their supervisor of any potential situation which may involve a conflict of interest. Such conflicts include:

- Ownership by an employee or by a member of their family of a significant interest in any outside enterprise which does or seeks to do business with or is a competitor of the Town of Waynesville.
- Serving as a director, officer, partner, consultant, or in a managerial or technical capacity with an outside enterprise which does or is seeking to do business with or is a competitor of the the Town of Waynesville. Exceptions to this can be approved by the Town Manager of the Town of Waynesville.
- Acting as a broker, finder, go-between or otherwise for the benefit of a third party in transactions involving or potentially involving the Town of Waynesville or its interests.
- Any other arrangements or circumstances, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the the Town of Waynesville.

Section 2. Confidential Information

The revelation or use of any confidential product information, data on decisions, plans, or any other information which might be contrary to the interest of the town without prior authorization, is prohibited. The misuse, unauthorized access to, or mishandling of confidential information, particularly personnel information, is strictly prohibited and will subject an employee to discipline up to and including immediate discharge.

Section 3. Compliance

Any violation of this policy will subject the employee to disciplinary action or immediate discharge. Any Town of Waynesville employee having knowledge of any violation of this policy shall promptly report such violation to the appropriate level of management. Each supervisor and leadership team member of the Town of Waynesville is responsible for compliance in their area of responsibility. When questions arise concerning any aspect of this policy, contact the Human Resources Director or the Town Manager.

ARTICLE XIV. SOCIAL FUNCTION POLICY

Section 1. Purpose of the Policy

The Town of Waynesville recognizes that employees may wish to arrange social functions on Town premises during regular business hours to celebrate special events and other special occasions. This policy sets out parameters and procedures for such events. Nothing in this policy

should be read to limit the rights of employees under federal, state, or local labor and employment laws. Further, the Town of Waynesville reserves its right to maintain and enforce valid no-solicitation and no-distribution rules consistent with federal labor laws.

Social events held on Town premises and during regular business hours are to be limited to:

- Special occasions only. For the purposes of this policy, special occasions are birthdays, baby showers, retirement receptions, recognition events for profession designated weeks (i.e. XYZ Week), and up to two (2) luncheons for department staff annually.
- Departmental birthday events should be held within the departmental area or off Town premises during regular morning break or lunch break times. Such organized birthday events should be limited to the normal time allowed for breaks or lunch and should not utilize any Town of Waynesville funds.
- No event should result in a reduction or disruption in customer service in any department or function.
- Town of Waynesville funds will not be available for use for functions with the exception of the Town of Waynesville Annual Holiday Party and up to two (2) annual meals per department.
- Invitations to other departments are not required for all events; however, department directors are encouraged to include the elected officials as part of their celebrations, when appropriate.
- Any event utilizing Town of Waynesville funds will be open to any Town employee without exception if consumables (food/snacks) are available.
- Functions that last greater than the normal lunch break time (one hour) require advance approval from the Town Manager.
- The department director and/or staff for the area holding any event that is discovered to be in direct contradiction of this policy will be subject to paying the Town of Waynesville back for those event costs paid with Town funds.
- Town of Waynesville funds may be utilized related to official duties, if they are found to be eligible for reimbursement in accordance with the Travel and Training policies, if reasonable and supported by receipts. This does not include meals between co-workers unless attending a travel and training event.
- The Finance Director and/or Town Manager have the right to request additional documentation related to any receipt where Town of Waynesville funds have been expended.

ARTICLE XV. GLOSSARY

GLOSSARY OF TERMS

Affordable Care Act - The Patient Protection and Affordable Care Act (PPACA) – also known as the Affordable Care Act or ACA, is the landmark health reform legislation passed by the

111th Congress and signed into law in March 2010. It is intended to extend coverage to millions of uninsured Americans, to implement measures that will lower health care costs and improve system efficiency, and to eliminate industry practices that include rescission and denial of coverage due to pre-existing conditions.

Americans with Disabilities Act (ADA) – gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, State and local government services, and telecommunications.

COBRA – (Consolidated Omnibus Reconciliation Act) A health insurance plan which allows an employee who leaves a company to continue to be covered under the company's health plan, for a certain time period and under certain conditions. The system is designed to prevent employees who are between jobs from experiencing a lapse in coverage.

Designee - An employee who has been designated to make decisions or conduct business on behalf of another employee.

Eligible Dependent - An eligible person, other than the member (generally a spouse or child), who has health care benefits under the member's policy.

Exempt Employee - An employee who is not subject to the provisions of the Fair Labor Standards Act.

Fair Labor Standards Act (FLSA) - is a federal labor law of general and nationwide application, including Overtime, Minimum Wages, Child Labor Protections, and the Equal Pay Act.

Family Medical Leave Act (FMLA) – is a federal program that entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. (see FMLA)

Full-Time employee - An employee who is regularly scheduled to work the standard number of work hours per week, who has successfully completed the probationary period, and is budgeted

for at least 12 months.

Grievance - A claim or complaint by an employee based upon: (a) an event or term or condition which affects the circumstances under which an employee works, including employment practices, policies or programs or benefits; (b) involuntary termination of employment; or (c) any allegedly illegal discrimination by the Town.

HIPAA – Health Insurance Portability and Accountability Act of 1996

Law Enforcement Officers Retirement System (LEORS) – provides retirement benefits to law enforcement personnel through a program established by North Carolina.

Local Governmental Employees' Retirement System (LGERS) - provides retirement benefits to employees of cities, towns, counties, boards, commissions, and other entities of local government in North Carolina.

Permanent Position- A position authorized for the budget year for a full twelve months and budgeted for twenty or more hours per week. All positions are subject to budget review and approval each year by the Board of Aldermen. All employees' work and conduct must meet Town standards, therefore, reference to "permanent" positions or employment should not be construed as a contract or right to perpetual funding or employment.

Probationary Period - A working test period of six months, extendable for an additional six months, for all new employees except law enforcement which are subject to a 12-month probationary period. Wastewater and Water Operations apprenticeship employees may be subjected to a probationary period of 12 months, but not to exceed 12 months contingent upon operator licensure by the state.

Retiree - an individual who leaves the Town of Waynesville's employ at the conclusion of a minimum of ten (10) years of benefits-eligible service and for whom benefits are available until Medicare eligible at age 65 or through disability at an earlier age.

Spouse – a legally valid, existing marriage between persons of the opposite sex; or a person of the same sex with whom you have entered into a marriage that has been recognized under applicable state law.

Temporary/Seasonal Employee - An employee regularly scheduled to work the standard

number of hours per week but for a limited period. Temporary/seasonal employees are not entitled to employee benefits or any type of leave, unless specifically indicated.

Trainee - An employee's status when the applicant hired (or employee promoted) does not meet all of the requirements for the position. During the duration of the trainee appointment, the employee is on probationary status.

ARTICLE XVI. EMPLOYEE ACKNOWLEDGMENT AND RECEIPT
PERSONNEL POLICY MANUAL/
EMPLOYEE HANDBOOK
ACKNOWLEDGEMENT AND RECEIPT

I hereby acknowledge receipt of the Personnel Policy Manual/Employee Handbook of Town of Waynesville. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the personnel policy manual and all other written and oral materials provided to me are intended for informational purposes only. Neither it, Town practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, removal and change by the Town Board any time without notice.

I further understand that I am an at-will employee and that neither this document nor any other communication shall bind the Town to employ me now or hereafter and that my employment may be terminated by me or the Town without reason at any time. I understand that no representative of the Town has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Town Manager may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Town Manager.

Employee's Name in Print

Signature of Employee

Date Signed by Employee

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

APPENDIX A. LIST OF CERTIFICATION OPPORTUNITIES BY DEPARTMENT

Public Works

Division	Job/Class Title	Certification	Certifying Agency	Description-1
Electrical Distribution	Groundsman	Basic Lineworker School	Electricities	Basic Lineworker School
Electrical Distribution	Electric Line Technician- 1	Powerline Technician I	Electricities	Overhead Career Development
Electrical Distribution	Electric Line Technician- 2	Powerline Technician II & Traffic Signal Fundamentals	Electricities	Traffic Signals
Electrical Distribution	Electric Line Technician- 3	Powerline Technician III & Traffic Signal Inspections	Electricities	Traffic Signals
Electrical Distribution	Electric Line Technician- 3	Journeyman (Level IV)	Electricities	Overhead Career Development
Electrical Distribution	Assistant Electric Supervisor	Journeyman Card (4-levels)	Electricities	Electricities Apprentice Lineworker
Electrical Distribution	Electrical Superintendent	Substation Tech. (4-Levels)	Electricities	Sub Station Career Development
Fleet Maintenance	Fleet Technician	Automotive Systems Technology – Basic	HCC	Automotive Systems Technology – Basic
Fleet Maintenance	Equipment Mechanic	Mobile Equipment & Repair certificate	HCC	Automotive Systems Technology
Fleet Maintenance	Fleet Supervisor	Certified Public Fleet Professional	APWA	CPFP
Water Treatment	Treatment Plant Operator	Water Treatment Facility Operator-Grade C (Surface)	NCWTFOCB	NC Rural Water Association
Water Treatment	Advanced Treatment Plant Operator	Water Treatment Facility Operator-Grade B (Surface)	NCWTFOCB	NC Rural Water Association
Water Treatment	Senior Plant Operator	Water Treatment Facility Operator-Grade A & Physical Chemical-Grade I	NCWTFOCB	NC Rural Water Association
Water Treatment	Treatment Plant Superintendent	Water Treatment Facility ORC-Grade A & Physical Chemical-Grade I	NCWTFOCB	NC Rural Water Association
Water Distribution	Maintenance Technician	Water Distribution Operator-Grade D	NCWTFOCB	NC Rural Water Association
Water Distribution	Maintenance Technician	Water Distribution Operator-Grade C	NCWTFOCB	NC Rural Water Association
Water Distribution	Utility Maintenance Specialist	Water Distribution Operator-Grade C	NCWTFOCB	NC Rural Water Association

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Water Distribution	Equipment Operator	Water Distribution Operator-Grade B	NCWTFOCB	NC Rural Water Association
Water Distribution	Water Maintenance Crew Leader	Water Distribution Operator-Grade A	NCWTFOCB	NC Rural Water Association
Water Distribution	Pump Maintenance Mechanic	Cross Connection/Backflow & Grade A	NCWTFOCB	NC Rural Water Association
Water Distribution	Water Distribution Superintendent	Water Distribution ORC-Grade A & Cross Connection	NCWTFOCB	NC Rural Water Association
Wastewater Treatment	Pump Maintenance Mechanic	Gorman & Rupp/Instrumentation/SCADA	WPCSOCC	
Wastewater Treatment	Senior Pump Mechanic	Gorman & Rupp/Instrumentation/SCADA	WPCSOCC	
Wastewater Treatment	Treatment Plant Operator	Biological Wastewater Operator-Grade I	WPCSOCC	
Wastewater Treatment	Treatment Plant Operator	Biological Wastewater Operator-Grade II	WPCSOCC	
Wastewater Treatment	Treatment Plant Operator	Biological Wastewater Operator-Grade III	WPCSOCC	
Wastewater Treatment	Treatment Plant Operator	Biological Wastewater Operator-Grade IV	WPCSOCC	
Wastewater Treatment	Chief Treatment Plant Operator	Biological Wastewater ORC-Grade IV	WPCSOCC	
Wastewater Treatment	Treatment Plant Superintendent	Biological Wastewater ORC-Grade IV	WPCSOCC	
Wastewater Collections	Maintenance Technician	Wastewater Collection System Operator-Grade-I	WPCSOCC	
Wastewater Collections	Utility Maintenance Specialist	Wastewater Collection System Operator-Grade-II	WPCSOCC	
Wastewater Collections	Equipment Operator	Wastewater Collection System Operator-Grade-III	WPCSOCC	
Wastewater Collections	Water Maintenance Crew Leader	Wastewater Collection System Operator-Grade-IV	WPCSOCC	
Wastewater Collections	Water Distribution Superintendent	Wastewater Collection System ORC-Grade-IV	WPCSOCC	
Water/Wastewater	Utility Locator	TBD		
Asset Services	Cemetery Crew Leader	Public Pesticides Operator	NCDA&CS	
Asset Services	Horticultural Specialist	Public Pesticides Operator	NCDA&CS	
Asset Services	Public Facilities Maintenance Technician	Facilities & Grounds Management Certificate	APWA	
Asset Services	Public Facilities Manager (Future)	Facilities & Grounds Management Certificate	APWA	Facilities and Grounds Management

Streets	Streets&Sanitation Crew Leader	Winter Maintenance Operator	APWA	Winter Weather Operator
Streets	Streets&Sanitation Crew Leader	Winter Maintenance Operator	APWA	Winter Weather Operator
Streets	Streets&Sanitation Crew Leader	Winter Maintenance Operator	APWA	Winter Weather Operator
Solid Waste	Solid Waste Supervisor-New	Compost Facility Operator- Small/Large Type 1	NCDEQ	Compost, Research and Education
Stormwater	Crew Leader-New	Stormwater Inspector & Maintenance Certification	NCSU	Storm Water Certification
Stormwater	Equipment Operator-New	Stormwater Inspector & Maintenance Certification	NCSU	Storm Water Certification
Streets	Streets & Sanitation Superintendent	Master Road Scholar & Winter Maintenance Supervisor& Managing MSW Collection Systems	NCSU LTAP & APWA	NCSU Road Scholar
Admin	Deputy Director	Public Works Manager	UGA CVIOG/A PWA	CPWM UGA CVIOG
Admin	Assistant Director	Public Works Manager	UGA CVIOG/A PWA	CPWM UGA CVIOG
All Supervisors	All Supervisors	Public Works Supervisor	UW- Madison LTAP	Public Works Supervisor Academy

Finance and Purchasing

Local Government Finance Officer

Associate's Degree (relevant)

Bachelor's Degree (relevant)

Master's Degree (relevant)

CLGPO

NC Tax Collectors Association – Collector

CLPGO – Budget

Parks & Recreation

National Level Certifications:

Certified Parks & Recreation Professional – CPRP

Certified Playground Safety Inspector – CPSI

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Certified Parks & Recreation Executive – CPRE

Aquatic Facility Operator – AFO

Degrees of Higher Education:

Associate’s Degree (relevant)

Bachelors Degree (relevant)

Master’s Degree (relevant)

Development Services

Planning

Certified Zoning Official

Certified Floodplain Manager

AICP Certification

Stormwater Control Measure Inspection and Maintenance Certification

OSHA Certification Part I

OSHA Certification Part II

ICS – Incident Command

Building Inspections

Building Level I

Building Level II

Building Level III

Electrical Level I

Electrical Level II

Electrical Level III

Mechanical Level I

Mechanical Level II

Mechanical Level III

Plumbing Level I

Plumbing Level II

Plumbing Level III

Fire Level I

Fire Level II

Fire Level III

General Contractor License

Electrical Contractor License

Plumbing Contractor License

Mechanical Contractor License

Fuel Gas Piping License

Administration

Municipal Clerks Certification

Master Municipal Clerks Certification

Associate's Degree (relevant)

Bachelors Degree (relevant)

Master's Degree (relevant)

Public Information Officer Certification

Main Street Vitalization Professional

Human Resources

Associate's Degree (relevant)

Bachelors Degree (relevant)

Master's Degree (relevant)

Society for Human Resource Management CP and/or SCP

Public Sector HR Association CP and/or SCP

PHR