

TOWN OF SEABROOK ISLAND

ORDINANCE NO. 2023-17

ADOPTED _____

AN ORDINANCE AMENDING THE TOWN CODE FOR THE TOWN OF SEABROOK ISLAND, SOUTH CAROLINA; CHAPTER 2, ADMINISTRATION; ARTICLE I, IN GENERAL; SECTION 2-102, PERSONNEL POLICIES AND PROCEDURES ADOPTED; SO AS TO ADOPT AN UPDATED VERSION OF THE “TOWN OF SEABROOK ISLAND EMPLOYEE HANDBOOK”

WHEREAS, the Town of Seabrook Island Employee Information Packet (hereafter, the “Employee Packet”) was adopted by Town Council on October 26, 1999 (Ordinance No. 1999-08); and

WHEREAS, the Employee Packet was amended by Town Council on December 18, 2001 (Ordinance No. 2001-12) for the purpose of revising policies and procedures related to the accrual and use of sick/personal Leave; and

WHEREAS, the Employee Packet was further amended by Town Council on April 27, 2004 (Ordinance No. 2004-02) for the purpose of revising policies and procedures related to the accrual and use of annual leave; and

WHEREAS, the Employee Packet was further amended by Town Council on December 19, 2017 (Ordinance No. 2017-06) for the purpose of revising policies and procedures related to the provision of insurance benefits for active and retired employees of the Town; and

WHEREAS, following a comprehensive review of the Town’s personnel policies and procedures, the Mayor and Council adopted an updated version of the newly renamed Town of Seabrook Island Employee Handbook (hereafter, the “Employee Handbook”) on November 27, 2018 (Ordinance No. 2018-12); and

WHEREAS, the Mayor and Council now desire to update the Employee Handbook to incorporate updates to employment policies and practices, working hours and compensation policies, employment classification, leave policies, and standards of conduct for Town employees;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, **BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF SEABROOK ISLAND:**

SECTION 1. Amending Section 2-102 of the Town Code. The Town Code for the Town of Seabrook Island, South Carolina; Chapter 2, Administration; Article I, In General; Section 2-102, Personnel Policies and Procedures Adopted; is hereby amended to read as follows:

Sec. 2-102. Personnel policies and procedures adopted.

In order to establish general personnel policies and procedures for the town and its employees, the "Town of Seabrook Island Employee Handbook," dated ~~November 27, 2018~~ [December 19, 2023], is hereby adopted and incorporated by reference as if fully set forth in this section. The employee handbook may be updated from time to time by resolution of town council, upon recommendation by the mayor.

SECTION 2. Severability.

If any section, subsection, paragraph, clause, or provision of this ordinance shall be deemed to be unconstitutional, unenforceable, or otherwise invalid by the final decision of a court of competent jurisdiction, it shall be construed to have been the legislative intent of Town Council to pass said ordinance without such unconstitutional provision, and the validity of all remaining sections, subsections, paragraphs, clauses, or provisions of said ordinance shall not be affected thereby. If said ordinance, or any provision thereof, is held by the final decision of a court of competent jurisdiction to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

SECTION 3. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Effective Date.

This ordinance shall be effective from and after the date of adoption.

SIGNED AND SEALED this ____ day of _____, 2023, having been duly adopted by the Town Council for the Town of Seabrook Island on the ____ day of _____, 2023.

First Reading: [November 28, 2023]
Public Hearing: [November 28, 2023]
Second Reading: [December 19, 2023]

TOWN OF SEABROOK ISLAND

John Gregg, Mayor

ATTEST

Katharine E. Watkins, Town Clerk

Appendix A

To Ordinance 2023-17

Town of Seabrook Island Employee Handbook

[December 19, 2023]



Town of Seabrook Island Employee Handbook

Version #6
Adopted [TBD]

NOTICE

Please read the Employee Handbook carefully.
This version contains significant changes from prior versions.

DISCLAIMER

THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT.
EMPLOYMENT REMAINS AT-WILL.

Employee Signature

Date

VERSION HISTORY		
Version Number	Ordinance Number	Adoption Date
Version #1	1998-08	October 26, 1999
Version #2	2001-12	December 18, 2001
Version #3	2004-02	April 27, 2004
Version #4	2017-06	December 19, 2017
Version #5	2018-12	November 27, 2018
Version #6	[TBD]	[TBD]

DISCLAIMER

Please read this disclaimer and the Employee Handbook carefully.
This version contains significant changes from prior versions.

THIS HANDBOOK DOES NOT CREATE A CONTRACT.

THIS HANDBOOK IS AN OVERVIEW OF THE CURRENT POLICIES AND PROCEDURES OF THE TOWN OF SEABROOK ISLAND (THE "TOWN"). THE POLICIES AND PROCEDURES SET FORTH IN THIS HANDBOOK SUPERSEDE AND REPLACE ALL PRIOR POLICIES, WRITTEN AND ORAL. FROM TIME TO TIME, THE TOWN MAY CHANGE, DELETE OR ADD TO THE PROVISIONS OF THIS HANDBOOK WITH OR WITHOUT NOTICE. CHANGES AND UPDATES WILL BE MADE IN WRITTEN FORM, APPROVED BY THE TOWN COUNCIL AND DISTRIBUTED TO ACTIVE EMPLOYEES.

THIS HANDBOOK IS NOT INTENDED TO CREATE, AND DOES NOT CREATE, A CONTRACT OF EMPLOYMENT, EXPRESS, IMPLIED, UNILATERAL OR OTHERWISE, BETWEEN THE EMPLOYEE AND THE TOWN. NOTHING IN THIS HANDBOOK BINDS THE TOWN TO ANY SPECIFIC PROCEDURES, POLICIES, WORKING CONDITIONS, BENEFITS, PRIVILEGES OF EMPLOYMENT OR DEFINITE PERIOD OF EMPLOYMENT. NOTHING IN THIS HANDBOOK GIVES THE EMPLOYEE A CONTRACTUAL RIGHT TO INSURANCE COVERAGE, PAID TIME OFF OR ANY OTHER BENEFITS OR PAYMENTS WHICH MAY BE DISCUSSED IN THIS HANDBOOK, ANY OR ALL OF WHICH CAN BE CHANGED OR ENDED WITHOUT NOTICE BY THE TOWN AT ANY TIME. EACH EMPLOYEE IS COMPLETELY FREE TO LEAVE EMPLOYMENT BY THE TOWN AT ANY TIME AND THE TOWN HAS THE SAME RIGHT TO END THE EMPLOYMENT RELATIONSHIP REGARDLESS OF WORK PERFORMANCE. THE EMPLOYMENT RELATIONSHIP IS AT-WILL AND CAN BE TERMINATED BY EITHER THE EMPLOYEE OR THE TOWN AT ANY TIME FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT NOTICE.

THIS DISCLAIMER EXPRESSES THE EMPLOYEE'S COMPLETE UNDERSTANDING CONCERNING TERMS OF EMPLOYMENT BY THE TOWN. IT SUPERSEDES ANY AND ALL AGREEMENTS, ORAL OR WRITTEN, REGARDING TERMS OF EMPLOYMENT BY THE TOWN. NEITHER THIS HANDBOOK NOR ANY ORAL OR WRITTEN POLICY OR PROCEDURE, NOR ANY STATEMENT BY ANY EMPLOYEE, SUPERVISOR OR COUNCIL MEMBER, CAN OR WILL CHANGE THE AT-WILL NATURE OF THE EMPLOYMENT RELATIONSHIP.

EMPLOYEE ACKNOWLEDGEMENT

I have read this Disclaimer as well as the Employee Handbook which has been provided to me by the Town. I understand that **THIS HANDBOOK IS NOT A CONTRACT.**

I understand that my employment with the Town is at-will. As an at-will employee, my employment with the Town is of indefinite duration and either I or the Town may terminate the employment relationship at any time with or without cause, reason, or notice, regardless of work performance.

Employee Signature (Duplicate Signed)

Date

Employee Printed Name

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INTRODUCTION

The Town of Seabrook Island was incorporated May 26, 1987, and upon incorporation included a pre-existing private community whose residents sought to establish local control over zoning and development. The Town soon adopted codes and ordinances that make up the Town's Development Standards Ordinance to accommodate the mix of single family and multi-family residences within the community. Subsequent to incorporation, the Town acquired assets of its supplier of water and sewer services and established an elected commission (Seabrook Island Utility Commission) responsible for administration and management of the water and sewer facilities.

The Town operates under a Mayor - Council form of government (Town Code Section 2-1) wherein the Mayor is empowered to hire and remove employees, direct administration of departments, preside at Council meetings, enforce laws and ordinances, prepare and submit the annual operating and capital budgets, appoint advisory committees, and perform other duties as required by the form of government. The Town currently employs a Town Administrator who reports to the Mayor and who is responsible to the Mayor for, among other things, such supervision of staff, evaluation of employee performance, management of employee compensation and other tasks as the Mayor delegates. The Mayor has supervisory authority over the Town Administrator.

As the Town's role has grown, the responsibilities of its employees have expanded to serve that growth. Each employee of the Town plays a vital role in helping the Town fulfill its role in the community. The Town and its citizens benefit greatly from the dedication of Town employees to perform to the best of their ability and to deliver excellent service. The Town recognizes that the breadth and diversity of experience of its employees can lead to innovative solutions that increase the effectiveness of services the Town provides. The Town encourages all employees to consider the Town's methods and practices with the goal of improving services provided by the Town.

This Handbook is a guideline for the Town's employees concerning the Town's employment policies. As it is believed this Handbook will answer many questions pertaining to employment with the Town, all employees are encouraged to familiarize themselves with it and to retain a copy where it will be available for easy reference. Employees should discuss any questions about any of these policies with the Town Administrator.

These policies are intended to cover the most common and routine personnel actions as well as the conduct of employees, temporary employees, and volunteers. Policy questions not specifically covered in the Handbook should be brought to the attention of the Town Administrator.

The Town, through its Town Administrator, will notify employees of changes to the policies described in this Handbook. The Town may request employees to review and acknowledge receipt of revised versions of this Handbook from time-to-time.

EMPLOYMENT POLICIES AND PRACTICES

Employment At Will

Employment with the Town (hereinafter “the Town”) is at-will. At-will employment is employment with no definite duration, which may be terminated at any time, either by the Town or the employee, at the sole discretion of either party, with or without notice, reason or cause. In other words, each employee is completely free to leave employment by the Town at any time he or she chooses, and the Town has the same right to end the employment relationship regardless of the employee’s job performance and regardless of whether or not prior corrective action has been taken.

Equal Employment Opportunity

The Town provides equal opportunity to all applicants for employment and administers hiring, conditions and privileges of employment, compensation, training, promotions, transfer and discipline without discrimination because of race, color, religion, gender, gender identification or status, sexual orientation, pregnancy, childbirth or related medical conditions (including but not limited to lactation), disability, genetic information, age, ethnicity or national origin. The Town also prohibits retaliation against employees who have reported discrimination in good faith. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to the Town Administrator.

Hiring/Recruiting

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The Town may also solicit and consider applications from external applicants. Decisions to fill an open position that are made by lower levels of management require prior approval by the Mayor.

Nepotism/Employment of Relatives

People in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. For purposes of this policy, immediate family is defined as follows: spouse, parent, child, grandparent, grandchild, brother or sister, grandparent in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. The immediate family is also conserved to include stepparents, stepchildren, stepbrothers, and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant, or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy. Members of the immediate family of elected officials of the Town are not eligible for Town employment.

Anti-Harassment Policy, Including Sexual Harassment

The Town of Seabrook Island hereby affirms its desire to maintain a work environment for all employees that is free from harassment and discrimination. The Town instead wishes to maintain an environment which supports and facilitates focus by employees on the performance of their individual responsibilities.

Harassment will not be tolerated by The Town. Each employee is expected to maintain the workplace free of discrimination or harassment. For purposes of this policy, harassment is unwelcomed, intimidating, hostile, or abusive conduct based on race, color, religion, gender, sex, sexual orientation, pregnancy or related condition, age, national origin, disability or military veteran status that is sufficiently severe or pervasive to have the purpose or effect of interfering with an individual's work performance. Harassment may also occur when enduring such unwelcomed offensive conduct becomes a condition of continued employment.

Examples of potentially discriminatory, harassing or offensive conduct in the workplace, whether by supervisors, non-supervisory employees or non-employees (for example, vendors or customers), may include, but is not limited to:

- (1) Unwelcomed sexual advances or requests for sexual favors or requests for other favors based on stereotypes of race, color, religion, sex, gender, sexual orientation, pregnancy or related condition, national origin, age, disability or military/veteran status, especially where:
 - (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - (b) Submission to or rejection of such conduct is used as the basis for decisions affecting a person's employment; or
 - (c) Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- (2) Unwanted physical contact, including touching, pinching or brushing the body;
- (3) Verbal harassment, such as sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions or threats; epithets; slurs; negative stereotyping (including "jokes"); or threatening, intimidating or hostile acts which relate to sex, race, color, religion, sexual orientation, gender, gender identity or status, pregnancy, national origin, age, disability or military/veteran status;
- (4) Non-verbal conduct, such as display in the workplace of sexually suggestive objects or pictures, leering, whistling, or obscene gestures; display or circulation in the workplace, whether via e-mail, text, posting or otherwise, of written or graphic material that defames or shows hostility or dislike toward an individual or group because of sex, race, color, religion, sexual orientation, gender, gender identity or status, pregnancy, national origin, age, disability or military/veteran status; and
- (5) Acts of physical aggression, intimidation, hostility, threats, or unequal treatment based on sex, gender (even if not sexual in nature), sexual orientation, gender identity or status, pregnancy, or upon race, color, religion, national origin, age, disability, or military/veteran status.

No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.

Any employee who believes that a manager's, supervisor's, another employee's or a non-employee's unwelcome actions or words constitute discrimination or harassment toward themselves or anyone else has a responsibility to report the situation in accordance with the following Complaint process without unreasonable delay. **Retaliation against any employee for bringing a Complaint based on good faith and reasonable belief is strictly prohibited.**

Complaint Procedure and Investigation

If you believe this policy has been violated by anyone with whom you come in contact with on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the general public, you should immediately report the incident(s). You may do this by:

- a. Reporting to your supervisor or a higher level in your "chain of command". Complaints against the Town Administrator should be made to the Mayor.
- b. Reporting to the Assistant Town Administrator (acting human resources manager)
- c. Reporting on audiotape by dialing (803)123-4567
- d. Reporting to the complaint hotline at (800)123-4567

Supervisors and managers who receive complaints of or become aware of harassment should promptly coordinate with the Assistant Town Administrator.

Harassment allegations will be investigated, and the investigatory process may vary from case to case. The investigation is conducted as confidentially as possible consistent with the effective handling of the complaint and the goals of this policy. All employees have a responsibility both to cooperate fully with the investigation and keep the matter confidential, whether the employee is the accused person, the complaining one, or merely a potential witness. Persons who are interviewed should not discuss the matter with co-workers, friends, or management. This does not mean, however, that employees may not complain to civil rights agencies. The Town will notify the complainant and others who may "need-to-know" following the completion of the investigation. The Town may take action, including any corrective or preventative action, that it deems appropriate based on the severity of the offense, which is determined according to the totality of the circumstances.

~IMPORTANT~

To avoid misunderstandings, complaints made to members of management or to the Assistant Town Administrator require the completion of a complaint report, whether by you or by the person, to whom the complaint is made, summarizing the allegations, and listing any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure.

These procedures have been established to enable you to get relief if you feel that you are the victim of harassment. The U.S. Supreme Court has said that generally you may not sue the Town for a violation of your rights unless you first give us notice and opportunity to end the harassment. The reporting procedures we have adopted are intended to establish a clear record of what has been reported.

The Town asks that employees bring any difficulties in using the procedures for complaint and complaint investigation directly to the attention of the Town Administrator, or, in the case of conflict or absence, to the Mayor, as applicable.

Any good faith report based on reasonable belief of discrimination and/or harassment, experienced or observed, should be made without fear of retaliation by the Town. Retaliation against any employee for filing such a report or for making a good faith complaint alleging discrimination or harassment of for participating in an investigation in good faith is strictly prohibited and cannot be tolerated. Any incident of such retaliation should also be reported using this policy.

Anti-Bullying Policy

In addition to the Anti-Harassment Policy adopted by the Town, other behaviors, which may not technically be considered unlawful harassment, are also considered inappropriate. Bullying is generally acts designed to harm, intimidate, coerce, or cause discomfort to someone through repeated and unwanted verbal, physical and/or social behaviors.

The Town reserves the right to handle each matter as it deems appropriate.

Expectations

The Town of Seabrook Island attempts to provide its Employees pay and benefits competitive with similar positions in business, industry, and nearby governments. The Town strives to have its employees work in a clean, healthy, and comfortable environment whenever possible, while using efficient equipment and materials.

As an employer, the Town of Seabrook Island expects a day's work for a day's pay. The town expects employees to be loyal, safety conscious, and, above all, fair, courteous and friendly while serving the public. The Town expects its employees to arrive ready for work on time, dressed appropriately, and to perform economically and efficiently.

The Town's central focus is serving the public, and the Town strives to ensure the public's experience working with the Town is a pleasant, efficient encounter.

Reasonable Accommodations Policy

To the extent Town employees are or become covered employees under the Americans with Disabilities Act (ADA), SC Pregnancy Accommodations Act, the Pregnant Workers Fairness Act, or the PUMP Act, the Town is committed to the fair and equal employment of qualified individuals with disabilities under the ADA, as well as qualified individuals who are pregnant, recently given birth or have a related medical condition. Consistent with applicable state and federal law, qualified individuals with disabilities are invited to make requests for reasonable accommodation to their supervisor, Assistant Town Administrator (acting HR manager) and/or the Town Administrator. Similarly, the Town strives to make its existing facilities used by its employees readily accessible and usable by individuals with disabilities and with medical needs arising from pregnancy, childbirth, or related medical conditions. It is the Town's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the organization. It is the policy of the Town to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. The Town's Equal Employment Opportunity policy and its Harassment policy prohibit discrimination based on sex; this includes pregnancy, childbirth, and related medical conditions, for which reasonable accommodations also are offered.

In accordance with applicable federal and state law, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability or covered condition arising from pregnancy, childbirth, or related medical condition, may request an accommodation from the Town and should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law.

The Town then will review and analyze the request, including engaging in an interactive process with the employee or applicant, to identify if such an accommodation can be made, or if any other possible accommodations are appropriate. Specifically, on receipt of an accommodation request, the supervisor, Assistant Town Administrator (acting HR manager) and/or the Town Administrator will meet with the requesting employee to discuss and identify: (1) the limitations of the employee's ability to perform the essential functions of his/her job; and (2) potential accommodation the Town might make to help overcome those limitations without undue hardship to the Town or a direct threat to health or safety. The Town may also request one or more doctor's input or the input of other professionals, with any medical records necessary to make decisions regarding the request for accommodation, e.g., the qualification of a condition as a disability; medical needs arising from pregnancy, childbirth or related medical conditions, specific job restrictions; whether the employee can perform the essential functions of the job; the ability to continue or return to work with or without reasonable accommodation; and any other issues or recommendations that relate to the request for accommodation. While this is an interactive process, the Town makes the ultimate determination of reasonable accommodation.

If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

All decisions as to reasonable accommodation(s) are made by the Town on a case-by-case basis.

New Mothers

In addition to reasonable accommodation for disability, pregnancy, childbirth, and related medical conditions, upon request, the Town accommodates new mothers who breastfeed their infants. During the first year from giving birth, mothers who breastfeed their infants will be provided reasonable break time for all employees and available, private space within the workplace suitable for privacy for expressing breast milk for their nursing baby. The private space provided will be other than a bathroom and removed from view and free from intrusion by co-workers and the public. Employees are to consult with the Town Administrator to arrange time and space for this purpose.

Code Of Conduct

Personal Work/Outside Employment

Personal work (while at work) or use of Town tools, equipment and facilities for personal purposes is prohibited. The Town expects an employee's work for the Town to take precedence over any outside employment engaged in by an employee. Employees are to notify the Town Administrator

in writing of any other employment. Should the Town, in its sole discretion, determine that an employee's outside employment interferes with or is otherwise incompatible with employment for the Town, the employee may be asked to choose between the jobs.

Conflict Of Interest

Town employees are subject to South Carolina ethics laws and public expectations that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. Among other requirements, state law prohibits employees from making governmental decisions on matters in which they, their family or business associates have an economic interest. Employees are to notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the Town. The supervisor sends the notification to the Town Administrator, or if the Town Administrator is involved in the business, to the Mayor for review. If the Town determines a potential conflict or appearance of conflict of interest exists, the matter may be reassigned to another employee, or any other appropriate action taken.

Gifts and Gratuities

No employee may directly or indirectly solicit, accept, or receive a gift when it could be inferred that the gift was intended to influence him/her in the performance of his/her official duties or was intended as a reward for an official act on his/her part. A gift is defined as any benefit, favor, service, privilege, or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited to meals, trips, money, loan, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work proved by Town suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees.

A determination as to where this policy has been violated is in the Town's sole discretion.

Political Activity

Employees may fully and freely associate themselves in organizations of their own choosing, except those organizations whose purpose is the violent overthrow of the government of the United States, the State of South Carolina or any of its political subdivisions. In addition, supervisory employees may not join or support labor organizations that accept membership subordinates of such supervisors.

Employees who run for office are not to use Town time, materials, or equipment in support of their political campaigns. In certain circumstances, involving real or potential conflicts, employees who run for public office may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, his/her employment will terminate upon his/her election to a partisan public office.

For purposes of this policy, an employee is considered a "candidate for public office" as soon as he/she begins actively campaigning for nomination or election, or when he/she files for candidacy, whichever comes sooner.

Solicitation

Solicitation on behalf of any organization or cause by an employee of another employee using any media form or means, for any purpose, is not permitted while either employee is on "work time." "Work time" is all the time when an employee is expected to be engaged in work tasks throughout the workplace. Solicitation includes, but is not limited to:

- (1) Soliciting participation or membership in any organization;
- (2) Soliciting funds;
- (3) Selling or delivering items or tickets; and
- (4) Appeals for charitable contributions.

An employee may distribute literature only in non-work areas and only if all employees involved are on non-work time.

Any non-employee who seeks to solicit for donations or distribute literature on Town premises should be informed that Town policy prohibits such practices.

Professional Conduct

Employees are expected to be courteous and respectful to the public and to their co-workers. Employees should be tactful in the performance of their duties, control their tempers, exercise patience and discretion, and not engage in argumentative discussions even in the face of extreme provocation. In the performance of their duties, employees should not use coarse, violent, profane, or insolent language or gestures. Such unprofessional behavior will not be tolerated.

Personal Appearance and Orderliness

Employees should dress in appropriate attire for their position and behave in a professional, business-like manner. Employees are expected to use good judgment in their choice of work clothes and remember to present themselves at all times in a way that best represents them and the Town. Employees are also expected to keep their work environment clean and orderly. Before departing at the end of the employee's workday, materials comprising sensitive, or confidential information are to be put away and secured in locked drawers or cabinets. It is the responsibility of each employee to deposit trash in appropriate containers within common areas used during work or break periods.

Attendance

The Town expects employees to be reliable and punctual in reporting for scheduled work. Regular and prompt attendance is an essential function of your job, part of your job performance standards and responsibility each employee has to and his/her fellow employees. It is important that we meet our on-the-job obligations so that the Town can meet its obligations to the public. Absenteeism and tardiness place a burden on other employees and on the Town's operations. Personal business should be scheduled at non-work times if at all possible. Vacations and planned medical absences should be scheduled with sufficient notice for supervisory approval and for coverage to be arranged.

In the rare instances when an employee has an unanticipated emergency and finds that he/she

cannot avoid being absent or late, it is the employee's responsibility to notify his/her supervisor as soon as possible at the beginning of the business day. Employees who fail to call in and report an absence on any scheduled workday are considered to have voluntarily resigned, and to be in poor standing, except when management specifically directs that daily call in is unnecessary and/or under sufficiently documented and exceptional circumstances.

Erratic attendance and excessive tardiness are disruptive and cannot be tolerated.

Telecommuting/Remote Work Policy and Procedures

Except as may be required by the ADA or other applicable law, the Town expects all employees to be present and working at the Town office or designated Town-working space during normal business hours.

Employees must ask for and be granted permission to work remotely. The Town considers telecommuting/working remotely to be a viable option when both the employee and the job are suited to such an arrangement. In the instance that telecommuting/working remotely is **temporarily** approved, employees are permitted to work at home, on the road or in a satellite location for a part of their workweek.

Telecommuting is not an entitlement, it is not an employment benefit, and it in no way changes the terms and conditions of employment with the Town. Telecommuting may be appropriate for some employees or jobs but not for others. **The Town Administrator or his/her designee will have the sole discretion as to whether or not telecommuting/working remotely is appropriate for a specific employee.** Do not assume that because temporarily working remotely has been approved for a position or an employee that it applies to all similar positions or all other employees.

Temporary telecommuting/working remotely arrangements may be approved for circumstances such as inclement weather, special projects, or business travel. The arrangement may be a result of a situational need based on the employee's needs and ability to be productive when away from the office. These arrangements are approved on an as-needed basis only, **with no expectation of ongoing continuance.** Other informal, short-term arrangements may be made for employees due to illness, **however, arrangements are made on a case-by-case basis, focusing first on the business and operational needs of the Town.**

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be temporarily modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members and always have a back-up plan in place in the event that telecommuting cannot be accommodated. Approval is not guaranteed.

If approval has been given for an employee to work remotely one day per week, for example, they are expected to be in the office for the remainder of the week. In other words, if a remote workday has been granted on a Thursday, and the employee schedules Tuesday off as personal or annual leave, unless prior approval has been given from the Town Administrator or his/her designee, the employee should work in the office four of the five days.

Eligibility

Positions suitable for telecommuting arrangements are generally characterized by minimal supervision requirements and possessing clearly defined tasks and deliverables that typically do not require face-to-face office contact and do not involve any risk to the privacy and confidentiality of the Town or its clients.

Individuals seeking a more consistent teleworking arrangement must be employed with the Town for a minimum of 12 months of continuous, regular employment and must have a satisfactory performance record. Meaning, the employee must "meet expectations" or have a higher performance evaluation. In addition, any individual seeking any teleworking arrangement whether on an ad hoc or regular basis must not currently be under any form of corrective action, must have access to the Town's systems servers via a location that is internet ready, must have a dedicated and secure working space free from distraction and interruption, and is capable of working in a paperless environment. There may exist specific, additional criteria for teleworking based on Town business, operation and/or department needs.

The Town Administrator or his/her designee will review the individual's position to determine whether the position is suitable for telecommuting. Such areas of review will include: the employee's suitability (including the needs and work habits of the employee, compared to those recognized as appropriate for successful telecommuting); job responsibilities of the position; equipment needs and workspace considerations; and scheduling issues.

Equipment

Equipment supplied by the Town will be maintained by the Town. Equipment supplied by the employee, if deemed appropriate by the Town, will be maintained by the employee. The Town accepts no responsibility for damage or repairs to employee-owned equipment. The Town reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the Town is to be used for business purposes only. The employee must immediately report any issues with Town equipment to his/her supervisor or the Town Administrator. The employee may be asked to sign an inventory of the Town equipment received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all Town property and equipment will be returned to the Town.

Security

Consistent with the Town's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential Town and resident information. Security controls must be in place to protect passwords, Town-owned software and files from unauthorized disclosure or destruction.

Safety

- Employees are expected to maintain their home workspace in a safe manner, free from safety hazards.
- There must be enough electrical outlets in the alternative workspace to support the required equipment. All electrical equipment must be free of electrical hazards that could cause physical harm (frayed wires, loose or exposed wires).
- Outlets must be three-pronged (grounded).
- Equipment must be placed at a comfortable height for viewing.

- Computer equipment must be on a sturdy, level piece of furniture and the keyboard and/or mouse are at a height that does not cause wrist strain.

Injuries sustained by the employee in a home office location and in conjunction with his or her regular work duties are normally covered by the Town's workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to his or her home worksite.

Time Worked

Telecommuting employees **who are not exempt from the overtime requirements of the FLSA** are required to accurately record all hours worked using the Town's timekeeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the Town Administrator. All compensation and/or overtime or other relevant policies will apply to telecommuting/remote work. Employees may be asked to send their supervisor or the Town Administrator a summary email detailing what the employee worked on while working remotely.

General Expectations

- Employees are expected to be available and communicative during scheduled work hours.
- The Town's work rules and other policies continue to apply to offsite or remote work locations during work hours.
- Consumption of alcohol or illegal drugs during work hours is never acceptable.
- Employees should have a quiet and distraction-free, designated workspace.
- Failure to accurately record all hours worked during remote work may lead to disciplinary action, up to and including termination.

Any telecommuting/working remotely arrangement may be discontinued at-will and at any time and for any reason or no reason at the request of either the employee or the Town.

Smoking/Tobacco in the Workplace

In keeping with the Town's intent to provide a safe and healthful work environment, employees are prohibited from use in the workplace of tobacco in any form, or of electronic smoke generating devices, except in such area as may be designated.

Chain of Command

Matters arising in the ordinary course of work that an employee believes require involvement of supervision should first be discussed with the employee's immediate supervisor or, if the immediate supervisor is not timely available, the Town Administrator. If neither the immediate supervisor nor Town Administrator will be timely available, the matter should be discussed with the Mayor.

Performance Evaluations

Employee evaluations may be performed annually. The annual evaluation process provides the Town Administrator and the employee with a communication tool through which job duties and expectations are shared and performance evaluated. Employees may also receive special evaluations when warranted. Employees are expected to sign their performance evaluations in acknowledgement of having received them. An employee's signature on a performance evaluation

reflects only that the evaluation has been communicated to the employee; it is not intended to indicate the employee's approval of the evaluation.

Workplace Privacy/Computer and Internet Use

All information (including, without limitation, data, plans, designs, analyses and reports) created, collected, or received by employees in the normal course of business and all the equipment, materials, computers, furniture, etc. provided for use by employees are property of the Town and are subject to control and monitoring by the Town. Use of office equipment (telephone equipment, computer workstations, mobile communications devices, printers, and copiers) is to be limited to conduct of Town business. While it is recognized that there are instances when telephone and email communication for personal matters is unavoidable, such communication is to be held to a minimum. Employees should not consider their personal communications received or stored on Town property to be private. Instead, they are Town Property.

The workplace is intended to be a place of work. An important part of work is communication and record keeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on Town property are not entitled to a guarantee of privacy.

Management may search Town property and documents in Town-owned vehicles, employee desks, lockers, file cabinets, electronic devices, etc. Further, to help provide safety and security of Town employees, guests and property, the Town conducts surveillance of Town property.

Electronic media raise similar issues. The Town provides electronic and telephonic communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the Town. Similarly, any electronic files created on, or software downloaded on, a Town computer or mobile device belong to the Town. Unauthorized programs and files may not be used or installed on Town computers or mobile devices without written permission of the Town. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the Town. Employees may not destroy or delete files from Town computers or mobile devices except pursuant to the Town's retention policy. Except for computer programs the Town Administrator has approved for use, employees are not to install computer programs on Town computers or use computer programs that are accessed via the internet.

The Town has the right to monitor all communications on its systems, whether such communications were on behalf of the Town or for personal reasons; employees have no reasonable expectation of privacy in communications made using Town property.

Specifically, the Town reserves the right to review voice mail, electronic mail, computer, and mobile device files, text messaging, and other electronic information generated by or stored in the Town's electronic systems. The Town reserves the right to report the finding of such reviews to appropriate agencies. The Town consents to the reasonable personal use of its computers and mobile devices. Although the Town consents to the "reasonable" use of its computers and mobile devices for personal business, what is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal computer and mobile device use is to not use the Town's computers and mobile devices for **any** personal purpose.

The following use is absolutely forbidden:

1. To access any material the Town considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the Town's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability, or some similar distinction.
2. To conduct business for outside employment or a side-business
3. To solicit others for no-work-related reasons

Town employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices, and cellular phones) on Town property or at Town work sites to engage in conduct that would be prohibited if using Town equipment.

~IMPORTANT NOTICE~

The Town has the capacity to examine the computer or mobile device usage of individual employees in detail. Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean the Town cannot do so. It is also possible to generate a report of every Internet connection made by each user and how much time was spent in each connection. Additionally, in accordance with the South Carolina Freedom of Information Act, communications on Town devices may be subject to disclosure.

Social Networks, Personal Websites, and Blogs

Social networking, personal websites, and blogs have become common methods of self-expression. The Town respects the right of employees to use these media during their personal time. The Town consents to reasonable limited access to social media sites during working hours or using Town equipment. What is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal social media site access is to not access such sites for personal reasons at all during working hours or using Town equipment. The Town may monitor workplace communications in connection with its assessment of the quality of customer service and may search all records of workplace communications, including email, as needed to conduct Town business.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgement, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate Town policies if done in person also violate Town policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the Town on those sites must make it clear that they are expressing their own views and not those of the Town. and email

Confidential Information

Unpublished information relating to Town business, citizens of the Town, or current or former employees of the Town, whether such information is produced or received by the Town, is to be treated as confidential until or unless it is published by the Town in the ordinary course of Town business. Any such confidential information may not be removed from Town premises without the approval of the Town Administrator and is not to be discussed with other Town employees or Town officials except to conduct Town business. While employees are to be courteous and helpful to members of the public who seek access to Town records, confidential information is not to be provided to members of the public without specific approval of the Town Administrator. Nothing in this paragraph shall be deemed to restrict or otherwise prevent disclosure of information that is required to be released under the South Carolina Freedom of Information Act. All requests for information that are made with specific reference to the Freedom of Information Act are to be directed to the Town Clerk.

Adjustment of Employment, Pay and Benefits

The Town can determine, in its sole discretion, to change levels of employment, and redefine or eliminate employment positions as it deems appropriate to the services it provides. In consequence of such changes, employees may be terminated, demoted, or transferred, and employee pay, and benefits may be revised in accordance with changes of assigned positions.

WORKING HOURS AND COMPENSATION POLICIES

Hours Of Operation

The Town's offices are open from 8:00am to 4:00pm, Monday through Friday, excepting Holidays. However, due to the nature of the Town's operations, it may be necessary for employees to work hours outside of the Town's normal office hours.

The Town's Code Enforcement Officers, both full-time and part-time, may be scheduled to work evenings and weekends. These hours are set by the Chief Code Enforcement Officer and may change based on the staffing needs required. Schedules will be emailed by the Chief Code Enforcement Officer with enough time to make changes if necessary. Failure to notify the Chief Code Enforcement Officer of a conflict with the proposed schedule may result in reprimands including but not limited to termination.

Compensation

Compensation, including adjustments in pay, is established by the Town Administrator and approved by the Mayor. Consideration of compensation typically occurs annually after review of annual employee evaluations; however, no assurance of a pay increase is guaranteed on an annual basis.

Pay Policies

Employees are paid by direct deposit by the close of business on the first (1st) and fifteenth (15th) of the month. The Town deducts from employees' gross pay taxes and withholding required by the taxing authorities. The Town may also deduct from employees' pay the employees' share of any premiums or plan contributions for insurance, retirement and similar plans that are elected by the employee. The Town may make other deductions as required by law or court order.

Holiday Pay

Employees who are scheduled to work on a holiday, as defined in the holiday section of this policy, shall receive pay at time and a half for hours worked on the holiday.

Payroll Deductions/Inaccuracies

Employees should examine their paychecks or pay stubs for errors. Any error discovered by an employee's review is to be reported by the employee to payroll immediately upon discovery. If the employee's issue is not resolved to the employee's satisfaction by payroll, the issue should be reported in writing to the Town Administrator with an offer to provide documentation as may be requested. In the event the issue is not resolved with the Town Administrator, the employee may ask for consideration of the issue by the Mayor. The Mayor's decision is final. The Town reserves the right to correct any payroll errors whether discovered by the employee or by the Town.

Expense Reimbursement

The Town reimburses employees for certain necessary expenditures and reasonable costs incurred in the course of conduct of Town business. To be reimbursed, employees are to: 1) obtain advance approval of the Town Administrator to incur the expense; and 2) submit the Town's expense report

form to their supervisor detailing the expenses incurred; and 3) provide receipts or other acceptable substantiating documentation. The determination of reasonableness and necessity of the expenses remains in the Town's discretion.

Exempt Employees, Salary Basis

"Exempt" employees are employees who are exempt from the minimum wage provisions of the Fair Labor Standards Act ("FLSA"). These employees (often categorized as Executive, Administrative, Professional and certain Outside Sales salaried employees at certain compensation levels) do not receive overtime pay. One of the conditions of exempt status is that the employee be paid on a salary basis.

Under the FLSA, an employee will be considered paid on a salary basis for purposes of exempt employee status if the employee regularly receives each pay period, a pre-determined amount constituting all or part of the employee's compensation. This amount is not to be subject to reductions because of variations in the quantity or quality of the work performed, with these exceptions under the FLSA:

- (1) Exempt employees need not be paid for any work week in which they perform no work.
- (2) Deductions from pay may be made when an exempt employee is absent from work for one or more full days for personal reasons, other than sickness or disability.
- (3) Deductions from pay may be made for absences of one or more full days occasioned by sickness or disability (including work-related accidents) if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for loss of salary occasioned by such sickness or disability. Similarly, deductions for full day absences may be made if salary replacement benefits are provided under a state disability insurance or workers compensation law.
- (4) While an employer cannot make deductions from pay for absences of an exempt employee occasioned by jury duty, attendance as a witness or temporary military leave, the employer can offset any amounts received by an employee as jury fees, witness fees or military pay for a particular week against the salary due for that particular week.
- (5) Deductions from pay of exempt employees may be made for penalties imposed in good faith for infractions of safety rules of major significance.
- (6) Deductions from pay of exempt employees may be made for unpaid disciplinary suspensions of one or more full days imposed in good faith for infractions of workplace conduct rules expressed by written policy applicable to all employees.
- (7) The employer is not required to pay the full salary in the initial or terminal week of employment.
- (8) The employer is not required to pay the full salary for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act (applicable only to employers with fifty or more employees). Instead, it may pay salary proportionately for time actually worked.

The employee is not paid on a salary basis if deductions from the employee's predetermined compensation are made for absences occasioned by the employer or by the operational requirements of the employer. If the salaried employee remains employed and is ready, willing, and able to work, under law, deductions may not be made for time when work is unavailable for less than a full workweek.

Pay On Separation

Final paychecks are issued on the regular payday. The final paycheck is issued as a check rather than as direct deposit and is available at the office of the Town Clerk on the next regular payday; however, if the employee does not retrieve the check on the payday, it is mailed to the terminated employee's last known home address. Employees who change their addresses after leaving the Town should notify the Town Clerk/Treasurer so that they can receive their W-2 forms the following January.

Under circumstances of separation of an employee in good standing and/or terminated without cause, accrued available unused Annual Leave, while a privilege rather than a wage, is paid at hourly value upon termination as detailed in the Annual Leave Policy. The privilege of unused paid Sick/Personal leave is not paid upon termination.

Upon termination of employment: all debts owed the Town by the employee will be due and payable; and, any cash drawn by the employee from the Town to conduct Town business, (e.g., petty cash) and all Town property, including without limitation, manuals, tools, equipment, keys, identification cards, or other items supplied by the Town for use by the employee in connection with employment by the Town. are to be returned to the Town.

The Town reserves the right to pursue its remedies at law and equity to collect debts and recover cash and other Town property from the separated employee.

EMPLOYMENT, CLASSIFICATION, WORKWEEKS, OVERTIME

Employment

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The Town may also solicit and consider applications from external applicants. The Town may consider familial relationships in selection of candidates for open positions to avoid placing candidates in positions subject to supervision by their relatives, pursuant to the nepotism/employment of relatives' policy.

Introductory Period

During the first six (6) months for new employees ("Introductory Period"), the new employee's attendance, effort, quality of performance, cooperation and suitability for the position is monitored and assessed ("Introductory Period"). (Reassessments may be made at any time after the Introductory Period, to include the first three (3) to six (6) months after promotion, transfer, or demotion, and for other periods as determined appropriate by the Town.)

During the first six (6) months after initial hire, the Introductory Period, employees are not eligible to take paid annual leave. After the Introductory Period, full-time regular employees become eligible for certain paid leave. NEITHER THE INTRODUCTORY PERIOD, NOR ANY PERIOD OF REASSESSMENT THEREAFTER, IS INTENDED TO ALTER, MODIFY OR CHANGE THE AT-WILL NATURE OF THE EMPLOYMENT RELATIONSHIP BETWEEN THE TOWN AND ITS EMPLOYEES. Of course, just as an employee may terminate employment with the Town at any time and for any reason or no reason, with or without notice, the Town may terminate an employee's employment at any time, for any reason or for no reason, with or without notice, including during any Introductory Period.

Employee Classification

All employees are classified in accordance with the Fair Labor Standards Act as either "Nonexempt" (entitled to compensation for overtime worked) or "Exempt" (not entitled to compensation for overtime worked).

The Town's workweek coincides with the Town's normal hours of operation. Nonexempt employees are allotted one half (1/2) hour free time for lunch without pay each workday; accordingly, regular paid hours of each workweek for nonexempt employees are limited to thirty- seven and one half (37 ½) hours. Exempt employees receive a salary that compensates them for all hours worked in the workweek. Such employees do not receive overtime pay or compensatory time off. An employee's classification is defined as follows:

Regular Full-Time

Employees are those who have completed their introductory periods and fill a full-time position with the Town. Employees in this status are normally scheduled to work at least 37.5 hours per week. However, the Town does not guarantee any minimum number of hours per week. Regular full-time employees are generally eligible for fringe benefits.

* Employees are encouraged to coordinate their lunch period to allow each employee an opportunity to cease working during their lunch period.

Regular Part-Time

Employees are those who have completed their introductory period and fill a part-time position with the Town. Employees with this status work less than 20 hours per week but may be called upon to work above their normally scheduled hours of work when workloads require. Regular part-time employees are generally not eligible for fringe benefits.

Temporary employees

Employees are those hired for a limited period of time or until completion of a particular project or projects. Such employees may work part-time or full-time hours depending on the needs of the Town. Temporary employees are generally not eligible for fringe benefits.

Overtime/Compensatory Time

Employees who are eligible for overtime pay are classified as “non-exempt” by federal wage and hour laws. Any overtime worked by non-exempt employees should be authorized in writing in advance by the employee’s supervisor. Under the wage and hour law, hourly and any other non-exempt public employees are ordinarily to receive time and one-half in compensatory time for authorized hours worked in excess of forty (40) hours in a workweek. At the discretion of the Town Administrator, employees may be compensated with overtime pay at the rate of time and one half in lieu of compensatory time. Hours worked do not include non-worked hours paid, such as sick or annual leave, holidays, workers compensation or disability.

Nonexempt employees are to accurately record the number of hours worked in a workday as well as the beginning and ending time of the lunch period. Overtime work (work in excess of forty (40) hours per workweek) by nonexempt employees is prohibited without Town Administrator pre-approval. Overtime will only be approved by the Town Administrator when deemed absolutely necessary. Approved overtime by non-exempt employees is normally compensated by time off in lieu of payment (“compensatory time”) at the rate of time and one-half for approved overtime hours worked. An employee may use compensatory time on request unless doing so would unduly disrupt Town operations. No employee may accrue more than 120 hours of compensatory time.

Exempt employees are not eligible for overtime pay. However, at the discretion of the Town Administrator, exempt employees may be eligible for compensatory time for hours worked over 40 hours in a particular workweek. Once approved, any overage of hours must be reported to the Town Clerk to keep an accurate record of them. These hours must be used within the same pay period that they are accrued.

LEAVE PRIVILEGES

****NOTICE****

WHAT FOLLOWS IS AN OVERVIEW OF PRIVILEGES EXISTING AT TIME OF PUBLICATION OF THIS HANDBOOK. TO THE EXTENT ANY INFORMATION PROVIDED IN THIS OVERVIEW IS IN CONFLICT WITH PRIVILEGES APPROVED IN WRITING BY THE MAYOR AT THE TIME OF AN EMPLOYEE'S EMPLOYMENT, THE TERMS OF THAT APPROVAL CONTROL.

AS TO ALL PRIVILEGES, THE TOWN RESERVES THE RIGHT TO MODIFY, REVOKE OR AMEND ANY EMPLOYEE PRIVILEGE PLAN, SERVICE OR PRIVILEGE, WITH OR WITHOUT NOTICE, AS ALLOWED BY LAW.

Leave Calculation (Sick/Personal and Annual)

The Town operates on a calendar year. Full time employees' allowed periods of paid leave time (sick/personal and annual) are apportioned in full at the start of each calendar year of service, except that during an employee's first calendar year of service, the employee's paid annual leave is prorated for that calendar year according to the start date of the employee's employment. No employee is to take any Annual Leave during the Introductory Period except under extraordinary circumstances as determined by the Town Administrator.

Sick/Personal Leave

Sick/Personal leave is to be approved by the Town Administrator and may be granted for the following purposes:

- (1) A full-time employee's personal medical, dental, or optical examination or treatment.
- (2) A full-time employee's personal incapacitation by sickness, injury or pregnancy and confinement prevents performance of duties.
- (3) A full-time employee's personal care and attendance to a member of the employee's immediate family is required.
- (4) A full-time employee's presence at the office poses a risk to the health of others because of exposure to a contagious disease.
- (5) A full-time employee's attendance is necessary for a personal matter that cannot be timely scheduled other than in conflict with the employee's normal working hours.

Each full-time employee is allowed two (2) workweeks of paid sick/personal leave per calendar year. Unused sick/Personal leave may be carried forward to a maximum of twelve (12) workweeks. Unused excess is forfeited.

Sick/Personal Leave is a privilege, not a wage. Sick/Personal leave carried forward may be used only for the purposes for which sick/personal leave is granted, and such use must be approved by the Town Administrator. Doctors' appointments should be made either early in the morning or late in the afternoon, so as to limit the impact on the Town's operation. Upon termination of employment, an employee is not compensated for any unused sick/personal leave.

Annual Leave

Employees are allowed periods of paid annual leave according to years of service as follows:

- 1 week prorated for the calendar year during which employment began
- 2 weeks for the 2nd – 4th calendar years of service
- 3 weeks for the 5th – 14th calendar years of service
- 4 weeks for 15 or more calendar years of service

Annual leave during the first year of service may be taken only after the end of the IP. Thereafter, changes to the period of paid annual leave are effective January 1 of each subsequent calendar year of service. At the end of each calendar year, any unused paid annual leave may be carried forward up to a maximum of six weeks. Unused excess not carried forward is forfeited.

Annual leave is to be approved by the Town Administrator and requested at least two weeks prior to the date requested. Special requests may be considered, but approval is not guaranteed.

Annual leave is a privilege, not a wage. Nonetheless, the Town's practice is to pay employees departing in good standing or terminated without cause the hourly value of unused and allowed paid annual leave privilege carried forward, plus unused allowed paid annual leave for the calendar year of departure. The hourly value of unused and allowed paid annual leave privilege is not paid to a departing employee not in good standing at the time of departure. Employees are not in good standing, who are asked to resign or are given a choice to resign or be fired, are fired, quit without having given at least two weeks written notice, or abandon their job.

Professional Responsibilities

Absences for attendance at education or training sessions to maintain professional certification or similar professional qualification required for an employee's responsibilities are treated as hours worked and compensated accordingly. Employees are encouraged to seek out training and education programs that are designed to enhance skills related to their work. Requests for time off for such programs should be made to the Town Administrator.

Bereavement

Up to three days bereavement leave with pay per calendar year may be authorized by the Town Administrator for an employee to make arrangements for, and to attend, the funeral of an immediate family member (parents, sons or daughters, siblings, grandparents, or spouse).

Military Leave

Employees are entitled to leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of these laws change from time to time and for that reason no effort is made to set forth the law in this policy.

Employees on military leave receive paid leave for up to 15 days per military fiscal year for training or call-up. In addition, if an employee is called upon to serve during an emergency, the employee receives paid leave of absence for a period not exceeding thirty additional days.

Operational Shutdown

The Mayor may determine to suspend regular business operations and temporarily close Town Hall due to extraordinary circumstances. Non-exempt employees who would be precluded from performing their work may use available leave for time away from work. Employees are expected to return to work when operations at their work locations resume.

In the event of evacuation for an emergency event, operations at Town Hall will cease until such time as officials of the Town are able to return. Employees will be advised when to report to work at Town Hall. Employees may use available leave for time away from work due to evacuation.

In the event Town operations remain suspended for an extended period of time following an evacuation or other extraordinary circumstance, the Mayor may reduce or suspend regular pay of all employees until operations are resumed. During times of operational shutdown, employees are not to perform work unless specifically requested to do so by the Town Administrator or Mayor.

Holidays

Typical annual holidays are listed below, but a complete schedule of holidays for each year will be published by the Town prior to the beginning of the year.

- | | |
|------------------------------|------------------------|
| New Year's Day | Veteran's Day |
| Martin Luther King Day | Thanksgiving Day |
| George Washington's Birthday | Day after Thanksgiving |
| Memorial Day | Christmas Eve |
| Juneteenth | Christmas Day |
| Independence Day | Day after Christmas |
| Labor Day | Floating Holiday |

Jury Duty

Leave with pay may be authorized for jury or witness duty, as directed or subpoenaed by a Municipal, County, State or Federal Court, when the hours of duty conflict with the hours of the employee's work schedule. To qualify for jury or witness duty leave, employees are to submit to their supervisor a copy of the summons to serve as early as possible before such service is to begin. In addition, employees are expected to submit proof of such service to their supervisor when they have completed such service.

All employees selected for jury duty or summoned to appear in court as a witness are allowed leave for the period of absence required. Employees are expected to promptly return to work on any days they are excused from jury duty or serve as a witness.

The Town reserves the right to request a deferral of service within the limitations prescribed by applicable law.

Family Medical Leave Act

To the extent Town employees are or become eligible to take unpaid leave under the Family

Medical Leave Act, the Town complies with the requirements thereof.

Limited Unpaid Leave of Absence

After exhaustion of paid annual leave and sick/personal leave, a full-time employee may be granted, at the discretion of the Town Administrator, an unpaid leave of absence for any medical or personal reason satisfactory to the Town Administrator. The Town Administrator may require such documentation as he or she deems appropriate to the request and, at his/her sole discretion, may authorize unpaid leave of absence for a satisfactorily documented purpose for a limited reasonable period, taking into consideration impacts on other Town employees, Town operations and costs to the Town to engage temporary employees if necessary. Both the employee's request and the Town Administrator's authorization shall be made in writing. This policy is not intended as unpaid sick leave or personal leave entitlement; instead, it is to apply in rare, unavoidable instances of extended emergency.

Termination in Event of Extended Absence

Employees absent from work due to illness or injury (whether or not such injury occurred on the job), or other extended circumstances, cannot reasonably be retained as employees of the Town indefinitely. If, after exhaustion of leave (annual, sick/personal and approved unpaid leave of absence, including any extensions provided as a reasonable accommodation), an employee does not return to work and/or otherwise fails to communicate with the Town about his/her return to work, the employee's employment may be terminated. Rehiring employees terminated in this manner will be considered for open positions through the normal employment process.

BENEFITS

****NOTICE****

WHAT FOLLOWS IS AN OVERVIEW OF THE BENEFITS EXISTING AT TIME OF PUBLICATION OF THIS HANDBOOK. TO THE EXTENT ANY INFORMATION PROVIDED IN THIS OVERVIEW IS IN CONFLICT WITH ANY BENEFIT PLAN, THE TERMS OF THE PLAN CONTROL.

AS TO ALL BENEFITS, THE TOWN RESERVES THE RIGHT TO MODIFY, REVOKE OR AMEND ANY EMPLOYEE BENEFIT PLAN, SERVICE OR PRIVILEGE, WITH OR WITHOUT NOTICE, AS ALLOWED BY LAW.

Insurance

The Town of Seabrook Island currently offers eligible active full-time employees (thirty hours of employment per week or more) an opportunity to participate in health, prescription, dental, vision, disability and life insurance benefits offered by the South Carolina Public Employee Benefit Authority (PEBA) for both the employee and his/her eligible dependents.

The Town pays the monthly Employer Contribution toward eligible participating full-time employee's health and basic dental insurance, as determined from time to time by the PEBA. The participating employee is responsible for the monthly payment of the Employee Contribution, as determined from time to time by the PEBA, and depending upon the type of coverage for which the employee has enrolled. As determined from time to time by Town Council, the Town may elect to subsidize a portion of the monthly Employee Contribution but is under no obligation to do so. Active employees are responsible for the full cost of any supplemental insurance programs, including, but not limited to, Dental Plus, vision, life, dependent life and long-term disability, as well as any tobacco or other surcharges (if applicable).

The Town of Seabrook Island currently also offers participation to eligible employees in retiree group insurance. An employee's eligibility for retiree group insurance will depend on whether or not the employee has met the minimum statutory requirements for retirement eligibility established for the plan in which he or she was a member during the time of employment.

The Town is not, and will not, be responsible for payment of any portion of the cost of an employee's participation in retiree group insurance and does not subsidize any portion of the employees' cost of participation in such program. **Any employee who elects to participate in retiree group insurance must pay all monthly premiums directly to the Town Clerk/Treasurer no later than the 5th of each month.** Failure to pay the required premiums on a timely basis will result in cancellation of all of coverage types, including coverage for which the retiree may not pay a premium. Monthly premium amounts are subject to annual adjustment, as determined from time to time by the PEBA. The Town timely notifies the retiree of any such adjustments. Retiree coverage ends on the first to occur of (1) nonpayment of the required premium when due; (2) the date coverage ends for all employees and retirees; or (3) the date of the retiree's death.

This policy is a summary of the current plans and is not intended to create a contractual obligation of any kind and may be amended or revoked at any time by action of Town Council without prior notice to the employee. Any conflict between this policy and the plan document[s] is force is controlled by the current plan document[s].

Retirement

All Town employees must participate in the State Retirement System as a condition of employment. Contributions are made by both the employee and the Town with the percentage of required contribution established by state law.

Benefits payable upon retirement are determined by the amount of contributions to the system, length of service and age at retirement. If an employee has five or more years of creditable retirement service, in the event of permanent disability, that employee may apply for disability retirement.

Employees may not withdraw retirement funds prior to separation from employment. Upon separation, an employee may leave retirement funds on deposit with the State Retirement System or apply for a refund that includes interest. The refund will be made by the State Retirement System in accordance with its then-current policy or practice. Any conflict between this policy and the State Retirement System plan is controlled by that plan.

Federal Insurance Contributions

The Town is obligated by the Federal Insurance Contributions Act to deduct amounts from employee pay for Social Security and Medicare. The Town matches those deductions as specified by law.

Unemployment Insurance

The Town participates in the State of South Carolina unemployment program.

Worker's Compensation

All employees of the Town are covered by Worker's Compensation. Job related accidents or diseases resulting in temporary or permanent disability are covered. Payment is in compliance with the Worker's Compensation Laws of South Carolina.

STANDARDS OF CONDUCT AND CORRECTIVE ACTIONS

Expectations and Misconduct

An employee's conduct affects not only that employee and the Town, but also co-workers, the Town's citizens and the community. The Town expects employees will at all times exercise care, even temper, ethical behavior, honesty and good judgment.

It is the right of the Town to take, if it so chooses a constructive approach so that employee conduct which would interfere with operations are not continued. If an employee's performance, work habits, attitude or demeanor becomes unsatisfactory, the Town may, in some cases and at its sole discretion, counsel, discipline, suspend without pay, demote, transfer, terminate or take other action to attempt to correct the situation. The corrective action taken, whether as termination or lesser discipline, depends upon judgment of the Town Administrator or Mayor, depending on which position has supervisory authority over the employee. **The Town, as an at-will employer, has the right to terminate employment with or without notice, with or without reason or cause, and with or without the use of any other form of prior discipline or corrective action.**

Employee conduct that is regarded to be inappropriate and/or intolerable and which may result in corrective action including, but not limited to, unpaid suspension and/or immediate termination of employment by the Town includes, but is not limited to conduct that:

- violates policies of the Town;
- adversely affects the Town's operations or rendering of services;
- adversely affects the Town's economic well-being;
- adversely affects the employee's performance of assigned responsibilities;
- adversely affects effective performance of other employees; or,
- adversely affects effective management of Town operations.

The guidelines in this Handbook should not be viewed as exclusive. Employees terminated for serious violation of Town policy are not eligible for rehire. THIS POLICY IS NOT INTENDED TO COVER ALL CIRCUMSTANCES AND THE ISSUANCE OF THESE GUIDELINES DOES NOT ALTER THE EMPLOYMENT AT-WILL RELATIONSHIP BETWEEN THE EMPLOYEE AND THE TOWN.

Corrective Action

Employees are subject to corrective action up to and including termination of employment when the Town Administrator determines that such action is necessary for the good of the Town. When corrective action is written, employees are expected to sign disciplinary notices, counseling memoranda and similar documents. The employee's signature indicates only that the employee is aware of the action taken and does not indicate that the employee agrees with such action. An employee who refuses to sign such a document will be relieved of all duty until the document is signed. If the document has not been signed and returned by the end of the employee's next scheduled workday, the Town Administrator may place the employee on unpaid suspension or take other action at the Town Administrator's discretion up to and including termination of the employee.

As with all other policies and guidelines, this Handbook creates no mandatory procedure for corrective action by the Town. All employment is at-will and corrective action, if any, is at the total discretion of the Town. In keeping with the Town's employment at-will policy, no particular order of

disciplinary action or procedure is required. Termination of employment by employee or the Town does not require reason, cause, notice or prior counseling. Nothing in this Handbook creates a contractual right of employment for any definite duration.

Workplace Violence

The Town does not tolerate violent, abusive, or threatening behavior in the workplace. Nor does the Town tolerate violent, abusive or threatening behavior by Town employees or against Town employees engaged in Town business whether on or off Town premises.

In furtherance of this Policy, employees are expected to inform the Town Administrator or the Mayor of any incidents that involve violent, aggressive, abusive or threatening behavior in the workplace or involving employees engaged in Town business off Town premises.

Drug Free Workplace

Each employee of the Town is prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance as defined by Federal or State law and prescription drugs not prescribed for the employee's individual use. The Town will notify law enforcement authorities whenever illegal drugs are found in the workplace. Each employee is prohibited from being at work while under the influence of alcohol, any controlled substance as defined by Federal or State law or any prescription drug not prescribed for the employee's individual use.

Employees who are informed by their healthcare provider or pharmacist that a drug they are using may impair their ability to safely perform work must report that to their supervisor. The Town will then determine whether an employee may continue to work.

"Illegal drugs" are drugs or controlled substances which are (1) not legally obtainable or (2) legally obtainable but not obtained or used in a lawful manner. Examples include cocaine and marijuana, as well as prescription drugs which are not lawfully obtained or properly utilized. The term "illegal drugs" also refers to mind-altering and/or addictive substances which are not sold as drugs or medicines but are used for mind- or behavior-altering effect. As used in this policy, "illegal drugs and substances" includes substances that are designed to mimic the effects of illegal drugs, but that due to differences in chemical composition may not be classified as Schedule I drugs or otherwise be expressly illegal. Examples include K2, or spice, which are synthetic cannabinoids. Cannabidiol (CBD) products raise special concerns because, in certain forms they are legal for use, but they are unregulated and little research has been done to standardize dosing, study outcomes, or regulate production. CBD and hemp products, by law, may not contain more than .3% THC (tetrahydrocannabinol), the psycho-active compound in marijuana. However, it is possible for some of these products to contain more than the legal limit. Therefore, it is possible for employees using CBD or hemp products to test positive for marijuana because of their use. It is not possible to determine whether a positive test for marijuana was a result of using CBD or hemp products, or from using marijuana. **Therefore, the Town will consider any confirmed positive test for marijuana to be conclusive for employment purposes - even if an employee claims to have used CBD or hemp, and even if the employee has a prescription or other physician's order for its use.** Employees should also be aware that, while marijuana is increasingly legalized for medical or recreational use in other states, it remains illegal in South Carolina and under federal law. **Employees who use recreational or "medical" marijuana in states where it is legal remain subject to discipline, up to and including discharge, under Town policy.**

The Town may test employees for drug or alcohol use in violation of this policy any time the Town has reasonable suspicion of a violation of the policy (i.e., upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or have adversely affected the employee's job performance) or when the employee is involved in an on-the-job accident. Employees are required to report any on-the-job accident. The Company will determine which testing will be performed and the cutoff levels at or above which a test result will be considered positive proof of drug and/or alcohol usage.

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance abuse screening, or tamper with the test or otherwise fail to cooperate with the testing procedure, 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 offense.

SAFETY

General Employee Safety

The Town is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury and accident prevention and employee safety. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. If an employee is ever in doubt about how to safely perform a job, it is the employee's responsibility to ask the employee's supervisor or the Town Administrator for assistance. All employees are expected to immediately report to the Town Administrator any suspected unsafe conditions and all injuries that occur on the job. It is the responsibility of each employee to accept and follow established safety procedures and report any safety concerns. The Town will not assume responsibility for theft of, or damage to, vehicles while parked on or moving through the parking lot or while on Town business. The Town will not be responsible for personal articles left in vehicles.

Town Vehicles

Town vehicles are to be used solely for Town business. Use of private vehicles for Town business must be authorized by the Town Administrator. Employees must have a valid driver's license to operate any vehicle for Town business and any change in license status or driving record must be reported to management immediately. It is essential that employees drive safely and obey traffic laws or regulations at all times, as well as any applicable Town policies - including, but not limited to the Employee Cell Phone Policy.

If an employee needs to drive on the beach in a Town vehicle, they must always comply with the following requirements pursuant to Town Code Sec. 32-42 (b):

1. Vehicles shall be operated in such a manner so as not to endanger or unreasonably disturb beachgoers, wildlife or marine life, and designated critical habitat areas, including shorebird and turtle nesting areas;
2. Vehicles shall not exceed a speed of ten miles per hour when operated on the beach;
3. Vehicles shall be operated on the wet sand; vehicles may not be operated on dry sand except to gain access to the wet sand;
4. Vehicles shall not be driven onto or within any dune or vegetated area;
5. Vehicles shall enter the beach only from authorized access points; and
6. All vehicles being operated on the beach, excluding those specified in subsections (a)(5) and (a)(6), shall be equipped with four-wheel drive.

Employees using their personal cars on Town business should understand that the Town will not be liable for any damage to an Employee's personal automobile while on authorized Town business. The Town will not be responsible for traffic violations or other fines while operating any vehicle on Town business. Whenever an employee uses his or her private vehicle for Town business, the employee is to be reimbursed for mileage at a rate established by Federal law.

An employee who violates this policy may be subject to disciplinary action, up to and including termination in the Town's sole discretion.

ACKNOWLEDGMENT
(Please remove this acknowledgement
and return it to the Assistant Town Administrator)

I acknowledge that I have received and either read or had read to me a copy of the Town of Seabrook Island Employee Handbook, including its Disclaimers (“Handbook”), dated [INSERT], which I understand replaces any other related policy or procedure, oral or written, previously used by the Town of Seabrook (the “Town”) and *CONTAINS SIGNIFICANT CHANGES*.

I HAVE READ AND UNDERSTAND THESE POLICIES AND THE DISCLAIMERS THAT PRECEDE THEM. I HAVE READ, SIGNED AND UNDERSTAND THE CONSPICUOUS DISCLAIMER ON THE FIRST PAGE OF THE HANDBOOK AS WELL AS THE DETAILED AND CONSPICUOUS DISCLAIMER ON PAGE ONE OF THIS HANDBOOK. I HAVE SIGNED THE DISCLAIMERS IN DUPLICATE AND UNDERSTAND AND AGREE THAT ALL SIGNED DOCUMENTS (WHETHER DUPLICATE OR NOT) WILL HAVE THE SAME FORCE AND EFFECT.

I UNDERSTAND AND ACKNOWLEDGE THAT THE STATUS OF MY EMPLOYMENT IS AT-WILL AND OF INDEFINITE DURATION. I UNDERSTAND THIS MEANS EITHER I OR THE TOWN MAY TERMINATE OUR EMPLOYMENT RELATIONSHIP AT ANY TIME, WITH OR WITHOUT NOTICE, FOR ANY LEGAL REASON OR FOR NO REASON.

I acknowledge that the Town has the right to audit, disclose, inspect, review, and otherwise monitor all communications on its systems, whether such communications were on behalf of the Town or for personal reasons, as set forth in relevant policies in this Handbook.

I ACKNOWLEDGE THAT THESE POLICIES ARE FOR INFORMATIONAL PURPOSES ONLY. **THIS HANDBOOK AND ITS POLICIES ARE NOT INTENDED TO CREATE, AND DO NOT CREATE, A CONTRACT OF ANY KIND BETWEEN ME AND THE TOWN OF SEABROOK ISLAND EMPLOYEE.**

Employee Print Name

Employee Signature

Date