

Town of Knightdale Personnel Policy



ADOPTED BY RESOLUTION

May 7, 2012

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Town of Knightdale
PERSONNEL POLICY

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Town of Knightdale Personnel Policy

SUBJECT: Section I: Policy Statement

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

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. No employee, officer, agent, or representative of the Town has any authority to enter into any agreement for employment for any specified period of time or to make any agreement or representation, verbally or in writing, which alters, amends, or contradicts this provision or the provisions in the personnel policy. Any exceptions to this policy of "at-will" employment must be expressly authorized in writing, approved by the Town Council and executed by the officers designated by the Council.

None of the benefits or policies set forth in this personnel manual 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. Although the Town believes wholeheartedly in the plans, policies, and procedures described herein, they are not conditions of employment.

These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel procedures. The Town explicitly reserves the right to modify any of the provisions of these policies at any time and without any notice to the employee. Notwithstanding any of the provisions within this manual, employment may be terminated at any time, either by the employee or by the Town, with or without cause and with or without advance notice.



Town of Knightdale Personnel Policy

SUBJECT: Section II: General Provisions

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Purpose

The purpose of this policy and the rules and regulations set forth are to establish a fair and uniform system of modern personnel administration for employees of the Town of Knightdale. The Town of Knightdale shall embrace the following merit system principles in administering its personnel program:

- Applicants and employees shall be assured of fair treatment in all without regard for political affiliation, religion, sex, age, gender, national origin, color, race, or disability. Individuals shall likewise be treated with proper regard for their privacy and constitutional rights as citizens.
- Employees shall be recruited, selected, trained, and advanced on the basis of their ability, knowledge, and skill.
- Employees shall be retained on the basis of the adequacy of their performance. They shall be guided in ways to correct inadequate performance and separated when inadequate performance cannot be corrected. Employees may also be separated for other reasons as herein after set out. Each employee is expressly employed at will.
- Employees shall be protected against coercion for partisan political purposes.
- Employees shall receive equitable pay and benefits and eligible employees shall receive merit pay increases based upon performance subject to the availability of funds.

Subsection 2: Administration and Responsibility

Responsibilities 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 General Statutes.

Responsibilities 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 a Human Resources Director who shall be responsible for the preparation and maintenance of the position classification plan and the pay plan, and perform all such other duties in connection with the personnel program. All matters dealing with personnel shall be routed through the office of the Human Resources Director who shall maintain a complete system of personnel files and records.

The Town Manager shall supervise the Human Resources Director in the following:

- Recommending rules and revisions to the personnel system to the Town Council for consideration
- Making changes as necessary to maintain an up to date and accurate position classification plan
- Preparing and recommending necessary revisions to the pay plan
- Determining which positions shall be subject to the overtime provisions of the Fair Labor Standards Act
- Establishing and maintaining a roster of all persons and authorized positions in the municipal service, setting forth each position and employee, class title, salary, any changes in class title and status, and such data as may be desirable or useful
- 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
- Developing and coordinating training and educational programs for Town employees
- Investigating periodically the operation and effect of the personnel provisions
- Performing such other duties as may be assigned by Town Council not inconsistent with this policy

Responsibilities of Supervisors and Employees

Responsibilities of supervisors in the implementation of these policies include:

- Accurately applying and following the personnel policies consistently with all employees
- Communicating performance expectations and documenting relevant employee performance issues
- Identifying potential problems with personnel policies and procedures and recommending improvements to the appropriate authority

Responsibilities of employees include:

- Following personnel policies
- Requesting clarification when needed
- Making recommendations for improvement

Subsection 3: Coverage

This policy in its entirety shall cover all regular and probationary Town employees. The personnel policies, plans, and rules and regulations shall be followed by all such employees. Elected officials, limited service employees, and volunteers shall be exempt.

Subsection 4: Definitions

1. Regular Employee: A full-time or part-time employee who has successfully completed the prescribed probationary period for a particular position.
2. Probationary Employee: A newly appointed full-time or part-time employee who has not yet completed the prescribed probationary period for a particular position.
3. Full-time Employee: An employee who is in a position which is authorized for an average workweek of at least 40 hours and budgeted for at least 12 months and is included in the Position Classification Plan adopted annually as part of the Town's budget ordinance.
4. Part-time Employee: An employee who is in a position which is authorized for an average workweek of at least 30 hours but less than 40 hours and budgeted for at least 12 months and is included in the Position Classification Plan adopted annually as part of the Town's budget ordinance.
5. Limited Service Employee: An employee who is hired for a position for which either the average workweek required by the Town over the course of a year is less than 30 hours and/or continuous employment required by the Town is less than 12 months.
The hiring process for Limited Service Employees is outlined within the Town's standard procedures. Such employees may be separated from service at any time the employee's job performance or conduct fails to meet the expectations of the supervisor and Department Director or if funding for the position is no longer available.
6. Volunteer: An individual who performs a service offered freely and without pressure or coercion and is not otherwise employed by the Town to perform the same type of services as those for which the individual volunteers. Volunteers are authorized only in the Fire and Police Departments and are subject to departmental policies and procedures.
7. Council: Refers to the Knightdale Mayor and Town Council Members.



Town of Knightdale Personnel Policy

SUBJECT: Section III: Position Classification Plan

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Purpose

The position classification plan provides a complete inventory of all authorized full-time and part-time positions in the Town service and an accurate class specification for each position. The plan standardizes job titles, each of which is indicative of a defined range of duties and responsibilities.

Subsection 2: Administration

The Human Resources Director shall be responsible for maintaining the position classification plan so that it accurately reflects the duties performed by employees in the classes to which their positions are assigned.

Department Directors shall be responsible for bringing to the attention of the HR Director:

- The need for new positions
- Material changes in the nature of duties, responsibilities, working conditions, or other factors affecting the classification of existing positions

The HR Director shall perform position classification studies to determine whether new positions should be created and if significant changes have occurred in existing positions to warrant an adjustment to the classification. Based on the results of such studies, the Manager shall make recommendations to the Council to allocate or reassign positions to the proper classes.

The HR Director and Manager shall periodically review the entire position classification plan and recommend appropriate courses of action to the Council.

The adopted position classification plan shall be on file with the Town Clerk and copies will be available to all Town employees for review upon request.

Subsection 3: Amendment

Classes of positions may be amended by the Council upon the recommendation of the Manager.

Subsection 4: Request for Reclassification

Any employee who considers the position in which classified to be improper shall submit a request in writing for reclassification to such employee's immediate supervisor. The supervisor shall immediately transmit the request through the Department Director to the HR Director. Upon receipt of such request, the HR Director shall study the request, determine the merit of the reclassification, and make a recommendation to the Manager for approval.

Forms are available in the HR Department



Town of Knightdale Personnel Policy

SUBJECT: Section IV: Pay Plan

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Purpose

The pay plan is intended to provide comparable compensation for all positions when considered in relation to:

- Other positions in the pay plan
- General rates of pay for similar employment in the private and public sector
- Changes in cost of living
- Financial conditions of the Town

Subsection 2: Coverage

The pay plan shall cover all authorized classes of positions included in the position classification plan.

Subsection 3: Administration

The HR Director shall be responsible for the maintenance of the pay plan and shall make recommendations to the Manager of amendments as necessary to maintain its fairness and adequacy.

Subsection 4: Transition to New Pay Plan

The following principles shall govern any transition to a new pay plan adopted by the Council:

- Any employee being paid at a rate lower than the minimum rate established for his/her assigned class shall have the salary raised to the new minimum for the class, unless designated as "trainee"

- Any employee being paid at a rate below the maximum rate established for his/her assigned class shall be paid at a rate listed in the pay plan
 - All employees not at a listed rate shall have their salaries raised to a listed rate
- Any employee being paid at a rate above the maximum rate established for his/her assigned class shall remain at such rate until such time as the employee's salary range is increased above the employee's current salary.

Subsection 5: Payment at a Listed Pay Rate

All employees covered by the pay plan shall be paid at a pay rate listed within the salary range established for their respective job classification except employees in "trainee" status or employees whose present salaries are above the established maximum rate following transition to a new pay plan.

Subsection 6: Starting Rates of Pay

The starting salary or hourly rate for persons entering Town employment other than employment as a "trainee" shall normally be set at the minimum step of the salary range for the classification to which the appointment is being made. However, an applicant may be hired at a step other than the minimum step based on qualifications upon the recommendation of the HR Director and Department Director and with the approval of the Manager.

Subsection 7: "Trainee" Designation

A new Town employee who does not meet all of the established requirements for a position may be appointed (with the approval of the Manager) at a "trainee" salary no more than 2 grades below the minimum salary established for the position. In such cases, a time schedule outlining the plan for training is prepared and approved by the Manager. If training is successfully completed, the employee shall be paid at the minimum step of the salary range for the position in which he or she served as a trainee. If training is not successfully completed as planned, the employee shall be terminated.

Subsection 8: Merit System

When the quality of an employee's performance is worthy of special recognition, the employee's salary is advanced from one step to the next within the assigned salary grade. Department Directors shall recommend merit increases to the Manager for approval.

A merit pay increase of 1 to 5% within the applicable salary grade may be granted with the approval of the Manager to regular employees in accordance with the following provisions:

- Annually upon completion of a year of continuous service
- When such an increase will not exceed the maximum salary for the class of the position

Merit increases will not be awarded automatically. When an employee's productivity, behavior, attendance, or work quality need improvement, Department Directors shall recommend denial of any merit increase and advise the employee of needed improvement.

Subsection 9: Merit Bonus Plan

The purpose of the merit bonus plan is to reward those employees who have reached the maximum step in the assigned salary range with a 1 to 5% merit bonus when their work performance is determined to be meritorious. Regular employees of the Town are eligible for merit bonuses and may be awarded every other year after the employee reaches the top step of the salary range for his/her position. Merit bonuses shall be made in a lump sum payment and are not a part of base pay.

Subsection 10: General Pay Plan Adjustments

Market adjustments shall be made by increasing or decreasing the Town's pay plan by the same percentage across-the-board. Upon recommendation from the Manager, the Council shall consider market adjustments prior to adopting the new fiscal year budget. Market considerations include:

- General condition of the economy
- Cost-of-living factors
- Comparative rates of pay in other jurisdictions, agencies, or local businesses
- Financial condition of the Town

Subsection 11: Salary Adjustment Upon Promotion

Upon promotion, an employee's salary shall be increased at least 5%. This is accomplished by advancing the employee's salary to the pay grade of the new position at a step equal to a 5% increase. If the minimum step of the new position pay grade is greater than 5% of the employee's salary, the employee's salary shall be assigned to that minimum step.

Subsection 12: Salary Adjustment Upon Demotion

Upon employer initiated demotion or reassignment at employee's request, an employee's salary shall be adjusted to the step of the lower salary grade which corresponds with the employee's current salary. An employee whose salary exceeds the maximum step of the lower salary grade shall have his/her salary adjusted to the maximum step of the lower grade.

For any demotion that is the result of disciplinary action, an employee's salary shall be decreased by at least 5% or to the maximum of the lower grade if that is a greater decrease.

Subsection 13: Salary Adjustment Upon Transfer

An employee's salary shall not be adjusted upon transfer from one position to another within the same pay grade.

Subsection 14: Salary Adjustment Upon Reclassification

An employee whose position is reclassified upward shall receive a salary increase at a rate determined by the Council upon recommendation by the Manager. The Council shall review the Position Classification Plan annually.

Subsection 15: Effective Date of Salary Adjustments

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

Subsection 16: Pay Rates for Part-Time Employees

Part-time employees shall be paid at a rate determined by converting the established salary of the position to an hourly rate.

Subsection 17: Pay Periods

Town employees shall be paid biweekly.

Subsection 18: Temporary Assignment Compensation

The purpose of this subsection is to establish a standard for paying an employee who is acting in an interim position.

An employee who is temporarily assigned to serve in a higher pay grade position for more than 6 weeks in duration shall receive a one-time bonus at the end of the assignment. The bonus shall be calculated by multiplying the actual hours worked during the temporary assignment by the difference in the hourly rate of the employee's regular position and the temporarily assigned position at the step equivalent to the employee's current step in the pay scale.

An employee who is temporarily assigned to serve in an equal or lower pay grade position in addition to his/her regular assignment for more than 6 weeks in duration shall receive a one-time bonus at the end of the assignment. This bonus shall be calculated at the discretion of the Town Manager taking the individual circumstances into account.

The Manager must approve all temporary assignments.



Town of Knightdale Personnel Policy

SUBJECT: Section V: Recruitment and Employment

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Equal Employment Opportunity

It is the policy of the Town to foster, maintain, and promote equal employment opportunity. The Town shall select employees on the basis of an applicant's qualification for the position and reward them, with respect to compensation and opportunity for training and advancement, without regard to political affiliation, religion, sex, age, gender, national origin, color, race, or disability. Applicants with physical disabilities shall be given equal consideration for positions in which the disability does not represent an unreasonable barrier to satisfactory performance of duties or to the safety of other employees.

Subsection 2: Recruitment Sources

The Town shall include among its recruitment sources organizations and media which are utilized by and available to the local community and to minority group applicants. Detailed information about job openings and equal employment opportunity of the Town shall be provided to those recruitment sources.

Subsection 3: Application for Employment

All persons expressing interest in employment with the Town shall be given the opportunity to file an application for employment for specific vacant positions. All applicants may be informed of current job opportunities and any known possibility or probability of future job openings.

Applications will be kept on file for 2 years after submission.

Subsection 4: Publicizing Employment Opportunities

The HR Director shall be responsible for publicizing and communicating job opportunities for employment with the Town. Vacant positions will be publicized after internal candidates have been considered. All announcements and advertisements shall contain assurances of equal employment opportunity.

Subsection 5: Recruitment Process

It shall be the Town's policy to attract qualified candidates for employment utilizing appropriate available means. The HR Director shall normally notify recruitment sources of the employment opportunity and post an announcement including:

- Position title
- Brief description of duties
- Minimum qualification requirements
- Salary range
- Application instructions
- Deadline (if any)

The HR Director shall screen all applications for the vacancy and identify a group of the most qualified candidates for interview.

Subsection 6: Appointments

The Department Director and Human Resources Director shall forward a candidate's application and hiring recommendation to the Manager for approval prior to making a job offer. The Manager shall approve or reject the recommended appointment and determine the starting salary based on staff's reasons for the selection of the applicant over others.

Subsection 7: Qualification Standards

An employee shall meet the minimum standards established by the position classification plan unless hired in a "trainee" status. Other reasonable minimum standards as to character, aptitude, ability to work with the public, and physical condition may be established.

Applicants who knowingly make any material false statement concerning their application for appointment or promotion to a position in Town employment shall forfeit their right to be considered for or occupy the position or any future position.

Subsection 8: Physical Examination and Drug Screening

The Town may require a selected candidate for employment to successfully complete a medical examination and drug screening prior to starting work with the Town. The purpose of such examination and drug screening is to assure that no physical condition exists that may prevent the candidate from performing essential duties and responsibilities of the job.

Subsection 9: Probationary Period

The purpose of a probationary period is to provide an opportunity for the employee to adjust to the new position. Likewise, it serves as a trial period during which one must prove his/her ability to:

- Perform assigned duties
- Accept additional responsibility
- Develop desirable behavior

- Work with the public and with his/her co-workers

Employees appointed or promoted shall serve a probationary period of 6 months. This period begins at date of hire or date of promotion unless otherwise specified within individual departmental policies. The probationary period may be extended one time for an additional 6 month period. No employee shall serve more than 12 months in a probationary status.

While serving a probationary period following initial employment, an employee will receive all benefits provided in accordance with this policy except vacation leave may not be taken unless the denial of such would create an unusual hardship. The Department Director shall seek approval from the Manager for such leave.

Prior to completion of the probationary period, the Department Director shall complete at least one performance evaluation of such employee and indicate in writing to the Manager:

1. Employee's progress has been discussed with the employee
2. Whether the employee is performing satisfactory work
3. Whether the probationary period should be extended
4. Whether the employee should be retained in his/her present position or be released, transferred, or demoted

Upon successful completion of the probationary period following initial employment, an employee shall be awarded a 5% pay increase.

An employee may be dismissed without right of appeal during the probationary period at any time the Department Director finds that the employee is not satisfactorily performing his/her assigned duties.

Subsection 10: Re-employment

An employee who resigns in good standing may be reinstated and credited with his/her previously accrued sick leave if the employee has not been employed with another state agency since employment with the Town. Previous Town service will be credited for purposes of calculating longevity, years of service, and vacation leave accrual. A reinstated employee will serve a new probationary period.



Town of Knightdale Personnel Policy

SUBJECT: Section VI: Conditions of Employment

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Work Schedule

Department Directors shall establish work schedules which meet the operational needs of the department in the most cost effective manner possible.

Subsection 2: Rest Periods/Breaks

Due to the variation in work schedules and needs among departments, the Town makes no attempt to define a uniform policy for rest periods or breaks for all departments. Department Directors should establish appropriate rest period practices which will best serve the Town interest in work units under their supervision.

Subsection 3: Fair Labor Standards Act and Overtime Compensation

Employees may be required to work in excess of regularly scheduled hours as necessitated by the needs of the Town and determined by Department Directors. Employees shall be required to work overtime only in emergencies or due to unusual circumstances.

The Town complies with the Fair Labor Standards Act (FLSA). The Manager and HR Director shall determine which positions are non-exempt and are therefore subject to FLSA regarding the following among other provisions:

- Hours of work
- Work periods
- Rates of overtime compensation

A listing of exempt and non-exempt positions can be found in the Position Classification Plan.

Non-exempt employees:

- Are expected to work during all assigned periods exclusive of breaks or mealtimes
- Are not to perform work at any time that they are not scheduled to work except in emergencies
- Will be compensated at a straight time rate for hours up to the FLSA established limit for their position:
 - Most positions 40 hours in a 7 day period
 - Police shift personnel 171 hours in a 28 day cycle
 - Fire shift personnel 212 hours in a 28 day cycle
- Will be compensated with either time or pay at the appropriate overtime rate in accordance with FLSA for hours worked beyond the established limits with the Director's approval
- Will be subject to Compensatory Time Off Agreement
- Will be allowed time off within the pay period to avoid overtime when practicable
- Will be scheduled for time off within 30 days of earning compensatory time
- Have the right to request use of accumulated compensatory leave and must be allowed to use such leave in a reasonable time period
- May be required to use accumulated compensatory leave before the use of sick or vacation leave
- Will be paid for compensatory leave balances upon separation

In determining eligibility for overtime compensation, only hours actually worked will be considered and in no event will leave time be included in the computation of hours worked for FLSA purposes.

Exempt employees:

- Are paid on a salary basis
- Will not receive pay for hours worked in excess of normal work periods
- May be granted compensatory leave on an hour for hour basis as approved by the Manager
- Are not guaranteed the use of accumulated compensatory leave
- Will not be paid for compensatory leave balances upon separation
- Will be subject to deductions from pay for authorized reasons
- Will not be subject to improper pay deductions prohibited under the Fair Labor Standards Act

In a declared disaster or emergency situation requiring long and continuous hours of work, both exempt and non-exempt employees may be compensated at a rate of no more than double time for the duration of the emergency period as approved by the Manager.

Subsection 4: On Call Status

The nature of certain positions requires employees to be available in an on call status. On call status may be an integral part of routine duties and responsibilities of some positions therefore compensation is included in the regular rate of pay. The time spent waiting while on call is not considered to be working time. Employees waiting to be called are free to use their time as they please. In the event that an employee is needed to perform assigned duties outside of normal working hours, compensation will be calculated based on FLSA. Employees in an on call status who do not respond to fulfill duties will be subject to disciplinary action.

Subsection 5: Outside Employment

Town duties shall have precedence over other occupational interests of Town employees. Part-time or outside employment shall be approved in advance by the appropriate Department Director and all approved outside employment must be reported to the Manager annually.

The Town recognizes the right of employees to discretionary use of their off-duty time as long as such activities do not adversely affect Town work, represent a conflict of interest, or reflect discredit upon the

Town. Examples of conflict of interest in outside employment include but are not limited to employment with organizations or in capacities that:

- Are regulated by the Town employee or employee's department
- Negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's Town duties

The Town strictly prohibits employees engaging in outside employment to contract with the Town.

Employees are cautioned not to engage in outside work which impairs their physical or mental abilities to perform their essential duties with the Town. An employee who sustains an injury or illness in connection with outside employment shall not be entitled to receive:

- Workers compensation benefits provided by the Town
- Paid sick leave

In cases where an outside employment-related injury or illness results in temporary disability, an employee must either:

- Request and obtain a leave of absence without pay
- Request and use accrued vacation leave

Request forms are available in the Human Resources Department.

Subsection 6: Safety

It is the intent of the Town to provide for an ongoing program that assures a safe, healthy work environment for all employees complying with all safety laws and regulations.

Each Department Director and Supervisor will be responsible for:

- Providing safe work procedures and environment
- Implementing safety policies and programs
- Informing and training employees in safe work habits
- Detecting and correcting unsafe practices and conditions
- Investigating accidents and preparing accident reports
- Encouraging employees to report unsafe conditions and to submit practical safety suggestions

Each Town employee shall be responsible for:

- Following safety policies and procedures
- Attending any safety training programs offered
- Developing and maintaining safe work habits
- Promptly reporting all accidents and injuries
- Pointing out any dangerous practices or working conditions
- Assisting with investigating accidents
- Taking proper care of safety equipment
- Wearing proper clothing and avoiding loose sleeves, cuffs, rings, bracelets, necklaces, and long hair around moving machinery
- Knowing the location and use of fire extinguishers, location of fire exits, and method for reporting such
- Knowing the location and use of first aid kits
- Maintaining standard first aid, CPR, and AED certifications as required

In addition to the above provisions, the Town shall maintain a Safety Policy which details safety related procedures and responsibilities.

Subsection 7: Employment of Relatives

The Town prohibits the employment of an employee's immediate family member in a position within the same division of a department. "Immediate family member" is defined as:

- Spouse
- Child
- Parent
- Sibling
- Grandparent
- Grandchild
- Aunt
- Uncle
- Guardian
- Various combinations of half, step, in-law, and adopted relationships deriving from the above named

The Town also prohibits the employment of any person into a regular position who is an immediate family member of the Mayor, a Town Council Member, or the Town Manager.

Otherwise, the Town will consider employing family members or related persons in Town service provided that such employment does not:

- Result in a relative supervising a relative
- Result in a relative auditing work of a relative
- Create a conflict of interest with either relative and the Town

Subsection 8: Harassment Prohibited

Harassment is verbal or physical conduct that a reasonable person would find hostile or abusive based upon such person's or group's political affiliation, religion, sex, age, gender, national origin, color, race, or disability. The Town is committed to maintaining a work environment free of harassment for its employees.

Conduct prohibited by this policy includes, but is not limited to, harassment that has the purpose or effect of creating a hostile work environment or the submission to which is made, either explicitly or

implicitly, a term or condition of employment or is used as the basis for employment decisions. A hostile work environment is one which has the effect of inappropriately and substantially interfering with an employee's or group of employees' work performance.

Any employee with a complaint of harassment may follow the grievance procedures set forth in the Town's Personnel Policy or may file a complaint directly with the Manager, Human Resources Director, or Town Attorney. The Manager will insure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate Town officials of the outcome of the investigation. Confidentiality will be maintained as much as possible but is not assured. The Town will not tolerate retaliation against any employee who has cooperated or assisted in the investigation.

Any employee who is found to be engaged in harassment is subject to disciplinary action up to and including dismissal. Any employee who files a false claim or makes false statements regarding a claim will be subject to disciplinary action up to and including dismissal.

Subsection 9: Political Activity

Every employee has a civic responsibility to support government through every available means and in every appropriate manner. The Town encourages each employee to exercise such civic responsibility by voting for the political candidates and issues of his/her choice.

Each employee may join or affiliate with civic organizations of a partisan or political nature, attend political meetings, and advocate or support the principles or policies in accordance with the Constitution and laws of the State of North Carolina and of the United States of America. However, no Town employee shall:

- Engage in any political activity while on duty
- Be required to contribute funds for political or partisan purposes as a duty of his/her office or employment or as a condition of employment, promotion, or tenure
- Solicit or act as custodian of funds for political or partisan purposes

- Be a candidate for Town Council
- Use Town supplies or equipment for political purposes

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

Subsection 10: Gifts and Favors

Town employees are not allowed to accept gifts whether in the form of service, loan, item, or promise from any person who, to the employee's knowledge, is interested directly or indirectly in any manner whatsoever in business dealings with the Town. Exceptions are as follows:

- Advertising items or souvenirs of nominal value
- Meals furnished at banquets
- Consumable gifts offered to an entire work group during the holiday season where rejection would damage the spirit in which the gifts were offered

Employees should consult with their supervisor when in doubt as to the propriety.

Employees shall not accept any gift, favor, or item of value that may tend to influence that employee in the discharge of duties nor shall any employee grant in the discharge of duties any improper favor, service, or item of value.

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

Subsection 11: Solicitations

Except as specifically approved by the Manager, no employee shall solicit pledges or contributions for any cause during work time. Work time is when the employee soliciting and/or the employee being solicited are working.

Subsection 12: General Service Regulations

The following general service regulations shall apply to Town employees:

- Behavior and Common Courtesy
 - When contacting the public in any manner, especially for public business, Town employees shall do so in a courteous manner. Every employee shall at all times endeavor to conduct himself or herself in a manner that reflects credit upon his/her department and the government of the Town.
- Disclosure of Confidential Information
 - No official or employee shall, without the approval of the Council, disclose confidential information concerning the property, government, or affairs of the Town nor shall he or she under any circumstances use such information to advance the personal, financial, or other private interests of himself/herself or others.
- Non-discrimination
 - No discrimination shall be exercised, threatened, or promised against or in favor of any applicant, competitor, or employee because of his/her political affiliation, religion, sex, age, gender, national origin, color, race, or disability.
- Use of Intoxicants
 - No employee shall use intoxicating beverages or drugs of any kind while on duty, nor shall an employee report for duty while under the influence of an intoxicant or drug, unless such drug has been certified by a licensed physician as a drug that will not impair the essential duties of the employee. "Under the influence" as used in this policy shall mean to have one's physical or mental faculties affected in any observable manner.
- Use of Town-owned Equipment
 - Town-owned equipment shall only be used in the manner authorized by the Council and no employee shall take for his/her personal use any such equipment.
 - An employee who is on call may be authorized by their Department Director to take a vehicle to his/her residence.
 - Personal use of Town vehicles and use of Town purchased gasoline in privately owned vehicles is strictly prohibited.

- Surrender of Property
 - A terminated employee shall be required to return all items of equipment, including uniforms owned by the Town. Return of such equipment in good condition must precede the issuance of the employee's final pay check.
- Purchase of Equipment or Supplies
 - No employee shall purchase for personal use any equipment or supplies through Town purchase accounts.
 - Purchase of safety shoes and other items used in the performance of employee duties must be authorized by the Manager.
- Off-Duty Conduct
 - Certain types of off-duty activities represent potential concern and liability to the Town, therefore employees engaging in or associated with the following activities may be subject to dismissal or other disciplinary action as follows:
 - Illegal or immoral conduct
 - Conduct that adversely affects the public trust and confidence in the Town
 - Conduct that brings embarrassment or ridicule to the Town
 - Conduct that affects the employee's ability or credibility to carry out assigned duties and responsibilities

Subsection 13: Substance Abuse and Maintaining a Drug-Free Workplace

The Town is dedicated to maintaining a work environment that is free of drugs and substance abuse. Substance abuse includes drugs, alcohol, and prescription drugs and is a legitimate concern due to the negative impact on employees and the workplace. Such abuse has the potential to compromise or threaten employee safety, productivity, and the general well-being of everyone concerned.

Employees who are experiencing an alcohol or drug problem should seek help before it begins to affect job performance. The decision to seek help is viewed as responsible and will be supported by the Town. Efforts to obtain help will be respected and handled in utmost confidence.

Any employee who reports to work under the influence of alcohol or drugs will be subject to disciplinary action up to and including dismissal.

The Town shall establish standard policies and procedures related to employee substance abuse in order to insure the safety and well-being of citizens and employees and to comply with state and federal regulations.

Subsection 14: Technology Appropriate Use

The Town shall provide employees with computers and equipment to enhance job performance. All such computers and equipment, including data storage devices, printers, monitors, and the data contained thereon, are the sole property of the Town. The Manager will maintain access to all such equipment and data. The standard procedure for proper use of technology will be enforced by the Manager and IT Administrator.

Subsection 15: Credentials and Certifications

Some duties assigned to positions in local government service may be performed only by persons who are duly licensed, registered, or certified as required by relevant law, rule, or regulation. Town employees in such positions are responsible for maintaining current, valid credentials and certifications as required by law. Failure to obtain or maintain the required credentials and certifications is basis for immediate dismissal without prior warning. An employee who is dismissed for this reason shall be given a written statement of the reason for the action and his/her appeal rights.

Subsection 16: Weapons

No Town employee is permitted to possess any firearm or other dangerous weapon while performing Town duties or while on Town property or in any Town vehicle or in any personal vehicle used by the employee to perform Town duties. Law enforcement officers are exempt from this policy to the extent

of standard operating procedures set forth by the Police Department. Violation of this section will result in mandatory disciplinary action up to and including dismissal for the first offense.

Subsection 17: Inclement Weather

In the event of inclement weather the following provisions apply:

- The Manager is responsible for making the decision to cancel, delay, or end the workday
- The Manager is responsible for communicating workday alterations to Department Directors
- Department Directors are responsible for immediately notifying staff members of workday alterations
- No employee should assume the workday has been altered without confirmation
- Essential personnel consists of Police, Fire and Public Works staff scheduled to work during a period of adverse weather
- The Manager may alter the definition of essential personnel dependent upon the actual events and circumstances at any given time and will communicate such changes to Department Directors
- Any employee reporting to work during inclement weather when not required to do so will be paid for actual hours worked but will not be granted administrative leave or compensatory time in addition to being paid for actual hours worked
- Any employee who has previously scheduled time off (vacation, sick, comp, etc.) which coincides with an inclement weather closing will not receive administrative leave or compensatory time but should consider work time missed as scheduled for scheduled leave

In the event the workday is cancelled:

- The Manager will notify Department Directors no later than 7:00 a.m.
- Department Directors are responsible for immediately notifying departmental staff
- Non-essential personnel are not required to report to work and are paid for 8 hours administrative leave and the use of accrued leave time (vacation, compensatory time) is not required

- Essential personnel are required to report to work according to normal operating hours regardless of weather conditions or Town operating schedules and will be compensated accordingly
- Essential personnel who are scheduled to and report to work will be granted 8 hours compensatory leave in addition to being paid for actual hours worked

In the event the workday is delayed:

- The Manager will notify Department Directors no later than 7:00 a.m.
- Department Directors are responsible for immediately notifying departmental staff
- Non-essential personnel are not required to report to work until the designated opening time and are paid for the hours prior to opening as administrative leave and the use of accrued leave time (vacation, compensatory time) is not required
- Essential personnel are required to report to work according to normal operating hours regardless of weather conditions or Town operating schedules and will be compensated accordingly
- Essential personnel who are scheduled to and report to work will be granted compensatory leave hours equivalent to the delay in addition to being paid for actual hours worked

In the event the workday ends early:

- The Manager will notify Department Directors as soon as possible after making a decision to close early
- Department Directors are responsible for immediately notifying departmental staff
- Non-essential personnel are not required to remain at work after the designated closing time and are paid for the remaining hours as administrative leave and the use of accrued leave time (vacation, compensatory time) is not required
- Essential personnel are required to remain at work according to normal operating hours regardless of weather conditions or Town operating schedules and will be compensated accordingly

- Essential personnel who are scheduled to and remain at work will be granted compensatory leave hours equivalent to the early closing in addition to being paid for actual hours worked



Town of Knightdale Personnel Policy

SUBJECT: Section VII: Employee Benefits

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Insurance Programs

A. Town Funded Benefits

The Town provides health, dental, vision, and life insurance to all regular employees. Questions regarding insurance coverage should be directed to the Human Resources Department.

B. Retiree Health Insurance

For Employees hired prior to April 20, 2005:

- Town pays 100% of retiree's health insurance if:
 - Employee has at least 10 years of service with the Town;
 - Employee retires under the Local Government Employees Retirement System (LGERS); and
 - Employee's age and creditable service in LGERS equals at least 72.
- When a retiree qualified to receive 100% of health insurance paid by the Town reaches age 65, the Town provides an individual Medicare Supplemental Insurance Policy equal to Plan F in addition to Plan D Rx coverage not to exceed the cost of current employee health insurance premiums.

- Employee may purchase health insurance through the Town if:
 - Employee has at least 10 years of service with the Town; and
 - Employee is qualified to retire under LGERS.
- Employee qualified to receive retiree health insurance from the Town may purchase health insurance for dependents.
- Re-employment with another governmental agency where health insurance is provided disqualifies a retiree from receiving health insurance coverage or Medicare supplemental insurance from the Town.

For Employees hired after April 19, 2005:

Town pays the following % of retiree's health insurance if employee retires under the Local Government Employees Retirement System (LGERS):

- 100% for employees with at least 25 years of service with the Town.
- 75% for employees with 22 to 24 years of service with the Town.
- 50% for employees with 19 to 21 years of service with the Town.
- 25% for employees with 15 to 18 years of service with the Town.
- No continuation of health insurance coverage is provided for employees with 0 to 14 years of service with the Town.
- When a retiree with at least 15 years of service reaches age 65, the Town provides an individual Medicare Supplemental Insurance Policy equal to Plan F in addition to Plan D Rx coverage not to exceed the cost of current employee health insurance premiums.
- Retirees eligible for coverage as noted above may continue dependent coverage with the employee responsible for 100% of the premium if dependents are enrolled at the time of retirement.
- Re-employment with another governmental agency where health insurance is provided disqualifies a retiree from receiving health insurance coverage or Medicare supplemental insurance from the Town.

A year of service is defined as a 12 month period of continuous, full-time service with the Town. Part-time employees should convert their schedule into years of full-time service. For example, an employee working 30 hours per week for 52 weeks would earn 0.75 years of service.

Subsection 2: Supplementary Life Insurance

The Town may provide supplementary life insurance benefits and programs for employees.

Subsection 3: Retirement

- Regular employees shall be covered by the North Carolina Local Governmental Employees' Retirement System.
- The Town and the employee shall both contribute to the cost of the retirement as required by state law.
- Retirement payments shall be deducted from employees' salaries in addition to other required payroll deductions in such a manner as to allow the favored tax treatment of such deductions under state law.
- Employees are responsible for submitting the "Notice of Retirement" form to the Human Resources Department at least 30 days prior to the proposed retirement date.
- Employees are responsible for completing and submitting any and all forms required by the North Carolina Local Governmental Employees Retirement System according to the deadlines set forth by the state.

Subsection 4: Deferred Compensation

The Town shall contribute to the 401(k) deferred compensation program on behalf of law enforcement officers as required by state law and all other employees as approved by the Town Council.

A 457(b) deferred compensation program is available with all funding provided by the employee.

Subsection 5: Social Security

The Town and its employees shall participate in and contribute to the Social Security program as required by federal law.

Subsection 6: Unemployment Compensation

The Town provides unemployment compensation for employees who are involuntarily separated from Town service through no fault of their own. This mandated benefit is fully paid for by the Town through the North Carolina Employment Security Commission.

Subsection 7: Uniforms and Clothing Allowance

- Employees required to wear uniforms shall have them furnished by the Town.
- Employee responsibilities include:
 - Payment for any avoidable damage or loss
 - Wearing uniforms only when working for the Town or immediately before or after the assigned shift unless approved by the Department Director
 - Not allowing anyone else to wear uniforms
 - Returning uniforms to the Town upon separation
- Police Officers assigned to plain clothes duties may be provided a clothing allowance depending upon departmental funding.

Subsection 8: Longevity Pay Plan

- Employees shall be entitled to longevity pay based on years of service with the Town according to the schedules outlined below.
- Longevity will be paid annually in a lump sum to eligible employees on the scheduled payroll date preceding the employee's anniversary date and calculated as a percentage of base salary as of the same scheduled payroll date.

- Prorated payments due to termination of employment for any reason are not authorized.
- Each year at a January Town Council meeting, all employees reaching a five year milestone during the preceding year will be recognized.

For Employees hired prior to July 1, 1991:

Completed Years of Service	% of Base Salary
1 to 2	2.00
3 to 4	2.50
5 to 9	3.00
10 to 14	3.50
15 to 19	4.00
20 or more	4.50

For Employees hired after June 30, 1991:

Completed Years of Service	% of Base Salary
5 to 9	2.00
10 to 14	3.00
15 to 19	4.00
20 or more	5.00

Employees who retire in good standing shall be awarded an appropriate retirement gift as determined by the Town Council.

Subsection 9: Education Tuition Reimbursement

Regular employees may apply for tuition reimbursement for courses taken on their own time which will improve current job skills or in preparation for promotional opportunities within Town service. Workshops, conferences, and seminars are not covered under this policy. All tuition reimbursement requests are subject to the following stipulations:

- Employee must apply for and obtain approval according to procedures set forth below in advance of class enrollment.
- Employee must receive a grade of “C” or better for any course completed or for a pass/fail course, the employee must provide a letter from the course instructor certifying the successful completion of the course or a certificate of completion from the institution.
- Employee may be reimbursed actual costs not to exceed the current 0 to 5 semester hour rate at NCSU per term upon successful completion of any approved course.
- A stipend of \$200 toward other required fees such as textbooks and lab fees may be allowed with documentation of receipts.
- Employee must certify the amount and kind of other funds received for educational purposes from federal, state, or other sources (such as scholarships and grants). The Town will not reimburse the employee for amounts funded by other sources.
- Reimbursement is contingent upon availability of funds.
- Employee must reimburse the Town a prorated share of the total amount of tuition reimbursement received if employment is terminated as follows:
 - 75% within 0-30 days of course completion
 - 50% within 31-60 days of course completion
 - 25% within 61-89 days of course completion
 - 50% within the 1st year after degree completion
 - 25% within the 2nd year after degree completion

Procedure:

1. Employee submits an Education Tuition Reimbursement Application to Department Director
2. Department Director submits approved application to the Town Manager for final approval
3. Human Resources Director will notify the employee and Department Director of approval
4. Employee enrolls in approved course
5. Employee submits Tuition Reimbursement Request Form with all required documentation to the Human Resources Director within 30 days of course completion

6. Human Resources Director verifies all documentation and submits check request to the Finance Department

Applications and Reimbursement Request Forms are available in the Human Resources Department.

Subsection 10: Pool Membership

Regular employees and their immediate family members shall be given free membership to the Knightdale Recreation Center Pool.

Subsection 11: Career Development Programs

With the approval of the Manager and budget approval by Town Council, individual departments are authorized to implement career development programs allowing salary advancement within range based on the attainment of specified criteria. Details on such programs must be approved and documented within each Department's guidelines.

Subsection 12: Separation Allowance for Law Enforcement Officers

The Town pays a separation allowance to retired law enforcement officers as specified in state statutes subject to the following conditions:

- The officer shall have completed 30 or more years of creditable service or have attained 55 years of age and completed 5 or more years of creditable service; and
- The officer shall not have attained 62 years of age; and
- The officer shall have completed at least 5 years of continuous service as a law enforcement officer immediately preceding service retirement, provided that any break in the continuous service required by this subsection because of disability retirement or disability salary continuation benefits shall not adversely affect an officer's qualifications to receive the allowance, provided the officer returns to service within 45 days after the disability benefits cease and is otherwise qualified to receive the allowance; and

- The officer, after separation from employment with the Town, will notify the Town of any new employment including the nature and extent of the employment, any change of employment status, and any discontinuation of employment, within 5 days of employment, change, or discontinuation.

The Town Council shall make determination of eligibility in the event of a dispute.

Such allowance shall terminate:

- at death;
- on the last day of the month in which the officer attains 62 years of age; or
- upon the first day of employment with any subsequent local government employer, provided that the retiree's subsequent employment is eligible for participation in a government-sponsored retirement system.

Former Town law enforcement officers who return to work for the Town as limited service part-time temporary law enforcement officers are an exception to this subsection.

Former Town law enforcement officers otherwise eligible for the separation allowance, but are re-employed in a manner that terminates their allowance will have their separation allowance benefit resume upon termination as a sworn law enforcement officer provided they still meet all other eligibility requirements.

Subsection 13: Employee Assistance Program

The Town offers an Employee Assistance Program (EAP) to help employees resolve a wide range of personal problems that may have a negative effect on job performance:

- Confidential counseling service is available to employees and their immediate family members. Employees are encouraged to use the EAP when they are experiencing problems that may have impact on their ability to be productive at work.
- Employees may choose to use the program or may be encouraged by their supervisor when job performance and/or behavior is unsatisfactory.

- Employees participating in the EAP are required to meet existing job performance standards.
- Use of the EAP does not replace the use of established procedures for managing unsatisfactory job performance and/or behavior.
- The Town will not have access to EAP records without written permission from the employee.
- All individual rights to confidentiality will be assured in the same manner as any other health records.
- Use of the EAP will not jeopardize the employee's employment status or promotion opportunities.
- With approval, employees may use accumulated sick, vacation, or compensatory leave for scheduled EAP appointments.
- Initial EAP visits are provided free of charge.
- EAP may recommend additional assistance that may be covered by health insurance or available through community-funded or self-help organizations.



Town of Knightdale Personnel Policy

SUBJECT: Section VIII: Leaves of Absence

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) entitles eligible employees 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.

Information regarding an employee's rights and responsibilities under FMLA is outlined below and can also be accessed utilizing the Employee Benefit Center link on the Town's website and in the common areas of each Town facility.

Employee eligibility is based on two requirements:

1. Must have a total of at least 12 months of service with the Town (does not have to be consecutive)
2. Must have worked at least 1,250 hours during the last 12 months of service with the Town

Eligible employees are entitled to:

12 workweeks of leave during a rolling 12-month period for the following:

- the birth of a child and to care for the newborn child within one year of birth

- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement
- to care for the employee's spouse, child, or parent who has a serious health condition;
- a serious health condition that makes the employee unable to perform the functions of his/her job
- if the employee's spouse, child, or parent is a covered military member on active duty or call to active duty status in support of a contingency operation to address certain qualifying exigencies as follows:
 - short notice deployments (less than 7 day notice)
 - attending certain military events and related activities
 - arranging for alternative child care and school activities
 - addressing certain financial and legal arrangements
 - attending certain counseling sessions, provided the need for counseling arises from the active duty or call to active duty status of a covered military member
 - rest and recuperation
 - attending post-deployment reintegration briefings
 - any additional activities arising out of the covered military member's active duty or call to active duty status, provided the employee and Town agree that such leave shall qualify as an exigency

26 workweeks of leave during a single 12 month period to care for a covered service member with a serious injury or illness if the eligible employee is the covered service member's spouse, child, parent, or next of kin (military caregiver leave).

Employee Responsibilities:

1. An employee must provide his/her supervisor and Department Director with a 30-day advance notice of the need to take FMLA leave when the need is foreseeable.

When the need for leave is unforeseeable, an employee must provide notice as soon as practicable and generally must comply with usual and customary notice and requirements for requesting leave.

2. An employee must provide sufficient information for the Town to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave requested.
3. An employee may be required by the Town to provide certification and periodic recertification supporting the need for leave.

Supervisor and Department Director Responsibilities:

1. Upon receiving an employee's request for FMLA leave, the supervisor and/or Department Director must notify the HR Director immediately of such request in writing.
2. In the event that an employee does not request FMLA leave, when the supervisor and/or Department Director acquire knowledge that leave may be for FMLA purpose, the HR Director must be notified immediately of such knowledge in writing.
3. After receiving notice of initial approval of FMLA leave, the supervisor and/or Department Director shall note absences on all subsequent timesheets pertaining to FMLA leave.

Human Resources Director Responsibilities:

1. Within 5 business days of receipt of a request for FMLA leave or of acquiring knowledge that leave may be for FMLA purpose, the HR Director will determine if the employee is eligible for FMLA leave and provide the employee with form WH-381: Notice of Eligibility and Rights and Responsibilities.
2. If sufficient information is not provided by the employee initially, the HR Director will provide the employee with the applicable forms below and the employee must return such forms within 15 days of notice:
 - a. form WH-380E or WH-380F: Certification of Health Care Provider for Serious Health Condition
 - b. form WH-384: Certification of Qualifying Exigency for Military Family Leave
 - c. form WH-385: Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

3. Within 5 business days of receiving a completed certification or otherwise acquiring enough knowledge to determine whether an employee qualifies for FMLA leave, the HR Director will provide the employee with form WH-382: Designation Notice indicating approval or denial of FMLA leave.

Employees approved for FMLA leave are required to use available leave time except as provided in Subsection 5 Short-Term Disability Leave and Subsection 7 Workers' Compensation Leave.

When available leave time is exhausted, any remaining FMLA leave will be without pay.

Definitions:

1. Serious Health Condition: An illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.
2. Continuing Treatment: Duration is more than three (3) consecutive days and two (2) treatments must be provided by a healthcare provider within thirty (30) days of the first day of incapacity with the first treatment occurring within the first seven (7) days. Healthcare visits must be in person. The healthcare provider determines whether a second visit is required.
3. Covered Service Member: A current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation or therapy; is in outpatient status; or is on the temporary disability retired list.
4. Next of Kin: as defined for the "care of a covered service member" is a blood relative other than the covered service member's spouse, child, or parent in the following order of priority: blood relatives who have been granted legal custody of the covered service member; 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.

Subsection 2: Holidays

The Town provides holidays for regular employees based on one of the schedules below.

For employees who work a standard 40 hour week, the Town follows the same holiday schedule provided by the State of North Carolina and applies the following guidelines regarding compensation:

- Employees not required to work on an observed holiday will receive 8 hours holiday compensation
- Employees required to work on an observed holiday will be compensated for actual hours worked in addition to 8 hours holiday compensation
- Employees required to work on an actual holiday will be compensated for actual hours worked

For employees who work according to a 28 day cycle, the Town follows the actual holiday schedule and applies the following guidelines regarding compensation:

- Employees not required to work on an actual holiday will receive 8 hours holiday compensation
- Employees required to work on an actual holiday will be compensated for actual hours worked in addition to an equivalent amount of holiday hours
- Employees required to work on an observed holiday will be compensated for actual hours worked

Subsection 3: Vacation Leave

Vacation leave is a privilege and benefit granted to regular employees. It shall be used at the discretion of the employee and at the convenience of the appropriate supervisor for such occasions as rest and relaxation, medical appointments when sick leave is exhausted, and the like.

Vacation leave shall be earned by full-time employees according to the following schedule:

Completed Years of Service	Hours Accrued Per Month
Less than 2 years	6.66
2 to 5 years	8.00
6 to 10 years	10.00
11 to 15 years	12.00
16 to 20 years	14.00
More than 20 years	16.00

Part-time employees shall earn vacation at a pro-rated amount based on hours worked.

a. Maximum Accumulation:

- Employees may accumulate a maximum of 240 hours
- Employees will have until the end of the calendar year to reduce the balance below 240 hours
- As of the pay period including December 31, balances in excess of the maximum will be reduced to 240 hours and amounts in excess will be converted to sick leave

b. Requesting and Taking Leave:

- Employees are required to take at least 5 consecutive days of vacation per calendar year
- Employees are required to request vacation leave at least one week in advance of such leave
- Employees may be granted the use of accrued vacation leave upon request as approved by the appropriate supervisor

- Designated holidays and/or normal non-working days occurring during an employee’s approved vacation period shall not be considered vacation leave

c. Payment Upon Termination:

Employees shall be paid for accumulated vacation leave upon voluntary separation:

- An amount not to exceed the maximum accumulation of 240 hours
- Only if proper resignation notice is given –
 - Minimum two-week written notice from all employees
 - Minimum three-week written notice from Department Directors

Employees terminated for cause shall terminate rights for payment of accumulated vacation leave. In the event there is vacation leave owed to the Town at the time of separation, this amount shall be deducted from the employee’s final compensation.

d. Payment Upon Death:

Upon an employee’s death, compensation for accumulated vacation leave shall be paid to his/her estate not to exceed the maximum accumulation of 240 hours.

Subsection 4: Sick Leave

Sick leave is a privilege granted by the Town for the benefit of an employee during periods of sickness and use in accordance with Family and Medical Leave Act as outlined in Subsection 1 of this policy.

Sick leave may be granted to an employee absent from work for any of the following reasons:

- Sickness, bodily injury, or medical appointments
- Family and Medical Leave
- Exposure to a contagious disease when continued work might jeopardize the health of others
- Caring for an immediate family member. An employee’s immediate family member is defined as:
 - Spouse
 - Parent (biological, adoptive, step, in-law, or guardian)
 - Child (biological, adoptive, step, foster, legal ward, in-law)
 - Sibling (biological, adoptive, step, in-law, half)
 - Grandparents or grandchildren (step, great)

Sick leave shall be earned at the rate of 8 hours per month for full-time employees.

Part-time employees shall earn sick leave at a pro-rated amount based on hours worked.

Employees will not be compensated for accumulated sick leave upon termination of employment.

- a. Maximum Accumulation: Employees may accumulate sick leave with an unlimited maximum.
- b. Previous Leave Credit: Sick leave credits accumulated by each employee upon adoption of this policy shall be retained.
- c. Requesting and Taking Leave:
 - Employees may be granted the use of accrued sick leave upon request as approved by the appropriate supervisor
 - Employees are required to request sick leave in advance of leave whenever possible
- d. Physician's Certificate: The Town may require a physician's certification concerning the need of leave and the employee's fitness to resume duties for:
 - Absence of 3 or more consecutive work days
 - Third absence in any 30 day period

Department Directors are responsible for the application of this provision.

- e. Reinstatement of Leave: Employees who resign in good standing or are dismissed due to a reduction in force and are reinstated shall be credited with previously accumulated sick leave as long as the employee has not been employed with another state agency since employment with the Town. Employees transferring from another state agency will be subject to subsection 3 (f) regarding sick leave transfer.
- f. Transfer: An employee hired by the Town whose past employer was the State of North Carolina or any of its political subdivisions may transfer his/her accumulated and unused sick leave to the Town. Such leave is subject to written verification.
- g. Additional Sick Leave: Sixteen hours of sick leave will be granted to employees who receive a flu shot on an annual basis. The flu shot may be obtained at a Town sponsored clinic or from an outside source. Employees who choose to receive a flu shot from an outside source must submit documentation signed by the healthcare professional administering the shot to the HR Director within 5 business days of receiving a shot.

Subsection 5: Short-Term Disability Leave

The Town follows FMLA provisions as set forth in Subsection 1 of this policy. Short-term disability leave may run concurrently with FMLA leave.

Additional information regarding short-term disability leave:

- Short-term disability insurance is available to be used for income replacement.
- Accumulated leave may be combined with short-term disability insurance to provide 100% income replacement.
- Vacation and sick leave continue to accrue only when an employee is on paid leave; accruals will be prorated when an employee is using a combination of leave time and short-term disability insurance; accruals will cease when an employee is on unpaid leave.

Subsection 6: Leave Without Pay

The Town follows FMLA provisions as set forth in Subsection 1 of this policy. Leave that does not qualify under FMLA may be granted by the Manager when other paid leave is exhausted as follows:

- An employee must submit a written request to his/her supervisor for leave without pay for personal reasons or special work which would benefit the Town from experience gained or work performed.
- Time spent on leave without pay will not apply toward credited service.
- Benefits will not remain or accrue while an employee is on such leave without pay.
- An employee is obligated to return to work at the end of the approved leave and shall be reinstated in the same or similar position with like classification, seniority, and pay.
- An employee who fails to return to work at the end of the approved leave may be considered as voluntary resignation.

Subsection 7: Workers' Compensation Leave

The Town follows FMLA provisions as set forth in Subsection 1 of this policy. Workers' compensation leave may run concurrently with FMLA leave.

All employees of the Town are covered by the North Carolina Workers' Compensation Act and are required to report all injuries arising out of and in the course of employment to the immediate supervisor. All supervisors and/or Department Directors shall report all such injuries immediately to the HR Director who is responsible for completing and submitting the necessary paperwork to the insurance carrier and providing the employee with documentation and claim information.

The Town has the right to direct medical care for employees suffering work related injuries or illnesses therefore when treatment is necessary, employees must seek treatment from the Town's designated workers' compensation provider.

When an employee is absent due to a work related injury or illness, accumulated leave time may be used for the first 7 days of absence. If an employee's absence continues beyond 7 days, the employee may elect one of the following:

- a. Receive workers' compensation pay only
- b. Receive % of regular salary by using accumulated leave in addition to workers' compensation pay in order to receive an amount equivalent to 100% of salary

Trainees, probationary employees, and limited service employees would immediately be on a leave without pay status and will receive all benefits for which they may be adjudged eligible under the Workers' Compensation Act.

Infection with smallpox or an adverse medical reaction resulting from an employee receiving an employment vaccination against smallpox in accordance with Section 304 of the Homeland Security Act is considered an occupational disease that is governed by workers' compensation. If an employee required to receive this vaccination is absent from work due to an infection or adverse medical reaction

resulting from the vaccination, that absence will be treated like any other workers' compensation absence for purposes of salary continuation and sick leave.

Subsection 8: Military Leave

Military Leave for Training:

- An employee who is a member of an armed forces reserve organization or the National Guard shall be granted up to 90 hours of leave with pay per calendar year for required military training without exhausting accrued leave time.
- An employee required to attend 2 periods of training in one calendar year due to the federal fiscal year shall be granted an additional 90 hours of leave with pay during the same calendar year without exhausting accrued leave time.
- Accrued vacation or compensatory leave may be used for absences greater than the amounts allowed.
- Leave without pay may be used when all accrued leave is exhausted and the provisions of such leave will apply.
- While taking military leave, an employee will continue to receive and accrue all benefits.
- Employees who are eligible for military leave have all job rights specified by the Vietnam Veterans Readjustment Act.

Active Duty Military Leave during National Emergencies:

- An employee called for active duty shall immediately contact his/her supervisor and the Human Resources Director.
- A "Request for Military Leave" form must be completed and submitted to the Human Resources Director in order to be eligible for the following for up to 180 days:
 - Difference between Town salary and military pay if military pay is less than Town salary
 - Continued benefits and accrual of leave time
- Health, dental, and vision insurance coverage may be continued up to 18 months
- Dependent insurance premiums will be continued at the employee's cost

- An employee called for active duty shall be reinstated with full benefits provided the employee:
 - Applies for reinstatement within 90 days after the release from military service; and
 - Is able to perform the duties of the former or similar position; or
 - Is unable to perform the duties of the former or similar position due to disability sustained as a result of military service, but is able to perform the duties of another position in the service of the Town. In this case the employee shall be employed in such other position as will provide the nearest approximation of seniority, status, and pay which the employee otherwise would have been provided, if available.

If any portion of this policy conflicts with state or federal law, such law shall take precedence over that portion of the Town's policy.

Subsection 9: Civil Leave

- An employee shall be entitled to leave with pay without exhausting accrued leave time for jury duty or as a court witness for the federal or state government or a subdivision thereof.
- Fees paid to the employee for such duty shall be retained by the employee.
- When an employee attends court in connection with official Town duties, no leave is required.
- An employee attending court for their own case or appearing voluntarily as a witness must use accrued vacation or compensatory leave.
- 1 hour of civil leave may be used to vote or to register to vote upon approval by the Department Director; additional time may be approved in unusual circumstances not to exceed 3 hours of paid civil leave.

Subsection 10: Funeral Leave

Funeral leave may be granted up to a maximum of 24 hours per death of an immediate family member defined as follows:

- Spouse
- Parent (biological, adoptive, step, in-law, or guardian)

- Child (biological, adoptive, step, foster, legal ward, in-law)
- Sibling (biological, adoptive, step, in-law, half)
- Grandparents or grandchildren (step, great)

Subsection 11: Educational Leave

The purpose of educational leave is to permit an employee to take courses of study that will better equip the employee to perform assigned duties. Such leave is limited to 1 course at a time. The Manager may grant a leave of absence with or without full or partial pay to an employee upon the recommendation of the Department Director.

Subsection 12: Voluntary Shared Leave

An employee may donate vacation or sick leave to another employee who has been approved to receive voluntary shared leave due to a medical condition of the employee or the employee's immediate family that would require the employee's absence for a prolonged period of time.

Procedures and forms implementing this subsection are available from the Human Resources Department.

Subsection 13: Community Service Leave

N.C.G.S 95-28.3 authorizes 4 hours of unpaid leave for employees for parental involvement in schools. The Town's Community Service Leave goes beyond that requirement allowing 8 hours of paid leave per calendar year to be used for the following:

- To meet with a teacher or administrator concerning a child;
- To attend any function sponsored by a school in which a child is participating. This provision shall only be utilized in conjunction with non-athletic programs that are a part of or supplement to the school's academic or artistic program;
- To perform school volunteer work approved by a teacher, school or program administrator;
- To perform volunteer work associated with an education related organization;

- To participate in activities supported by a community service organization. A community service organization is defined as a non-profit, non-partisan community organization which is designated as an IRS Code 501(c)(3) agency, or a human service organization licensed or accredited to serve citizens with special needs including children, youth, and the elderly.

Activities designated to promote religious beliefs are not allowed under this policy.

An employee must receive approval from his/her supervisor for use of community service leave.

Department Directors may require proof of leave requested.

Community Service Leave may not be carried over from one year to the next and employees shall not be paid for such leave upon termination.



Town of Knightdale Personnel Policy

SUBJECT: Section IX: Personnel Actions

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Performance Evaluation

A written performance evaluation is based on an employee's overall performance in relation to job duties and also takes into account conduct, demeanor and attendance. An evaluation begins with a private meeting between an employee and his or her supervisor. In this meeting an employee and supervisor will discuss achievements as well as goals for improvement in job performance. A completed evaluation form provided by Human Resources will be reviewed in detail, signed by both parties, and become a part of the employee's personnel file. Performance evaluation criteria include the following:

- Supervisors shall evaluate performance beginning with the employee's first day of work
- Employees shall obtain a clear understanding of job expectations and periodic assessment of job strengths and weaknesses through open communications with supervisors
- Mid-year evaluations shall be completed for regular employees by the third Monday in July each year but will not result in merit increases
- Formal evaluations shall be completed for all regular employees at the completion of the probationary period and annually thereafter

- Annual evaluations shall be completed and submitted to the Manager by the third Monday in December
- Any merit increases as a result of annual evaluations require approval by the Manager and become effective January 1 of the following year

Subsection 2: Notification of Action

An employee who is suspended, demoted, or dismissed will be notified in writing by the Department Director. The notification will include:

- Documentation of issue
- Action taken
- Effective date
- Recourse available

Subsection 3: Promotion

When a vacancy occurs, the following guidelines shall be followed:

- Effort should be made to promote qualified employees from within the Town workforce
- Department Directors shall make promotion recommendations to the Human Resources Director and Manager with justification for selection of the employee
- The Manager must approve all promotions
- Candidates for promotion shall be chosen on the basis of qualifications for specific positions

Subsection 4: Demotion

In the event an employee fails to maintain high standards of personal conduct or whose performance and/or behavior is unsatisfactory, demotions will be made according to the following guidelines:

- Employee shows promise of performing satisfactory in another position
- Termination is not in the Town's best interest
- Warning procedures outlined in Section X. of this policy are to be followed

- Employee who wishes to accept a vacant position with less complex duties may be demoted upon request for reasons other than unsatisfactory job performance/behavior or detrimental personal conduct
- Department Directors shall make demotion recommendations to the Human Resources Director

Subsection 5: Transfer

Employees who have completed the probationary period:

- May be transferred to the same or similar classification position in a different department
- Should notify immediate supervisor of interest in transfer
- Should notify Department Director in the desired department of interest

The Manager must approve all transfer requests.

Subsection 6: Reduction in Force

In the event that a reduction in force becomes necessary, consideration will be given to:

1. Needs of the Town
2. Past performance of each employee
3. Seniority of each employee

Employees shall normally be given ten days notice of anticipated layoffs.

Subsection 7: Resignation

- Employees leaving employment with the Town must give at least a two-week notice in writing so that a smooth transition can be accomplished.
- Department Directors are required to give as much notice as possible but no less than a three-week notice in writing.
- Employees will be paid for accumulated vacation leave up to 240 hours if proper notice of resignation is provided as defined above.

Subsection 8: Separation

An employee's last day of work or date of death shall be the separation date except in cases when leave time is being exhausted prior to retirement.



Town of Knightdale Personnel Policy

SUBJECT: Section X: Disciplinary and Non-disciplinary Actions

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Disciplinary Actions

All employees serving in a supervisory role are responsible for implementation of the disciplinary process. An employee may be suspended, demoted, or dismissed due to unsatisfactory job performance/behavior or detrimental personal conduct.

When an employee fails to meet the job responsibilities of his/her position, the immediate supervisor is responsible for communication and warning procedures. Normally an employee should receive progressive warnings as outlined in this section before disciplinary action resulting in suspension, demotion, or dismissal is recommended. Disciplinary action is for the purpose of improving employee behavior and performance. The type of action taken depends upon the facts and circumstances of the specific situation as well as any previous warnings, and may include counseling, written warning, suspension, demotion, or dismissal.

Subsection 2: Unsatisfactory Job Performance/Behavior

Unsatisfactory job performance/behavior includes any aspect of the employee's job which is not performed as required to meet the standards set by the Supervisor and/or Department Director.

Examples of unsatisfactory job performance/behavior include, but are not limited to the following:

- Inefficiency, negligence, or incompetence in the performance of duties
- Careless, negligent, or improper use of Town property or equipment
- Physical or mental incapacity to perform duties
- Discourteous treatment of the public or other employees
- Absence without approved leave
- Improper use of leave privileges
- Habitual pattern of failure to report for duty at the assigned time and place
- Violation of work rules or personnel policies
- Failure to complete work within timeframes established in work plan or work standards
- Failure to meet work standards over a period of time
- Failure to follow the chain of command to address work-related issues
- Failure to use prescribed safety equipment or follow established safety regulations
- Failure to maintain certifications required by the job

Subsection 3: Detrimental Personal Conduct

An employee may be suspended, demoted, or dismissed for causes relating to personal conduct detrimental to Town service without warning in order to avoid undue disruption of work, protect the safety of persons or property, or for other serious reasons.

Detrimental personal conduct includes behavior of such a serious detrimental nature that the functioning of the Town may be or has been impaired, the safety of persons or property may be or have been threatened, or the laws of any government may be or have been violated. Examples of detrimental

personal conduct include, but are not limited to, the following:

- Fraud, theft, or dishonesty
- Conviction of a felony or a misdemeanor including moral turpitude or which would adversely affect performance of duties, or the entry of a plea of no contest to either
- Misuse or directing misuse of Town funds, work time, equipment, property, or resources
- Falsification of records for personal profit, to grant special privileges, or to obtain employment
- Reporting to work under the influence of alcohol or drugs or partaking of such substances while on duty or on public property
- Willful or negligent destruction of property
- Willfully or negligently endangering the lives of others
- Possession of unauthorized firearms or other weapons while on duty
- Abusive or brutal actions toward other employees or the public
- Insubordination or stated refusal to perform assigned duties or flagrant violation of work rules and regulations
- Engaging in incompatible employment or serving a conflicting interest
- Engaging in unprotected strikes or work slowdowns
- Request or acceptance of gifts in exchange for favors or influence
- Engaging in political activities prohibited by this policy
- Harassment or special treatment of employees or the public on the basis of sex or any other protected class status

Subsection 4: Communication and Warning Procedures

Each step outlined below requires documentation for the employee's personnel file and must contain the following:

- Dates of counseling sessions
- Performance deficiencies discussed
- Corrective actions recommended
- Potential consequences if improvement does not occur
- Timeframe to demonstrate improvement

Forms are available from the HR Department

Step 1 - Counseling:

If an employee's job performance and/or behavior is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor shall meet with the employee as soon as possible to discuss specific performance issues. This initial counseling may occur as a part of a performance evaluation or as a separate discussion.

Step 2 - Written Warning:

If an employee's job performance and/or behavior is not remedied by counseling, the supervisor will meet with the employee for a second counseling session and issue a written warning prior to disciplinary action.

Step 3 – Suspension/Demotion/Dismissal

If an employee's performance and/or behavior does not improve immediately following a written warning, a written recommendation should be presented to the HR Director requesting appropriate disciplinary action such as suspension, demotion, or dismissal indicating reasons for such recommendation and documentation of counseling and warnings. A written notification shall be issued by the Department Director to inform the employee of the precise nature of action, reasons for action, and the date and time action will be effective.

In cases of detrimental personal conduct or serious incidences of unsatisfactory job performance and/or behavior, an employee may be suspended, demoted, or dismissed without prior warning.

Subsection 5: Types of Actions

Disciplinary Suspension for unsatisfactory job performance/behavior: Disciplinary suspensions for unsatisfactory job performance and/or behavior are for the purpose of communicating the seriousness of the performance deficiency and shall be without pay.

- Non-exempt employee suspensions may be for short periods and should not generally exceed five days or 40 hours
- Exempt employee suspensions shall normally be for one full work week

Disciplinary Suspension for detrimental personal conduct: Employees may be suspended without pay for greater periods of time for detrimental personal conduct based on the circumstances.

Non-disciplinary Suspension: Employees may be suspended during the investigation, hearing, or trial of the employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving the employee when suspension would be in the best interest of the Town. All benefits with the exception of accrual of leave time shall be maintained during the period of suspension.

An employee may:

- be temporarily relieved of all duties and responsibilities and placed on paid or unpaid leave during the suspension
- be assigned new duties and responsibilities and assigned compensation accordingly.

If an employee is reinstated following such suspension, the employee shall not lose any benefits to which they would have otherwise been entitled.

If an employee is terminated following such suspension, the employee shall not be eligible for compensation from the date of suspension.

Demotion: Demotions are appropriate when an employee has demonstrated inability to perform successfully in the current position, including loss of licensure or certification required, but shows promise and commitment to performing successfully in a lower level position.

Dismissal: Terminations are appropriate when an employee has shown his/her unwillingness or inability to perform work in a manner that meets the performance and/or conduct standards of the Town.



Town of Knightdale Personnel Policy

SUBJECT: Section XI: Grievance Procedure

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Policy and Purpose

It is the Town's policy to provide a means for employees to freely discuss problems with supervisors and to provide a procedure for the presentation and mutual adjustment of points of disagreement that arise between employees and supervisors. The purpose of this policy is:

1. To provide a procedure for employees to follow by which complaints will be considered promptly, fairly, and without reprisal;
2. To encourage employees to express themselves regarding the conditions of work;
3. To promote a better understanding of policies, practices, and procedures;
4. To develop a greater sense of responsibility for supervisors in dealings with employees.

Subsection 2: Definition

A grievance is any dispute concerning the interpretation or application of this personnel policy or any other policy, practice, or procedure affecting working conditions within the Town. Complaint processes

involving issues covered elsewhere within this policy are excluded from this procedure. Nothing herein shall be interpreted to change the status of any employee from that of an employee at will.

Examples of grievances include:

- Alleged safety or health hazards
- Unfair or discriminatory supervisory practices
- Misapplication of departmental guidelines
- Unsatisfactory physical facilities or equipment
- Complaints related to conditions of work
- Complaints related to disciplinary action concerning suspension, demotion, or dismissal

Non-grievable subjects include:

- Salary, wages, or fringe benefits provided by the Town
- Organizational or operational changes adopted by the Town including but not limited to:
 - Hours of work
 - Reductions in force
 - Licenses and certifications
 - Types of training
 - Residency requirements
 - Other specified conditions of employment including those accepted at time of employment but subsequently revised
- Subjects covered by existing ordinances or personnel policies; however the application of the policies may be the subject of grievances

Subsection 3: Procedure

A. Claims Concerning Disciplinary Action

1. Employee may present the grievance concerning suspension, demotion, or dismissal to the Manager within 3 business days of its occurrence.
2. HR Director shall confer with the Manager, supervisor, Department Director, and employee regarding the grievance within 5 business days after presented.

3. Manager shall render a written decision within 3 business days after conference with employee is held. The Manager's decision is final.

B. Other Grievable Claims

1. Employee presents matter to his/her immediate supervisor and Department Director within 3 business days of occurrence or his/her knowledge of occurrence. Claims may be made orally or in writing.
2. Supervisor and Department Director shall attempt to resolve the matter and respond to the employee within 5 business days of when grievance is presented. Responses may be made orally or in writing.
3. Employee may present the grievance to the Manager within 3 business days of receiving the supervisor's/Department Director's response if the matter was not resolved.
4. HR Director shall confer with the Manager, supervisor, Department Director, and employee regarding the grievance within 5 business days after presented.
5. Manager shall render a written decision within 3 business days after conference with employee is held. The Manager's decision is final.

The number of days indicated in the procedures above should be considered as the maximum number of days allowed for presentation and response of the grievance. However, when mutually agreed upon, the time limits given above may be extended by those concerned.

Grievance matters are considered to be confidential between the Town and the employee, therefore outside third parties will not be allowed in the grievance process.



Town of Knightdale Personnel Policy

SUBJECT: Section XII: Personnel Records and Reports

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Personnel Records Maintenance

The Manager shall ensure the maintenance of personnel records as necessary for the proper administration of the personnel system. The Town shall maintain only information relevant to accomplishing personnel administration in the personnel records.

The Human Resources Director is the official custodian of all personnel records and shall ensure the safety and completeness.

Any employee who objects to material in his/her personnel file may place a statement in the file relating to the material considered to be inaccurate or misleading.

Subsection 2: Public Personnel Record

In compliance with N.C.G.S 160A-168(b), the following information with respect to each employee is a matter of public record:

- Name

- Age
- Date of original employment or appointment to service
- Terms of any employment contract
- Current position
- Title
- Current salary (including pay, benefits, incentives, bonuses, deferred or other form of compensation)
- Date and amount of each increase or decrease in salary
- Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification
- Date and general description of reasons for each promotion
- Date and type of each dismissal, suspension, or demotion for disciplinary reasons; if the disciplinary action was dismissal, a copy of the written notice of the final decision
- Office to which employee is currently assigned

All employment reference requests will be referred to the Human Resources Director or Manager who will provide a statement as to whether the employee is or would be recommended for rehire unless otherwise authorized under this policy.

Subsection 3: Confidential Personnel Records and Exceptions

All information contained in an employee's personnel file, other than the information listed in Subsection 2 above is confidential and shall be open to inspection only in the following instances:

- 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
 - Information concerning a medical disability, mental or physical, that a prudent physician would not divulge to the patient

- A licensed physician designated in writing by the employee may examine the employee's medical record
- A Town employee having supervisory authority over the employee may examine all material in the employee's personnel file
- By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file
- 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 official having custody of such records to be necessary and essential to the pursuance 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 such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation
- An employee may sign a written release, to be placed with his/her personnel file, that permits the person with custody of the file 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
- The Town Manager, with concurrence of the Town Council, may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of an employee and the reasons for that personnel action. Before releasing that information, the Manager or Council shall determine in writing that the release is essential to maintaining public confidence in the administration of Town services or to maintaining the level and quality of Town services. This written determination shall be retained in the Manager's office, and is a record available for public inspection, and shall become a part of the employee's personnel file

The following information, even if considered a part of an employee's personnel file, shall not be disclosed to an employee nor to any other person:

- Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the Town's service, when disclosure would compromise the objectivity or fairness of the testing or examination process
- Investigative reports or other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded
- Information that might identify an undercover law enforcement officer or a law enforcement informer
- Notes, preliminary drafts and internal communications concerning an employee unless such materials are used for any official personnel decision in which case the employee or his/her duly authorized agent shall have a right to inspect such materials

Subsection 4: Records of Former Employees

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

Subsection 5: Penalty for Permitting Access to Confidential Records

Any public official or employee who knowingly, willfully, and with malice permits any person to have access to information contained in an employee personnel file, except as permitted by this policy, is guilty of a misdemeanor and upon conviction shall be fined an amount consistent with General Statutes.

Subsection 6: Penalty for Unauthorized Access to Confidential Records

Anyone, not specifically authorized to have access to a personnel file designated as confidential, who knowingly and willfully examines in its official filing place, removes or copies any portion of a confidential record is guilty of a misdemeanor and upon conviction shall be fined an amount consistent with General Statutes.

Subsection 7: Destruction of Records

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with N.C.G.S.121-5, without the consent of the State Department of Cultural Resources.



Town of Knightdale Personnel Policy

SUBJECT: Section XIII: Implementation of Policy

EFFECTIVE DATE: 07/01/13

APPROVED BY: Town Council

DISTRIBUTION: All Regular and Probationary Employees

Subsection 1: Conflicting Policies Repealed

All policies or resolutions that conflict with the provisions of this policy are hereby repealed.

Subsection 2: Separability

If any provision of this policy or any rule, regulation, or order there under of the application of such provision to any person or circumstances is held invalid, the remainder of this policy and the application of such remaining provisions of this policy of such rules, regulations, or orders to persons or circumstances other than those held invalid will not be affected thereby.

Subsection 3: Violations of Policy Provisions

An employee violating any of the provisions of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty which may be imposed for the violation of the same.

Subsection 4: Effective Date

These policies are effective upon adoption until such time as amended or repealed by action of the Town Council.