

## **NORTHWEST REGIONAL PLANNING COMMISSION PERSONNEL POLICIES**

### **A. PURPOSE**

These policies are designed to serve as a guide in the daily administration of the Commission. They do not create a contract of employment, and the Board of Commissioners may change any of the policies at any time. All employees of the Commission are employees at will and may leave their employment or be terminated without prior notice or cause. These policies are not intended to make any commitment to any employee about how an individual employment action can or will be handled or to create any contractual rights or obligations of any kind.

As a guide, they suggest a direction; the ultimate authority is the Board of Commissioners. If you have questions about the policies or wonder whether a particular provision applies, please ask your supervisor, Assistant Director or the Executive Director first. Provisions are contained in these policies which also may provide access to the Board in matters of significance.

Employees are encouraged to comment and make suggestions if any issues need clarification. The underlying goals of these policies are to promote the highest level of productivity and employee morale and to allow the Commission's operation to be as effective and efficient as possible.

### **B. AT-WILL EMPLOYMENT**

The hiring of an employee will not create a contractual relationship between the employee and the Commission; and, unless otherwise provided in writing, all employees will be employees at will, so that either party may terminate the relationship at any time, with or without reason or prior notice, and with or without cause.

### **C. EQUAL OPPORTUNITY EMPLOYER**

The employment practices of the Northwest Regional Planning Commission offer equal opportunity for all employees. NRPC will not discriminate in any term or condition of employment against any individual on the basis of race, color, religion, sex, sexual orientation, age, national origin, citizenship, ancestry, place of birth, marital status, disability, military or veteran status, gender identity, health coverage status, HIV status, genetic information, crime victim status, pregnancy or pregnancy-related condition or any other category protected under local, state or federal law. This policy applies to recruitment, salaries, management, training and development, compensation and employee benefits, working conditions and facilities, layoffs and terminations.

### **D. TYPES OF APPOINTMENTS**

1. **Regular Full-Time.** Regular full-time employees are employees who work at least forty (40) hours per week. The full-time employee is subject to all Commission policies and rules and

receives all rights and benefits as outlined in the Commission's personnel policies.

2. **Regular Part-Time.** Regular part-time employees are employees who work less than the normal forty-hour week. Part-time employees shall be subject to all Commission policies and rules, and part-time employees who work eighteen (18) or more hours per week receive all benefits and rights as provided, on a prorated basis. Part-time employees who work fewer than eighteen (18) hours per week do not receive benefits.

3. **Limited Term Appointments.** Limited term appointments are made when a special project requires the addition of employees, on either a part-time or full-time basis, for a specified period of time or to fill the position of an employee on leave of absence. Such employees shall be subject to all Commission policies and rules pertaining to conduct and performance and may be eligible for benefits, as determined by the Executive Director, based on the length and nature of the appointment.

4. **Intern Appointments.** Intern appointments have the purpose of affording students of planning and/or related fields and other qualified individuals an opportunity to gain training and actual work experience in service to the Commission. Such appointments are for a definite period of time, not to exceed 12 months, and require the approval of the Executive Director. Interns may or may not be paid according to applicable law. Intern appointees shall not be eligible for employee benefits but shall be subject to all personnel policies pertaining to performance and conduct.

5. **Exempt/Non-Exempt.** All positions within the Commission shall be classified as exempt or non-exempt by the Personnel Committee in accordance with the Fair Labor Standards Act and any other related federal and state laws currently in effect. Several categories of personnel are considered exempt from the overtime requirements of the FLSA.

## **E. EMPLOYMENT AUTHORITY**

1. **Executive Director.** The Executive Committee, in consultation with the Personnel Committee, shall review, interview, negotiate salary and fringe benefits with, and hire applicants for the position of Executive Director. Upon the recommendation of or after consultation with the Personnel and Executive Committees, the Board of Commissioners may take any other action, not inconsistent with these policies or applicable law, concerning the Executive Director's employment.

2. **Other Exempt Staff.** The Executive Director in consultation with the Personnel Committee shall have the authority to review applicants for other exempt staff positions, interview them, and make appropriate appointments. The Executive Committee, in consultation with the Executive Director and Personnel Committee, shall have the authority to set salaries and benefits for exempt staff. Upon the recommendation of or after consultation with the Executive Director, the Personnel Committee may take any other action, not inconsistent with these policies or applicable law, concerning an exempt staff person's employment.

3. **Non-Exempt Staff.** The Executive Director, in consultation with the Chair of the Personnel Committee, shall have the authority to review applicants for non-exempt staff, interview them, and make appropriate appointments. The Executive Committee, in consultation with the Personnel

Committee, shall have authority to set wages and fringe benefits for non-exempt staff. After consultation with the Personnel Committee, the Executive Director may take any other action, not inconsistent with these policies or applicable law, concerning a non-exempt staff person's employment, including termination.

## **F. RECRUITMENT/SELECTION**

1. All vacancies for new positions, not filled by promotion or recall from layoff, will be circulated within the Commission for internal applicants and at NRPC's discretion the position may simultaneously be posted and advertised for external applicants.
2. All staff who meets the minimum requirements for a vacant position will be provided with an opportunity to interview for a vacant position to which they have applied. Preference will be given to current employees provided qualifications are equivalent to other applicants.
3. Any member of the Board of Commissioners wishing to apply for any paid position under these policies must have formally resigned from the Board before the filing date of the application for employment.
4. Scope and duties of the position should be clearly defined at the time of hiring; however, a supervisor may alter an employee's duties for job-related reasons, including but not limited to, emergencies, the illness of other employees, or the changing needs of the Commission. Any employee whose duties are changed from those defined at the time of hiring may bring any questions or concerns about the changes as a grievance.
5. Employment of relatives will be discouraged. Exceptions may occur at the discretion of the Executive Director and/or Executive Committee as appropriate, and only if a) there are no other qualified individuals seeking the position, b) it can be shown that unusual and undue influence will not affect work situations, and c) someone other than the relative serves as the employee's supervisor.
6. Proof of citizenship or legal immigration status is required of all new Commission employees in conformance with federal law. Failure to provide such proof shall result in non-hiring or immediate dismissal.

## **G. PERFORMANCE EVALUATIONS**

Performance evaluations are designed as a process of growth for the employee and the Commission. Their purpose is to assist individual employees in achieving their greatest potential to contribute fully their effort and expertise to fulfilling the goals of the Commission.

1. **Initial Evaluation.** After the first six (6) months of employment, the Personnel Committee, in consultation with the Executive Committee, shall evaluate the performance of the Executive Director. After a period of six (6) months following employment for other exempt employees, or three (3) months for non-exempt staff, the Executive Director, in consultation with the Personnel Committee, shall evaluate the performance of other staff.

2. **Annual Evaluations.** The performance of all employees shall be evaluated annually within three months of the end of the fiscal year by the Executive Director. The Executive Director shall be evaluated by the Personnel Committee Chair in consultation with the Chair and the Executive Committee, and may include consultation with staff and Board members. Failure to complete the evaluation within this period of time in no way changes the validity of the evaluation.

3. **Periodic Evaluations.** At any other time, the Executive Director may conduct a performance evaluation of an employee in addition to an annual evaluation. While it is within the Executive Director's discretion when an evaluation may occur, an immediate evaluation is particularly likely if the employee's supervisor has concerns about the employee's performance, a performance improvement plan has been implemented, or an employee's job has materially changed since the employee's annual evaluation.

4. **Content of Evaluations.** All evaluations should provide opportunity for input by the employee, and employees are encouraged to provide any information that they believe may be helpful for operation and efficiency of the Commission or their position. Evaluations will be written. If an employee disagrees with the evaluation, the employee may put a written statement explaining the disagreement in the employee's personnel file. All evaluations should relate specifically to the employee's job description. If the Executive Director or the employee's supervisor have concerns about certain aspects of the employee's performance, a performance improvement plan may be part of the evaluation.

5. **Personnel Files.** A personnel file for each employee shall be maintained. Records of evaluations, promotions, raises, disciplinary procedures, if applicable, resumes and other important documents shall be kept in this file. These files shall be kept confidential except to the extent necessary for business purposes or as permitted by law. Unless otherwise required, access shall be permitted only to the employee, authorized Commission administrators, and members of the Executive and Personnel Committees, as appropriate. Employees may access their file during regular office hours by notifying the Executive Director of the request. The Executive Director will try to provide the file within the same business day, consistent with business needs. No personnel files may be removed from the Commission offices without the express, written consent of the Executive Director or the chair of the Personnel Committee.

## **H. DISCIPLINE**

As a government office, the Commission has a responsibility to the public it serves to provide good public service and efficient use of tax dollars. Thus, the behavior and performance of Commission employees can positively or adversely affect the public trust in the Commission.

Commission employees are required to maintain high standards of conduct, productivity, integrity, cooperation, attendance, efficiency and economy in their work, whether dealing with one another or with members of the public. Occasions may arise when employees fail to meet work standards, fail to exhibit the proper conduct or professional attitude, or fail to successfully adhere to Commission policies or procedures. Any such failures may necessitate coaching, additional training or corrective action, up to and including immediate termination. There are many situations which may be cause for

corrective action, including but not limited to poor performance, poor attendance or unacceptable conduct or attitude, but whether or not to take corrective action, and what action to take, is solely within the Commission's discretion.

If the Executive Director or Personnel Committee, at their discretion, determines that an employee's behavior or job performance does not meet the standards of the Commission, the Executive Director or the Personnel Committee may take disciplinary action against the employee, up to and including immediate termination. All employees are employees at will and may be suspended or terminated without any prior notice, cause, or reason. Generally, an employee's supervisor will discuss any performance or behavior problems with the employee informally before further disciplinary action is taken, but the Executive Director or the Personnel Committee may decide to proceed immediately to discipline.

Discipline may include but is not limited to the following:

- an oral warning that an employee's behavior or performance needs improvement (this may include an oral or written performance improvement plan with specific dates of review)
- a written warning;
- suspension from employment, with or without pay;
- denial of promotions and/or raises;
- demotion;
- a probationary period;
- termination.

These corrective actions may be skipped in part or altogether, and there is no particular order in which corrective actions will occur. Generally, lesser offenses will receive lesser consequence; repeated offenses will receive more serious consequences. However, the Executive Director (or in the case of the Executive Director, the Executive Committee) or Personnel Committee will determine the appropriate consequence and may impose any consequence they deem appropriate. Different consequences may be imposed for similar actions (or inactions) depending on the circumstances, the individual employee's job record, the business needs of the Commission at the time, or other considerations.

## **I. GRIEVANCE PROCEDURES**

It is the Commission's intent to provide an effective and acceptable system to quickly review and resolve employee grievances or complaints.

If an employee feels that the employee has been improperly disciplined or terminated, the employee may initiate a grievance by using the following procedure:

- (a) Any employee may file a grievance relating to discipline or termination by notifying the Executive Director, in writing, that the employee would like the disciplinary decision reviewed. The grievance must be filed no later than ten (10) days after the event being grieved.

After receiving a written grievance, the Executive Director shall meet with the employee and, if appropriate, the employee's supervisor. After the meeting, the Executive Director will notify the employee and the employee's supervisor of the outcome of the grievance. That decision stands unless the employee or the supervisor appeals the decision to the Personnel Committee within five (5) days.

- (b) If either the supervisor or the employee disagrees with the decision of the Executive Director), appeal of the decision may be made to the Personnel Committee by submitting a written letter of appeal within five (5) days.

The Executive Director shall make all records of the grievance, including the employee's personnel file and any other material consulted, available to the Personnel Committee. The Personnel Committee shall convene a meeting to hear the grievance within two weeks of receipt of the written request. Both the employee and the supervisor shall be expected to attend that meeting, and both have the right to present witnesses or evidence to the Committee. This is intended to be an informal proceeding, and the Chair of the Personnel Committee will establish the rules for the meeting.

After hearing the grievance, the Personnel Committee may uphold the decision of the Executive Director, may grant the relief requested in the appeal, or may specify an alternative solution. The decision of the Personnel Committee shall be final.

A written record of all decisions made shall be kept.

## **J. TERMINATION PROCEDURES**

### **1. Voluntary Termination**

- (a) Each employee who is voluntarily terminating employment is asked to give two (2) weeks (for exempt personnel, one month) advance written notice to the Executive Director. In the case of the Executive Director, written notice should be given to the Chair of the Personnel Committee.
- (b) Employees terminating voluntarily and in good standing will receive their final paycheck on the regular payday following their resignation date unless specifically requested otherwise at the time notice of termination is given. Termination pay will include any unused, accumulated personal account time but will not include any accumulated unused family leave time.
- (c) Group health insurance will continue for one month following termination, and any insurance deductions for this final period will be withheld from the termination paycheck. The employee has the option to continue insurance coverage, at the employee's own expense, under the Commission's group policy, in accordance with applicable state and federal laws.

- (d) At the time of termination, the employee is responsible for returning all Commission property.
- (e) The employee must inform appropriate personnel of the proper forwarding address and make arrangements to continue, discontinue or transfer any voluntary payroll deductions and/or retirement accounts.

**2. Staff Reductions.** Occasionally, staff reductions or reductions in hours may occur, at the discretion of the Commission, because of circumstances such as lack of sufficient funding for programs, lack of need for programs, or program reorganization.

If the Commission decides to reduce staff members, the affected employee(s) is encouraged to apply for any openings in other programs of the Commission for which the employee qualifies. If there are no suitable openings for which the employee is qualified, or if the employee applies for and is not hired for any openings that exist, the employee will be terminated.

When the Commission determines that a staff reduction will occur, the Executive Director, in consultation with the Personnel Committee, will identify the person(s) to be laid off. In doing so, they will consider both the Commission's needs, such as skills, overall contribution, and flexibility, and the individual employees' characteristics, such as past job performance, seniority, and future promise. If two or more employees are considered equally qualified, the employee(s) with the least seniority shall be subject to termination first.

If the Commission determines that financial conditions allow, affected employees will be given at least one month's notice or if conditions do not allow that lengthy a notice, at least six (6) days notice. Severance pay will be available at the discretion of the Commission.

**3. Involuntary Dismissal** -- An employee may be involuntarily dismissed at will—that is, without any reason, cause, or notice. Before an employee is discharged, the termination must be approved by the Personnel Committee and the Executive Director (or in the case of the Executive Director, the Personnel and the Executive Committees).

Employees who are involuntarily discharged will receive pay for the time worked up to the date of discharge and any unused, accumulated Personal Account Time.

Generally, an employee who has been involuntarily dismissed will not be considered for re-employment in the future, unless the dismissal is based on a reduction in force.

## **K. REMUNERATION AND TIME**

### **1. Wages and Salaries**

- (a) Pay periods. All employees shall be paid weekly for the prior week.
- (b) Payroll deductions. Deductions are made from all employees' paychecks as required by law, including, but not limited to, Social Security and Medicare, Federal

and State income tax, FICA and any court-ordered withholding. In addition, voluntary deductions will be made if requested and documented by the employee in writing. The Commission complies with the requirements of the Fair Labor Standards Act and Vermont law and will not make improper deductions from paychecks.

- (c) **Salary Increases.** It is the intent of the Commission to provide salary increases and/or bonuses where appropriate, but the determination is dependent on a variety of factors, including, but not limited to budget capability, employee ability and performance, and the skills and training required.
- (d) **Advances.** Advances shall not be authorized except for earned leave and holidays, or in special circumstances as approved by the Executive Committee.

2. **Work Week.** The normal work week for full-time Commission employees is forty (40) hours per week.

3. **Overtime Hours.** Non-exempt employees are required to obtain the approval of the Executive Director prior to working any hours over forty (40) hours in a workweek.

Exempt employees are expected to work the hours necessary to fulfill their weekly job responsibilities. This may require working more than forty (40) hours in a workweek. Exempt employees are not entitled to overtime pay, but they will receive compensatory time as specified below. They receive their weekly salary for any week in which they perform work, except the first and last week of work which may be pro-rated based on days worked.

4. **Compensatory Time.** Non-exempt employees who have received permission from the Executive Director to work more than forty (40) hours in a workweek will receive 1.5 (one and a half) hours of compensatory time for each hour worked beyond 40 hours. Compensatory time may be accumulated up to 40 hours. Any overtime hours worked after forty hours of compensatory time has accumulated must be taken as overtime pay, and will be paid at 1.5 times the employee's regular hourly rate. Non-exempt employees will be paid for accumulated compensatory time at their regular rate of pay upon termination. Exempt employees who work evenings or weekends in addition to their regular work hours may receive compensatory time off on an equal time basis with the approval of the Executive Director. Exempt employees may accumulate compensatory time with the Executive Director's approval up to 40 hours, but will not be paid for any accumulated compensatory time upon termination.

5. If any employee has a question about a paycheck, the employee should report the concern to the Executive Director immediately so that compliance with the law can be assured. The Commission will investigate the problem within two (2) weeks and will promptly make any appropriate corrections.



## **L. FLEXIBLE WORKING ARRANGEMENTS**

The Commission will consider an employee's requests for flexible working arrangements, including changes in the number of days or hours worked, daily schedule, work from home, and job-sharing. Such requests should be made to the Executive Director. The Commission will grant the request if it is consistent with business operations and does not have a detrimental effect on business quality, business performance, workload of the requesting employee and other employees, or other operational needs, in the Commission's sole discretion. If, after such a change is approved, the Commission determines that the change does not work with business needs, in the Commission's sole discretion, the Commission may require the employee to return to the employee's prior working arrangements.

## **M. HOLIDAYS**

The Commission will be closed on all recognized State or Federal holidays. NRPC will distribute a list of closure dates by December 31 of each year. Employees will receive an annual allocation of paid holiday time equivalent to their regular hours on holiday closure dates. Part-time employees will receive a pro-rated amount of paid holiday time regardless of whether the closure date is on a regular work day. Employees may take paid holiday time off on the office closure date or on any date within the fiscal year. Paid holiday time must be used within the fiscal year it is earned and does not carry over into future years. Paid holiday time pay is not considered work hours for the purposes of calculating overtime. The intent of holiday time is for staff to take period days off and not to augment extended leave time.

## **N. PERSONAL ACCOUNT TIME (PAT)**

1. **Personal Account Time (PAT)** includes vacation, sick leave, personal leave, and other designated forms of leave with pay, and provides the necessary leave to comply with the Vermont Earned Sick Time law.

- (a) Personal Account Time may be used for the following purposes:
- Vacation
  - Personal time
  - The employee's own illness or injury.
  - The employee's own professional diagnostic, preventive, routine or therapeutic health care.
  - To care for an employee's sick or injured parent, grandparent, spouse, child, sibling, parent-in-law, grandchild, or foster child, including helping that person to obtain diagnostic, preventive, routine, or therapeutic care.
  - Accompanying the employee's parent, grandparent, spouse, or parent-in-law to an appointment related to long-term care.
  - Arranging for social or legal services or obtaining medical care of counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking.
  - Caring for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild,

or foster child, because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

- (b) Personal Account Time is determined by length of service and is accrued monthly, beginning on the first day of employment.
- (c) Regular full-time employees accrue Personal Account Days based on their regularly scheduled work time. Thus, a non-exempt full-time employee will accumulate 120 hours of PAT in the first year; an exempt employee will accrue 15 days of PAT.
- (d) Regular part-time employees will receive Personal Account Days proportionate to the time they actually work. Thus, a regular part-time employee working five hours/day, five days/week will accrue 15 five-hour Personal Account Days or 75 Personal Account Hours in the first year of employment. A regular part-time employee working three eight-hour days or 24 hours/week will accrue nine (3/5 of 15) Personal Account Days or 72 Personal Account Hours in the first year.
- (e) Personal Account Time may be accumulated up to a maximum of twenty-five (25) days or 200 hours. The maximum accumulation of Personnel Account Time for regular part-time employees shall be less than 200 hours, proportionate to the time they actually work. No Personal Account Time will be accrued by an employee once the maximum has been reached, except that the Executive Director may allow accumulation of no more than 10% beyond the maximum on a temporary basis to ensure work flow and project continuity. Any PAT accumulated but not yet used, up to the maximum, will be paid to the employee upon termination of employment.
- (f) Periods of extended leave (greater than five days) shall be arranged at the convenience of the Commission. Except in an emergency, employees must obtain the prior approval of the Executive Director before taking extended leave. Adequate program coverage must be assured by the Director before extended leaves will be authorized.

2. **Maximum Personal Account Days** The schedule for full-time employees is below. Upon hire, NRPC, in its discretion, may award employment credit of one to ten years for other employment in a similar position or related field.

<u>YEAR OF EMPLOYMENT</u>	<u>DAYS</u>
<u>30 days after hire</u>	<u>5</u>
1	15
2	20
3	21
4	22
5	23
6	24
7 - 9	25
10 - 12	26
13 - 14	27
15 - 16	28
17 - 19	29
20 - up	30

3. **Bereavement Leave.** Regular full-time employees shall be granted up to ten (10) paid days of leave for bereavement purposes for the employee’s/partner’s immediate family (partner, spouse, child, parent, brother, sister or other dependent). Regular part-time employees will receive bereavement leave proportionate to the time they actually work. All other bereavement leave shall be considered Personal Account Time.

#### 4. **Family and Medical Leave.**

##### Unpaid Leave

Eligible employees may receive leave as described in the Family and Medical Leave Act (FMLA) and the Vermont Parental and Family Leave Act (PFLA) (collectively referred to as “parental and family leave” in this policy). These federal and state laws will determine employee eligibility, the qualifying reasons for such leave and the length of leave.

NRPC may designate any qualifying leave of absence granted under this policy as leave under FMLA or the PFLA in accordance with applicable laws. Where an employee’s leave request is covered by the PFLA and the FMLA, NRPC will adhere to the law that provides the most benefits to the employee. If an employee is entitled to leave under both the PFLA and FMLA, the leave periods will run concurrently.

Any regular employee who works thirty (30) or more hours per week and has been continuously employed by the Commission for at least twelve months shall be entitled to take leave for a period not to exceed twelve (12) weeks for parental or family leave. Parental or family leave may be taken during the employee’s pregnancy or for the birth or adoption of the employee’s child, to care for a seriously ill partner, child, stepchild, ward, foster child, parent, or parent of the employee’s partner, or for an employee’s own serious illness.

A serious illness means an accident, disease, or condition that poses imminent danger of death,

requires inpatient care in a hospital, or requires in-home care under the direction of a physician.

Written notice of an employee's intent to take parental or family leave shall be given to the Executive Director, including the date the leave is expected to commence and the estimated duration of the leave, at least six weeks prior to the anticipated commencement of the leave, unless the leave is unanticipated.

Employment benefits shall continue during parental and family leave at the same rate as if the employee were working. If, however, an employee does not return to work following the leave, except for the employee's own serious illness, the employee must repay any such employment benefits, such as the cost of health insurance.

Employees on leave for their own serious illness or the serious illness of a family member may be required to provide certification from a physician to verify the condition and the amount of and necessity for the leave requested.

When an employee returns from parental and family leave, the employee will be offered the same or a comparable job at the same level of compensation and benefits as the employee had at the time the employee left, unless the employee had already been given notice that the employment would terminate or if the job is eliminated or the employee laid off for reasons unrelated to the leave.

### Paid Leave

Parental and family leave is unpaid, except for any portion of the leave that is eligible for paid time as specified in this policy. The paid leave time specified below is only available for regular employees who work 24 or more hours per week and otherwise meet the definition of parental and family leave.

Accrued Personal Account Time, not to exceed six (6) weeks, may be used by the employee during parental or family leave. However, use of accrued PAT shall not extend the leave beyond the total twelve (12) weeks provided above.

Regular full-time employees shall be granted six (6) weeks of paid Parental Leave Time for use in the 12 months following the birth or adoption of the employee's child or the placement of a foster child with the intent to adopt. Regular part-time employees working 24 or more hours per week shall receive this leave on a pro-rated basis. This paid time does not extend the leave provided. Paid Parental Leave Time is in addition to any short-term disability payment and accrued PAT.

Regular employees shall accrue paid Medical Leave Time which can be used for the care for a seriously ill partner, child, stepchild, ward, foster child, parent, or parent of the employee's partner, or for an employee's own serious illness. A serious illness is as defined by the FMLA and PFLA. Employees will be granted two (2) weeks of paid Medical Leave Time upon hire, and shall accrue an additional one (1) week at each new fiscal year up to a maximum of six (6) weeks. Regular part-time employees shall accrue this leave on a pro-rated basis. This paid time does not extend the leave provided. Paid Medical Leave Time is in addition to any short-term disability payment and accrued PAT.

Parental Leave Time and Medical Leave Time will not be paid to employees upon termination of employment with NRPC.

### Short Term Family Leave

In accordance with the Vermont Short Term Family Leave Law an employee who has worked at least 30 hours a week for at least 12 months is also entitled to the following short-term family leave: up to 24 hours unpaid leave in any 12-month period (but not more than 4 hours in any 30 day period) to participate in school activities related to the employee's child's academic educational advancement, to attend routine professional appointments, or to respond to medical emergencies involving the employee or one of the family members identified above. This leave will be unpaid and must be taken in minimum two-hour segments. Employees must make a reasonable attempt to schedule appointments outside of regular work hours, and must give at least seven days prior notice of the need to take leave, except in an emergency. Employees may use any accumulated, but unpaid, PAT during this short-term family leave.

**5. Civic/Jury Duty Leave.** All employees entitled to vote in national, state and municipal elections shall, when necessary, be allowed sufficient time off with pay to exercise this right. The employee must receive the prior approval of the Executive Director.

An employee called for jury duty shall be granted temporary leave of absence for the time actually spent serving as a juror, and regular employees will be paid by the Commission the difference between their normal earnings and pay received as a juror. At times when the employee is not called upon to sit as juror, the employee shall report to the Commission for work.

**6. Military Leave.** Regular employees who, by reason of membership in the Active Reserve Forces of the United States or in the National Guard, are ordered by the proper authority to full-time active duty or to attend full-time training activities shall be entitled to leave of absence with pay during the actual duration of such activity, but not to exceed fifteen (15) days in a year.

The amount of pay for such leave shall be determined by subtracting the amount of pay earned while on active duty from the amount of pay the employee would have normally earned working for the Commission during that period. If the amount earned on duty exceeds that normally earned, the Commission shall not provide any compensation. Weekend duty shall be on the employee's own time.

NRPC will comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

**7. Crime Victim Leave.** Employees are entitled to crime victim leave in accordance with this policy.

### *Eligibility*

An employee is eligible for crime victim leave if:

- The employee has been employed by the Commission for at least six months
- The employee works an average of at least 20 hours per week
- The employee is a crime victim, defined as follows:
  - A person who has obtained a relief from abuse order under Vermont law;
  - A person who has obtained an order against stalking or sexual assault under Vermont law;
  - A person who has obtained an order against abuse of a vulnerable adult under Vermont law; and
  - A victim as defined by Vermont criminal statutes.

### *Leave*

An eligible employee may take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- A criminal proceeding, when the employee is a victim as defined by Vermont criminal statutes, and the employee has a right or obligation to appear at the proceeding;
- A relief from abuse hearing when the employee is seeking the order;
- A hearing concerning an order against stalking or sexual assault when the employee is seeking the order; or
- A relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff.

### *Use of Paid Time Off*

During the leave, the employee may use any accrued Personal Account Time. Use of accrued paid leave does not extend the leave provided.

8. **Other Leave** – Other unpaid leave may be allowed at the discretion of the Executive Director. . The Executive Committee shall review any request from the Executive Director for other leave.

## **O. FRINGE BENEFITS**

The Commission offers competitive benefits, which vary from time to time. Please check with the Executive Director for details regarding the plans offered.

## **P. EXPENSE REIMBURSEMENT POLICY**

1. **Travel Reimbursement.** The Commission shall reimburse employees for the reasonable use of their private vehicles for Commission business at the current federal rate allowed by the Internal Revenue Service.

Requests for reimbursement for reasonable travel expenses incurred on Commission business, other

than by private automobile, must receive prior approval by the Executive Director and must be accompanied by the proper documentation (receipts, tickets, etc.).

The Commission may also prepay air, train, or bus fares to the carrier(s) for employees on Commission business.

**2. Room and Board.** The Commission shall reimburse employees for actual reasonable expenses for room and board incurred while on Commission business, if those expenses have been preapproved by the Executive Director. Requests for reimbursement for such expenses shall be accompanied with proper documentation (receipts).

The Commission may opt to prepay reasonable room costs to the vendor. Reimbursement for actual expenses for meals shall be dictated by the following maximum amounts: Breakfast \$15.00, Lunch \$20.00, Dinner \$25.00.

The Executive Director and/or Treasurer may approve reasonable expenses exceeding the above limits. For travel out of state, the Commission will provide employees a per diem equal to that set by the US General Services Administration for the locale.

**3. Professional Development.** With the prior approval of the Executive Director, staff may attend job-related conferences, courses or training for professional improvement at Commission expense, within budgetary limits. Staff may receive regular pay while attending conferences or courses paid for by themselves, with the approval of the Executive Director. Extended time of more than one week away from the office while at workshops, etc., shall be approved in writing by the Executive Director beforehand.

## **Q. RECORD KEEPING AND ADMINISTRATIVE DUTIES**

Administrative duties are a critical part of any professional position at the Commission, and all employees are required to complete necessary administrative tasks in association with their professional duties. These duties include but are not limited to:

1. filing and maintenance of electronic and paper files and data,
2. tracking of daily tasks and hours worked,
3. completion of timesheets and progress reports in an accurate and timely manner,
4. completion of expense logs in an accurate and timely manner,
5. completion of other expense tracking as needed.

Methods and forms for completion of time sheets, expense logs and other expense tracking shall be in a manner established by the Executive Director.

## **R. ALCOHOL/DRUG ABUSE**

The following are prohibited and may result in disciplinary action, including suspension or immediate discharge from employment:

- Use, possession, distribution, or being under the influence of illegal drugs, including marijuana (regardless of its status under Vermont law), either on Commission premises or while engaging in Commission business;
- Use, possession, distribution, or being under the influence of prescribed medications not prescribed for the employee either on Commission premises or while engaging in Commission business;
- Use or being under the influence of either non-prescription or prescription medications that impair the employee's job performance either on Commission premises or while engaging in Commission business; and/or
- Use or being under the influence of alcohol either on Commission premises or while engaging in Commission business, unless specifically authorized as part of an event.

If an employee takes a prescription drug that may impair the employee's ability to perform the duties of the employee's position, the employee should inform the Executive Director.

The Commission does not request, require or utilize drug testing. Employees will not be asked to take drug tests to enforce this policy nor do employees have the right to take a drug test in connection with a violation of this policy. Conclusive proof of a violation of any of the above actions is not required to enforce this policy. Employees may be disciplined, up to and including immediate termination of employment if the Commission has a reasonable basis to believe that a violation has occurred.

## **S. SMOKE FREE WORK PLACE**

The Commission recognizes that smoking, tobacco use and a smoke environment may be hazardous to the health of the employees. Therefore, it is the policy of the Commission to provide a smoke and tobacco free work environment.

Smoking is prohibited in any form in the common areas of all enclosed indoor NRPC offices. This prohibition includes e-cigarettes, smokeless tobacco, chewing tobacco, and Juul products.

## **T. DRESS CODE**

All employees are expected to dress neatly and cleanly as is appropriate to each position and/or the work situation.

The Executive Director has the discretion to determine if dress is appropriate, and may send an employee home without pay to change any inappropriate clothing.

## **U. NON-DISCRIMINATION/HARASSMENT POLICY**

It is against the policies of this employer, and illegal, for any employee to discriminate against or harass another employee, Commission member, or member of the public because of that person's race, color, religion, sex, sexual orientation, age, national origin, citizenship, ancestry, place of birth, disability, military or veteran status, gender identity, health coverage status, HIV status, genetic



information, crime victim status, pregnancy or pregnancy-related condition or any other category protected under local, state or federal law. This employer is committed to providing a workplace free from this unlawful conduct. It is a violation of this policy for an employee to engage in illegal harassment. It is also illegal, and violates the Commission's policies, to retaliate against any employee for filing or cooperating in the investigation of a complaint of illegal harassment.

### What is "harassment"

Harassment is a form of discrimination and means unwelcome conduct based on an employee's race, color, religion, national origin, sex, sexual orientation, gender identity, ancestry, place of birth, age, crime victim status, or physical or mental condition that interferes with the employee's work or creates a work environment that is intimidating, hostile, or offensive. Conduct may be considered harassment regardless of whether the complaining employee is the individual being harassed, the complaining employee acquiesced or otherwise submitted to or participated in the conduct, the conduct is also experienced by others outside the protected class involved in the conduct, the complaining employee was able to carry out the employee's job duties and responsibilities despite the conduct, the conduct resulted in physical or psychological injury, or the conduct occurred outside the workplace.

However, behavior that a reasonable employee with the same protected characteristic would consider to be a petty slight or trivial inconvenience is not considered unlawful harassment.

### What is "sexual harassment"

Sexual harassment is a form of sex discrimination. It includes unwelcome sexual advances, requests for sexual favors, other verbal, physical, written or auditory conduct of a sexual nature, or comments or actions based on any of the above characteristics when:

- (1) submission to that conduct is made either explicitly or implicitly a term or condition of employment; or
- (2) submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- (3) the conduct has the purpose or effect of interfering with an individual's work or creating an intimidating, hostile, or offensive work or volunteer environment.

Examples of illegal sexual harassment may include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- \* either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors:
- \* touching or grabbing a sexual part of an employee's body;
- \* unwelcome touching or grabbing any part of an employee's body;
- \* unwanted invitations to socialize on or off-duty;
- \* displaying or transmitting sexually suggestive or racially offensive pictures, objects, cartoons, or posters;
- \* referring to or calling a person a sexualized or racially offensive or derogatory name;
- \* telling jokes or using vulgar or explicit language that is sexual in nature or is based on a protected characteristic;
- \* retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- \* derogatory or provoking remarks about an employee's sex or sexual orientation or other protected characteristic;

#### What this employer will do if it learns of possible illegal harassment

In the event this employer receives a complaint of illegal harassment, including sexual harassment, or otherwise has reason to believe that illegal harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. The employer is committed, and required by law, to take action if it learns of potential illegal harassment, even if the aggrieved person does not wish to formally file a complaint. Every supervisor is responsible for promptly responding to, or reporting, any complaint or suspected acts of illegal harassment to the Executive Director, or the Chair of the Personnel Committee. Failure by a supervisor to appropriately report or address such illegal harassment complaints or suspected acts shall be considered to be in violation of this policy.

To the extent possible, care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as is reasonably necessary to successfully complete the investigation. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action which affects the working environment of any person involved in this investigation.

If the allegation of illegal harassment is found to be credible, the Commission will take appropriate corrective action. The employer will inform the complaining person and ensure that the harassment

will cease and that no retaliation will occur. Any employee, supervisor, or agent who has been found by the employer to have harassed another employee, Commission member, or member of the public will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal.

If the allegation is not found to be credible, the person with the complaint and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any of the state or federal agencies identified in this policy notice.

#### What you should do if you believe you have been harassed

Any employee who believes that she or he has been the target of illegal harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the person with the complaint should report the situation as soon as possible to:

Catherine Dimitruk, Executive Director, 75 Fairfield Street, St. Albans, VT 05478, 802-524-5958.

Bethany Remmers, Assistant Director, 75 Fairfield Street, St. Albans, VT 05478, 802-524-5958.

If the complainant is dissatisfied with the response of the Executive Director or Assistant Director, the complainant may report the situation to the Chair of the NRPC Board or the Personnel Committee Chair. If the complainant is dissatisfied with this employer's action, or is otherwise interested in doing so, she or he may file a complaint by writing or calling either of the following state or federal agencies:

1. Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, Vt 05602, tel: (802) 828-3171 (voice/TDD). Complaints should be filed within 300 days of the adverse action.

2. Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, tel: (617) 565-3200 (voice), (617) 565-3204 (TDD). Complaints must be filed within 300 days of the adverse action.

Each of these agencies can conduct impartial investigations, facilitate conciliation, and if it finds that there is probable cause or reasonable grounds to believe illegal harassment occurred, it may take the case to court, although the agency may not cover all types of harassment included in this policy.

Although employees are encouraged to file their complaint of illegal harassment through this employer's complaint procedure, an employee is not required to do so before filing a charge with these agencies. In addition, a complainant also has the right to hire a private attorney, and to pursue a private legal action in state court within 3 or 6 years, depending on the type of claims raised.

## **V. CONFLICT OF INTEREST**

As public employees, Commission employees should avoid any conflict of interest or appearance of conflict of interest in their job.

A conflict of interest may occur whenever an employee:

- uses his or her position as an employee to provide a financial advantage to him/herself, a friend, family member, or business or institution with which the employee is affiliated;
- engages in activities that directly compete or conflict with the Commission's mission, values, or actions; or
- uses for him/herself, a friend, or family member an opportunity originally offered to Commission.

Examples may include an employee who sells goods or services to the Commission at above-market prices or an employee who learns, through the employee's work, of property being offered to someone and uses that information to purchase the property for him/herself.

An employee or an employee's immediate family may not provide services to or receive services from the Commission, unless the Commission determines that those services are provided or received under circumstances that do not create a conflict of interest or the appearance of a conflict of interest.

Employees who are uncertain whether a conflict of interest exists or may be created may seek written guidance from the Executive Director and/or Executive Committee. If seeking guidance, the employee shall submit a one-paragraph statement describing the nature of the potential conflict of interest. The Executive Director or Executive Committee will provide the employee with a written interpretation as to whether a conflict of interest or a potential conflict of interest exists.

## **W. PRIVACY**

An employee's personnel and medical records are generally not considered public records and will be shared with supervisors or Commissioners in accordance with state and federal law and only when necessary for business reasons or because of another legal basis.

Employees should have no expectation of privacy in any other aspect of their employment, including their desks, telephones, computers, internet use, or e-mail accounts, which are to be used only for business purposes and limited personal use and may be monitored or used by supervisors or Commissioners. Employees should have no expectation of privacy during the limited personal use of desks, telephones, computers, internet use, or email accounts or other Commission property.

All data composed, transmitted, or received via the Commission's computer or telecommunications systems belongs to and is considered part of the official records of the Commission. Employees

should ensure that all information contained in email or other electronic communications is accurate, appropriate, and lawful.

All electronic equipment and the content of any business-related communication made via that equipment, including but not limited to telephones, computer, and email accounts, provided by the Commission to employees, remains the property of the Commission.

## **SOCIAL MEDIA**

The Commission expects employees to be responsible in conducting themselves on social media so that those who read their posts or other contributions will understand that the opinions expressed are those of the individual employee and not the Commission itself.

If you are using social media pages controlled by the Commission, the following guidelines must be followed when you are posting or commenting on those pages:

- Employees using social networking tools as a function of their job must have prior approval from the Executive Director.
- Posting offensive, obscene, threatening or abusive content on Commission social media sites is strictly prohibited. The Commission may remove comments that contain abusive, vulgar, offensive, threatening or harassing language, personal attacks of any kind, or offensive terms that target specific individuals or groups. Employees posting such content are subject to discipline, up to and including immediate termination.
- Be honest and accurate, and if you make a mistake, correct it quickly.
- Spam and commercial content will be removed. The Commission will remove posts or comments used for political and commercial purposes or for soliciting funds. Gratuitous links to sites are viewed as spam and will result in removal of the comment.
- Remain focused on achieving the Commission's mission. Use of social media tools should never interfere with an employee's primary duties.

The following guidelines apply to personal use of social media, and to use on behalf of the Commission:

- Conduct that would not be permitted under applicable anti-discrimination or non-harassment policies or laws is not acceptable, whether engaged in online or in person. Inappropriate postings that may include discriminatory remarks, harassment and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including immediate termination.
- If an employee publishes content to any website other than the Commission's website, and that content is associated/related to the Commission, consider a disclaimer such as this: "The postings are my own and do not necessarily represent NRPC's positions, strategies, or opinions." Never represent yourself as a spokesperson for the Commission in such postings. If the Commission is a subject of the content you are creating, be clear about the fact that you

are an employee and make it clear that your views do not represent those of the Commission, its clients, or people working on behalf of the Commission.

- Respect copyright, fair use, and financial disclosure laws. Maintain the confidentiality of the Commission's private or confidential information. Do not post internal reports, policies, procedures or other internal confidential communications.
- Do not create a link from your personal blog, website or other social networking site to the Commission's website without identifying yourself as an employee of the Commission.
- Accessing personal social networking websites or personal blogs using computers or devices that are the property of the Commission is generally not allowed. All equipment and accounts owned by the Commission are the exclusive property of the Commission, and you should have no expectation of privacy with respect to your use of that property.

Nothing contained in this policy is intended to restrict an employee's exercise of Section 7 rights under the National Labor Relations Act, if applicable to a particular employee. Note that not all employees may be covered by Section 7 and management employees may be held to a higher standard of care regarding social media interactions.

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## Adoption/Amendments

Adopted by Board of Commissioners: May 1997

Amended:

May 2000-full amendment

January 2001- paternity and adoption leave

November 2007- non-discrimination language update

October 2017- change in wording of retirement program

2019- Paid parental and family/medical leave added

2024- changed holidays to elective dates and modified harassment language to reflect new state law

2025- adjusted PAT time, allowed for internal postings for vacancies, clarified long-term leave

## **Addendum A: Personnel Acknowledgement**

I, \_\_\_\_\_, acknowledge that:

- A. I received a copy of NRPC's personnel policy on \_\_\_\_\_;
- B. I have been given an opportunity to ask questions about said policy and I have been provided with satisfactory information in response to my questions;
- C. I acknowledge that my employment is at will. I understand that I have the right to end the employment relationship at any time and for any reason, with or without notice, with or without cause, and that the Commission has the same right. I understand that the language used in this personnel policy is not intended to create, nor should it be construed to create, a contract of employment between myself and NRPC;
- D. I acknowledge that NRPC reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date