



# **Strafford Regional Planning Commission Employee Handbook**

**Your Guide to Employment at Strafford Regional Planning Commission**

The SRPC Executive Committee adopted these policies at their regularly scheduled meeting on July 16, 2021.



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## I. INTRODUCTION

Whether you have just joined our staff or have been at the Stafford Regional Planning Commission for several years, the Executive Committee is confident you will find our organization a dynamic and rewarding place to work. We look forward to a productive and successful association with you. The Commission's employees are among our most valuable resources. SRPC wrote this handbook to guide the employer/employee relationship.

There are several important things to keep in mind about the employee handbook. First, it contains general information and guidelines. It is not meant to be comprehensive or to address every possible application of—or exception to—the policies and procedures it describes. If you have any questions about whether you are eligible for a particular benefit, or whether a policy or practice applies to you, you should ask the Executive Director.

Second, the procedures, practices, policies, and benefits described here may be modified from time to time or discontinued altogether. If and when provisions change, you will receive replacements for the pages that have become outdated.

Third, this handbook and the information in it are the property of SRPC, and you must return the handbook to the Commission when you leave your position here.

Fourth and last, some of the topics discussed here are covered in detail in regulatory, contractual, or benefit policy documents. You should refer to those documents for specific information, since the employee handbook provides only briefly summaries. Please note that the terms of the written employee benefits policies are controlling.

Neither the employee handbook nor any other Commission document confers any contractual right, either expressed or implied, to remain in the Commission's employment. Nor does it guarantee any fixed terms and conditions of employment or benefits. Employment with the Commission is "at will." That means you or the Commission may terminate your employment at any time, with or without cause and with or without prior notice. No supervisor or other representative of the Commission except the Executive Director has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

The 2018 edition of the employee handbook supersedes all earlier handbooks, manuals, policies, and procedures issued by the Commission. Any violation of the policies or procedures presented here may result in disciplinary action, including termination of employment.

## **A. Mission Statement**

The Commission's mission is to ensure that the region is responsive to the needs of its residents through cooperation with federal and state agencies and its member communities, through the implementation of the Commission's policies and plans, and through local planning assistance. These actions foster sustainable development and improve the quality of life in the region. Sustainable development balances economic prosperity with environmental protection and community well-being.

## **B. Expectations for Employees**

Each employee of the Stafford Regional Planning Commission is expected to perform to their highest level and to contribute toward the common good of the organization, its member communities, and clients. Key areas of emphasis are the following:

Commitment to

- Public service

Personal Characteristics of

- Integrity
- Respect
- Openness
- Creativity
- Resourcefulness

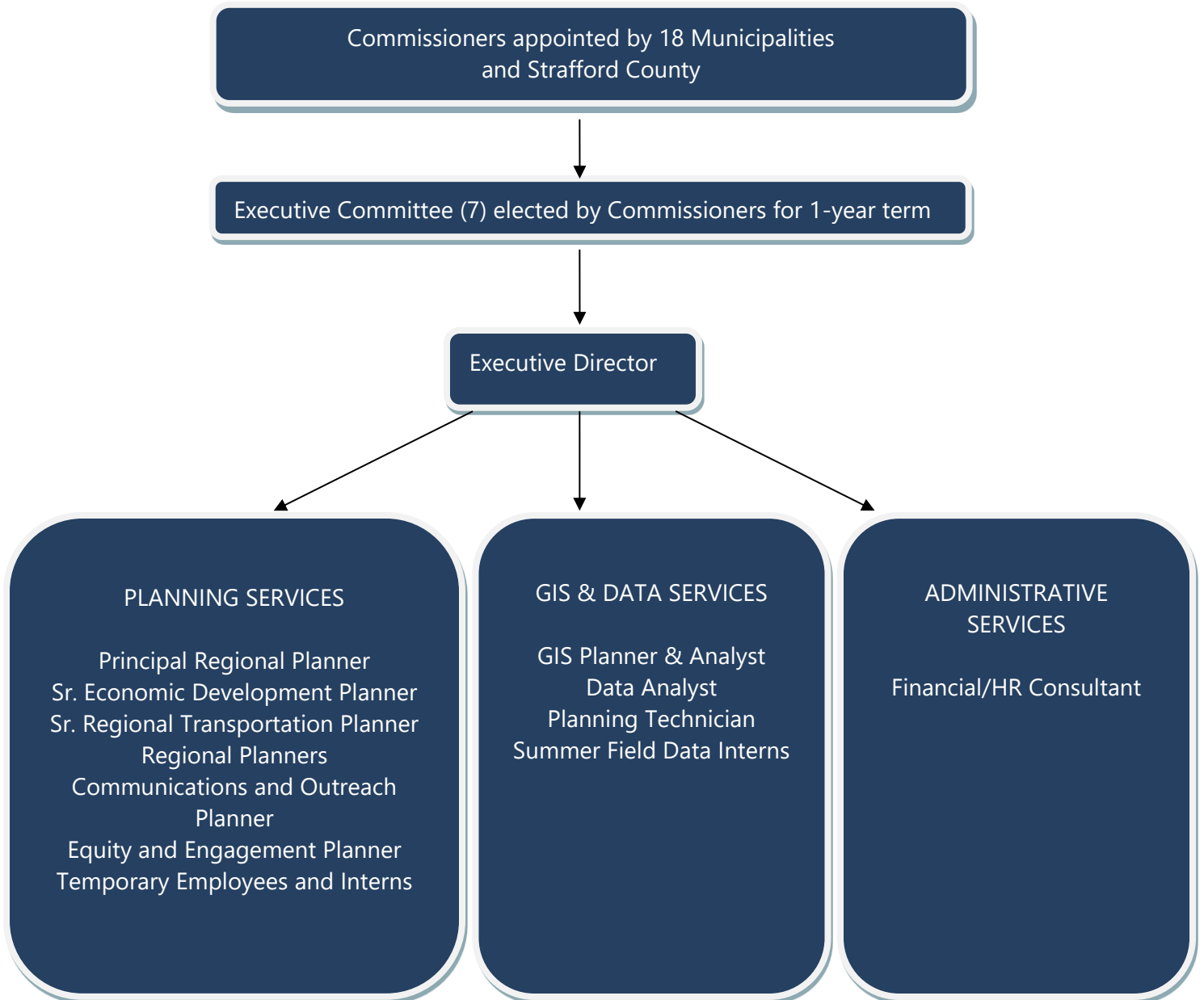
Fiscal Responsibility for

- Budget
- Wise use of commission and community resources

Quality through

- Seeking excellence
- Improving professional skills
- Collaborative and consensus-building efforts

### C. Organization Chart



## **D. American Planning Association Ethical Principles**

The APA statement is a guide to ethical conduct for all who participate in the process of planning as advisors, advocates, or decision makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and other participants in the planning process.

The planning process exists to serve the public interest. While the public interest is a subject of continuous debate, both in its general principles and in its case-by-case applications, it requires a conscientiously held view of the policies and actions that best serve the entire community.

Planning issues commonly involve a conflict of values. Large private interests often are at stake. They accentuate the necessity for the highest standards of fairness and honesty among all participants.

Planners need to adhere to a special set of ethical requirements that must guide all who aspire to professionalism. The ethical principles derive from both the general values of society and the planner's special responsibility to serve the public interest. Like the basic values of society, which are often in competition with each other, these principles also sometimes compete. For example, the need to publicly provide complete information may compete with the need to respect confidences. Plans and programs often result from a balancing of divergent interests. An ethical judgment often also requires conscientious balancing based on the facts and context of a situation and on the entire set of ethical principles.

The APA statement of ethical principles also aims to inform the public generally. Continuing systematic discussion of their application is essential to give these principles daily meaning. The American Planning Association (APA) adopted these principles in May 1992. See <https://www.planning.org/ethics/ethicalprinciples.htm> for more information.

### **1. *The Ethical Principles***

The planning process must continuously pursue and faithfully serve the public interest.

Planning process participants should:

1. Recognize the rights of citizens to participate in planning decisions;
2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;
3. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;



4. Assist in the clarification of community goals, objectives and policies in plan-making;
5. Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decisions and the long range consequences of present actions.

Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning process participants should:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors;
2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker.
3. Define "personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;
4. Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;
5. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;
6. Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;
7. Serve as advocates only when the client's objectives are legal and consistent with the public interest.

8. Not participate as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision maker;
9. Not use confidential information acquired in the course of their duties to further a personal interest;
10. Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;
11. Not misrepresent facts or distort information for the purpose of achieving a desired outcome;
12. Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;
13. Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations.

APA members who are practicing planners continuously pursue improvement in their planning competence as well as in the development of peers and aspiring planners. They recognize that enhancement of planning as a profession leads to greater public respect for the planning process and thus serves the public interest.

APA members who are practicing planners:

1. Strive to achieve high standards of professionalism, including certification, integrity, knowledge, and professional development consistent with the AICP Code of Ethics;
2. Do not commit a deliberately wrongful act which reflects adversely on planning as a profession or seek business by stating or implying that they are prepared, willing or able to influence decisions by improper means;
3. Participate in continuing professional education;
4. Contribute time and effort to groups lacking adequate planning resources and to voluntary professional activities;

5. Accurately represent their qualifications to practice planning as well as their education and affiliations;
6. Accurately represent the qualifications, views, and findings of colleagues;
7. Treat fairly and comment responsibly on the professional views of colleagues and members of other professions;
8. Share the results of experience and research which contribute to the body of planning knowledge;
9. Examine the applicability of planning theories, methods and standards to the facts and analysis of each particular situation and do not accept the applicability of a customary solution without first establishing its appropriateness to the situation;
10. Contribute time and information to the development of students, interns, beginning practitioners and other colleagues;
11. Strive to increase the opportunities for women and members of recognized minorities to become professional planners;
12. Systematically and critically analyze ethical issues in the practice of planning.

## **E. American Institute of Certified Planners Code of Ethics**

Every certified planner formally subscribes to the American Institute of Certified Planners (AICP) Code of Ethics and Professional Conduct. Although it includes an enforcement procedure, the code provides for more than the minimum threshold of enforceable acceptability. It also sets aspirational standards that require conscious striving to attain.

“As the basic values of society can come into competition with each other, so can the aspirational principles espoused under this Code,” notes the AICP. “An ethical judgment often requires a conscientious balancing based on the facts and context of a particular situation and on the precepts of the entire Code.”

All SRPC staff members who belong to the AICP subscribe to this code. For the complete American Institute of Certified Planners Code of Ethics and Professional Conduct, please see <https://www.planning.org/ethics/ethicscode.htm>.

## II. EMPLOYEE RELATIONS

### A. Equal Employment Opportunity Statement

The Commission provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, physical or mental disability, genetic information, marital status, amnesty, status as a covered veteran, or any other classification protected by applicable federal, state, and local laws. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, and training.

The Commission expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, physical or mental disability, or veteran status. Improper interference with the ability of Commission employees to perform their duties is absolutely not tolerated.

Any violation of this policy will result in appropriate disciplinary action, up to and including termination of employment. If you as an employee believe someone has violated this policy, or otherwise have questions regarding it, you may bring the matter to the attention of the Financial/HR Consultant or the Executive Director. The Commission will promptly investigate the facts and circumstances of any claim that this policy has been violated and will take appropriate corrective measures.

No employee will be subject to, and the Commission prohibits, any form of discipline or retaliation for reporting perceived violations of this policy, pursuing any such claims, or cooperating in any way in the investigation of such claims.

### B. SRPC's Anti-Harassment Policy and Complaint Procedure

The Commission is committed to a work environment in which all individuals are treated with respect and dignity. Harassment and other unlawful discriminatory practices are prohibited. The Commission does not tolerate harassment of our job applicants, contractors, employees, or commissioners by another employee, commissioner, supervisor, vendor, customer, or any third party.

The Commission encourages the reporting of all perceived incidents of discrimination or harassment so they can be promptly and thoroughly investigated. Retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports is prohibited.

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission guidelines, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive working environment.

Sexual harassment includes a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different genders. Depending on the circumstance, these behaviors may include the following actions:

- Unwanted sexual advances or requests for sexual favors.
- Sexual jokes and innuendo.
- Verbal abuse of a sexual nature.
- Commentary about an individual's body, sexual prowess, or sexual deficiencies.
- Leering, whistling, or touching.
- Insulting or obscene comments or gestures.
- Display in the workplace of sexually suggestive objects or pictures.
- Other physical, verbal, or visual conduct of a sexual nature.

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment can be verbal, written, or physical. It is conduct that denigrates or shows hostility or aversion toward an individual because of their, their relatives', or their friends and associates' race, color, religion, gender, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law. Harassment has the purpose or effect of creating an intimidating, hostile, or offensive work environment; of unreasonably interfering with an individual's work performance; or of otherwise adversely affecting an individual's employment opportunities.

Harassing conduct includes the following:

- Epithets, slurs, and negative stereotyping.
- Threatening, intimidating or hostile acts
- Denigrating jokes.

- Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and is placed on the walls or elsewhere on Commission premises or circulated in the workplace, on company time, or by email, phone, (including voice messages), text messages, tweets, blogs, social networking sites, or other means

These policies apply to all applicants and employees and relate to the conduct of fellow employees and of persons not directly connected to the Commission (e.g., vendors, consultants, and customers).

Conduct prohibited by these policies is unacceptable not only in the workplace but also in any work-related setting outside the workplace, such as business trips, business meetings, and business-related social events.

Anyone who believes they have been the victim of conduct prohibited by this policy, or who believes they have witnessed such conduct, should promptly discuss their concerns with the Executive Director.

When possible, the Commission encourages anyone who believes they are being harassed to promptly tell the offender that their behavior is unwelcome and ask them to stop. Often this action alone will resolve the problem. The Commission recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

The Commission encourages the prompt reporting of complaints or concerns to the Executive Director so that rapid and constructive action can be taken before relationships become irreparably strained. If the Executive Director is the offending party, the employee should report the situation to one or more members of the Executive Committee. Victims of harassment may also seek assistance from the NH Commission for Human Rights.

Although reports may be made verbally, employees are strongly encouraged to make any reports of sexual harassment or other discriminatory harassment in writing to the Executive Director or to one or more members of the Executive Committee. Doing so can assist in the investigation process. In any case, the Commission will make a written record of the incident.

Reports of alleged harassment or discrimination will be investigated promptly. The investigation may include individual interviews with the parties involved and, when necessary, with anyone who may have seen the alleged conduct or may have other relevant information.

The Financial/HR Consultant will conduct a prompt and thorough investigation as discreetly and confidentially as possible. Witnesses will be asked not to share with anyone outside of management information they reveal during the investigative interview only when:

- Witnesses need protection from retaliation or harm.
- Evidence is in danger of being destroyed.

- Testimony is in danger of being fabricated.
- A potential cover-up of the underlying incidents needs to be prevented.

Retaliation for reporting harassment or discrimination or for participating in the investigation of a claim of harassment or discrimination is a serious violation of this policy. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Retaliation, as well as harassment or discrimination, will be subject to appropriate disciplinary action.

Violating this policy will result in disciplinary action, up to and including termination of employment. False and malicious complaints of harassment, discrimination, or retaliation may also be subject to appropriate disciplinary action.

### **C. Americans with Disabilities Act and the Americans with Disabilities Amendments Act**

The federal Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities. The Acts also require these employers to provide reasonable accommodations for applicants and employees who are qualified for a job, with or without reasonable accommodations, so they can perform the essential duties of the position.

Commission policy is to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission. Furthermore, it is the Commission's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

The Commission will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation, or if the accommodation creates an undue hardship for the Commission. Contact the Executive Director or the Financial/HR Consultant with any questions or requests for accommodation. You may be asked to provide medical documentation about your disability and the types of reasonable accommodations that may be effective for you. You are expected to comply with these requests for information so that the Executive Director can determine your eligibility for accommodation and evaluate possible accommodations for you. The Executive Director and the Financial/HR Consultant will work with you and will maintain all medical information in a confidential manner.

### III. EMPLOYMENT

#### A. At-Will Doctrine

Employment at the Commission is "at will." No employee of the Commission has a contractual or other right to employment.

Employment at will allows either the employer or the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law.

#### B. Employment Classification Categories

All employees are designated either nonexempt or exempt under state and federal wage and hour laws. The following descriptions are intended to help employees understand the employment classifications as well as their employment status and eligibility for benefits. These classifications do not guarantee employment for any specified period of time. Both the employee and the Stafford Regional Planning Commission retain the right to terminate the employment-at-will relationship at any time.

SRPC has established the following categories for nonexempt and exempt employees.

##### 1. ***Regular Full-Time Employees***

Regular full-time employees are hired for an unspecified period of time and are eligible for all benefits offered by the Commission. A full-time employee is expected to work at least 40 hours during the organization's designated workweek.

##### 2. ***Regular Part-Time Employees***

Regular part-time employees are those who are not classified as temporary and who are regularly scheduled to work between 20 and 40 hours per week. They receive all legally mandated benefits such as Social Security and Workers' Compensation Insurance, as well as annual and sick leave on a prorated basis. They are also eligible for the other benefits offered by SRPC at the discretion of the Executive Director subject to the terms, conditions, and limitations of each benefit program.



### 3. *Temporary Employees*

Temporary employees are hired as interim staff members to temporarily supplement the workforce or to assist in the completion of a specific project. They work the company's full-time schedule for a limited duration, usually no more than 12 months. Employment beyond any initially stated period does not in any way imply a change in employment status. While they shall receive all legally mandated benefits such as Social Security and Workers' Compensation Insurance, temporary employees are typically ineligible for other Commission benefits. Exceptions may be made at the discretion of the Executive Director subject to the terms, conditions, and limitations of each benefit program.

### 4. *Exempt/Nonexempt*

**EXEMPT** employees independently perform technical, professional, or administrative functions; work the hours necessary to fulfill the requirements of their positions and complete all assigned tasks; and are not covered by the overtime pay provisions of the Fair Labor Standards Act (FLSA). Exempt employees may be required to work more than 40 hours per week in order to fulfill the requirements of their position. They typically earn a salary that covers all hours worked.

**NONEXEMPT** employees perform duties that are clerical, paraprofessional, or support in nature and are required by the FLSA to be paid time and a half (i.e., 1.5 times their hourly rate) for all hours over 40 worked in a week.

When employees are hired, they are told whether they are considered exempt or nonexempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or nonexempt under the FLSA, please contact the Executive Director.

### 5. *Volunteers*

The Commission encourages volunteers willing to donate their time and effort to help with the Commission's work. The Commission may, at the discretion of the Executive Director, provide training and reimbursement for approved expenses directly related to their volunteer tasks at the Commission. Volunteers are not Commission employees and are not eligible for benefits.

## C. Flex Time

SRPC expects exempt full-time and part-time employees to work their regular schedules each week. Sometimes, exempt employees may need to work more than their regular schedule; however, exempt full-time employees should keep their hours at 40 hours per week, because that constitutes the typical full-time work week under SRPC's government contracts. (Part-time employees should strive to work no more than their set number of hours each week.)

The typical work day at SRPC runs from 8:30 a.m. to 5 p.m. (with a half hour off for lunch), and the typical work week runs from Monday through Friday. There are times, however, when employees will need to work outside of normal business hours or on weekends.

Whenever an exempt employee anticipates the need to work in excess of 40 hours (or whatever their regular schedule for the week calls for) to attend night meetings or other events outside of regular business hours, they should adjust their daily schedule, so they do not work more than their weekly allotment of hours in one week. For example, they could come in late or leave early on the day of their meeting. If such changes are not possible, they may, with the prior approval of the executive director, accrue "flex time" for each extra hour up to eight worked outside—and in excess of—their normal weekly schedule. Please note that flex time cannot be earned for additional hours spent to meet the requirements of your job or to complete routine assignments. Rather, flex time is compensation for work that cannot be reasonably done or managed within an employee's typical work week.

Employees must track on a "Flex Time Accrual Form" the hours they work in any week in which they accrue flex time.

Flex time should be used during the two-week pay period in which it is earned. If that is not possible, it must be used during the same project billing period (usually a month) unless the Executive Director or the employee's supervisor approves a different deadline in writing. Otherwise, the employee will forfeit the time.

If flex time is used during the two-week pay period in which it was earned, the employee does not have to provide documentation other than their time sheets showing they worked 80 hours during the period, if they are a full-time employee, or their full schedule if they are part time. But if an employee wants to use their flex time in a different pay period, they must complete the SRPC flex time form to document when the flex time was earned and when it will be used. Flex time leave may be taken in half-hour increments.

Any other accrual or use of flex time requires preapproval from the Executive Director. Flex time is a nonmonetary benefit, and employees will not be paid for unused flex time when they leave SRPC.

## **D. Reference Checks**

To ensure that individuals who apply for employment with the Commission are well qualified, we conduct reference checks. Three professional references are required. They may include current or former employers or professors at college. Job applicants need to sign a reference release form so their references can be checked. All offers of employment are conditional on the receipt of these references. The reference checks are kept confidential and are viewed only by individuals involved in the hiring process.

## **E. Employee Personnel Files**

Employee files are maintained by the Financial/HR Consultant and considered confidential. The Executive Director and administrative staff or administrative and financial consultants may have access to personnel file information for the purposes of their work.

Requests from current or former employees for access to their personnel files will be granted within three days, unless otherwise required under state law. Current and former employees may obtain a copy of part or all of their personnel file. If they disagree with any information in their file, they may submit a written statement explaining the disagreement and provide evidence to support their position. Such statements shall become part of the employee's personnel file. They shall be included in any transmittal of the file to a third party and in any disclosure of the contested information to a third party. Personnel files are to be reviewed in the office and may not be removed from the office. Employees who want to review their personnel files should contact the Financial/HR Consultant to schedule an appointment.

## **F. Annual Performance Assessment**

Employees shall participate in an annual performance assessment each year. The Commission performance assessment includes a self-evaluation of job performance for the past year and goals for the next review period.

The Executive Director will review the employee's self-evaluation and record how well the employee performed, their progress toward goals, and other information.

Once the employee and Executive Director have completed the assessment, they will meet to discuss it.

Each June, the Executive Director shall participate in an annual assessment of their performance. This assessment will follow the same procedure as the assessments for other employees, with one exception: the Executive Committee shall review the Executive Director's self-assessment and meet with the Executive Director to discuss it.

The annual performance assessment will be the basis for determining merit-based compensation modifications for the next fiscal year. Changes in an employee's compensation are at the sole discretion of the Executive Director. Changes in the Executive Director's compensation is at the sole discretion of the Executive Committee.

A copy of an employee's performance assessment will be provided to the employee and the original will be retained in the employee's personnel file. Each employee will be asked to sign their final performance assessment. An employee who disagrees with their review may refuse to sign the final assessment. In such cases, a note that the employee refused to sign will be added to their file.

## **G. Separation of employment**

Separation of employment can occur for different reasons. An employee who voluntarily separates from employment with the Commission will notify the Executive Director in writing of their planned resignation. To allow for a smooth transition, employees are asked to provide at least two weeks' notice prior to their last day of work.

The Executive Director is responsible to the Executive Committee of the Commission. The Executive Director will provide a minimum of four weeks' notice of their intention to separate from the organization.

Employees who fail to report to work or to contact the office for three consecutive work days shall be considered to have abandoned their job without notice, effective at the end of normal work hours on the third day.

Member of the Commission staff are employed on an at-will basis, and the Commission retains the right to terminate any staff member's employment at any time.

The separating employee must return all company property at the time of separation, including keys, passwords, thumb drives, and personal computers.

The separating employee shall contact the Financial/HR Consultant or the Executive Director as soon as notice is given to schedule an exit interview. The interview will be conducted on the employee's last day of work, or on another day, as mutually agreed.

Accrued vacation leave will be paid in the last paycheck.

Health and dental insurance will terminate on the last day of the month of employment.

Information about continuing health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be provided by Health Trust under contract with SRPC.

## **H. Smoke-Free Workplace**

Tobacco smoking has been clearly established as a preventable cause of illness in smokers. Exposure to second-hand smoke has also been shown to be hazardous to the health of nonsmokers. The Commission complies with New Hampshire's Indoor Smoking Act, which regulates smoking in enclosed work places. Smoking, including e-cigarettes, is not permitted anywhere in the Commission offices AND is allowed only during lunch and break periods.

## **I. Lactation Accommodation**

The Commission will provide a reasonable amount of break time to accommodate an employee who wants to express breast milk for her infant child, to the extent required and in accordance with applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with these periods, the break time will be unpaid to the extent permitted by applicable law.

The Commission will make reasonable efforts to provide employees with a room or location other than a toilet stall where they can express milk in private. This location may be the employee's private office, if any. The Commission may not be able to provide additional break time if doing so would seriously disrupt its operations. Please speak to the Executive Director if you have questions regarding this policy.

## **J. Show-Up Pay**

The Commission makes every effort to contact employees in advance of any office closing. In the unfortunate circumstance that a nonexempt employee does not receive prior notification of a closing and arrives for a scheduled work day, the employee will be compensated for two hours of "show-up pay" for any inconvenience.

Occasionally, employees may be asked to come into work for a mandatory meeting lasting less than two hours. When notified in advance that the time spent will be less than two hours, employees will be compensated only for the actual time, not the two hours of "show-up pay."

## **K. Inclement Weather/Disaster**

It is not Commission practice to close the office due to inclement weather. Every effort should be made to report to work; however, in emergencies when you believe travel conditions may put your safety at risk, please notify the Executive Director as far in advance as reasonably possible that you are unable to come to work. The office may be closed by the executive director In extreme

storm conditions or by the City of Rochester's closure of the building. When employees elect not to come to work or in the instance that the office is closed, employees have the following options:

- Telecommute in accordance with the Telecommunication Policy.
- Take a day off without pay (nonexempt staff).
- Use available paid time off.

If an exempt employee has not accrued sufficient earned time to cover any such absence, they will be paid a full day's pay for that day, as long as the employee has performed any other work during the same pay period. Employees who do not report for work and do not call will be subject to disciplinary action up to and including termination of their employment.

Previously Scheduled Time Off: employees who previously scheduled time off when an office closure is announced will be required to use available paid time off.

## IV. WORKPLACE SAFETY

The Commission has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose threats to the health and safety of employees and to the security of our equipment and facilities.

### A. Alcohol and Drug-Free Workplace

The Commission is required by law to provide a safe and healthy work environment for its employees. In addition, the Commission's goal is to provide the best service possible to its customers and clients. To achieve these goals, the Commission has the following rules about the use, possession, and sale of drugs and alcohol by its employees.

The illegal or unauthorized use, sale, distribution, or possession of narcotics, drugs, or controlled substances either while on the job (on or off Commission property) or on Commission property will result in immediate disciplinary action, up to and including termination of employment. The same is true for being under the influence of narcotics, drugs, or controlled substances under these circumstances. In addition, alcohol cannot be consumed on Commission property except at an authorized social function sponsored by the Commission, in which case consumption must be reasonable and responsible. Otherwise, the use of alcohol during working hours or reporting to work under the influence of alcohol is strictly prohibited.

The use of controlled substances prescribed by a licensed physician or available over the counter is not prohibited by this policy. However, if a physician has prescribed medication that requires any accommodation or poses safety concerns, please notify your supervisor or the Executive Director to discuss what accommodations are necessary.

The Commission encourages employees in need of assistance with a controlled substance to seek proper medical or psychological help. The Commission also offers help through the Employee Assistance Program (EAP). This service is provided in partnership with Health Resources and is available 24 hours a day, seven days a week. For more information or to take advantage of EAP, contact Health Resources directly at 800-759-8122.

Noncompliance with this policy will result in disciplinary action, up to and including immediate termination of employment.

## **B. Medical Marijuana**

The Commission prohibits employees from manufacturing, possessing, using, distributing, or purchasing nonprescribed drugs and controlled substances, including medical marijuana, on SRPC premises, at other locations where SRPC work is performed, and while operating vehicles used for Commission field work or other Commission purposes.

## **C. Workplace Bullying**

Stafford Regional Planning Commission defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others at the place of work or in the course of employment.”

The purpose of this policy is to communicate to all employees that the Commission will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination of their employment.

Bullying may be intentional or unintentional. But when an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration in regards to discipline. As with sexual harassment, the effect of the behavior on an individual is what is important. The Commission considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person or their family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; making abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assaulting or threatening physical assault, damaging a person’s work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.



## **D. Violence in the Workplace**

The Commission is dedicated to nonviolent means of solving differences among employees or clients. All employees, clients, vendors, and business associates must be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, customer, vendor, or business associate will not be tolerated. Commission resources may not be used to threaten, stalk, or harass anyone at or outside the workplace. Threats, threatening language, or any other acts of aggression or violence made toward or by any Commission employee will not be tolerated. For the purposes of this policy, a threat includes any verbal or physical harassment or abuse, attempts to intimidate or to instill fear in others, menacing gestures, bringing weapons to the workplace, stalking, or any other hostile, aggressive, injurious, or destructive actions undertaken for the purpose of domination or intimidation. Weapons are prohibited on Commission premises unless such prohibition is restricted by applicable law.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities should be reported as soon as possible to the Executive Director. When reporting a threat or incident of violence, including a verbal statement or physical action suggesting violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident. All threats will be promptly investigated and appropriate remedial action will be taken by the Executive Director. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat under this policy.

Anyone, regardless of position or title, whom the Commission determines has engaged in conduct that violates this policy, including retaliation, will be subject to discipline up to and including termination of employment.

If you are threatened by an outside party, please follow the steps detailed in this section. It is important for the Commission to be aware of any potential danger in our workplace. Indeed, we want to take every precaution to protect everyone from the threat of a violent act by an employee or anyone else.

## **E. Safety**

The Executive Director is responsible for ensuring a safe work environment. Employees are responsible for conducting all tasks safely and efficiently. Employees are also responsible for complying with all local, state, and federal safety and health regulations and program standards—and with any special safety concerns in a particular area or with a client.

Maintaining a safe work environment requires the continuous cooperation of all employees. The Commission strongly encourages employees to communicate with the Executive Director, Financial/HR Consultant, and fellow employees regarding safety issues.

Any injury suffered by an employee while at work must be reported immediately to the Executive Director or Financial/HR Consultant. All injuries must be reported whether they are minor, require minimal first aid, or are more serious and require immediate attention from a health care provider. The Executive Director or Financial/HR Consultant is responsible for reporting all workplace injuries in accordance with the requirements of New Hampshire Workers' Compensation laws.

Failure to report workplace accidents is a serious matter because it may preclude an employee's coverage under Workers' Compensation Insurance.

To ensure OSHA standards for safety and health are met, the Commission complies with requirements to post information and provides employees with training on key aspects of workplace safety including annual updates on emergency evacuation, fire, and safety.

The Commission's Health and Safety Plan includes operating procedures and goals for maintaining workplace safety. Each year the plan is reviewed and distributed to all employees. Employees have the opportunity at staff meetings to discuss safety issues and make recommendations for procedures.

Employees who use their personal vehicles for business purposes must show evidence that they are properly insured. A copy of the documentation will be kept in their personnel file.

## V. WORKPLACE PROTOCOLS

### A. Commission Management

The Executive Director is responsible for the management and administration of the Commission and has sole authority for implementing employee policies and office operations. The Executive Director is authorized to delegate supervisory responsibility for specific organizational projects to appropriate members of the professional staff.

If the Executive Director is absent for a prolonged period due to illness, leave, or other circumstances, the Executive Director shall designate a senior staff person to act on their behalf and continue routine supervision of Commission business.

If the Executive Director leaves the Commission before a replacement is hired, the Executive Committee shall designate a senior staff person to act as Interim Executive Director in order to continue routine supervision of Commission activities.

In the absence of the Executive Director, all human resources actions and major management decisions (i.e., contracts) must have the concurrence of the Executive Committee.

### B. Confidentiality

The Commission's information and records relating to Commission business operations, plans, projects, strategies, employees, and customers are confidential. Employees must treat all matters accordingly and not disclose information to anyone who does not have a need to know.

No Commission information, including without limitation, documents, notes, files, records, oral information, and computer files or similar materials (except in the ordinary course of performing duties on behalf of the Commission) may be removed from the Commission's premises without permission from the Executive Director.

The contents of the Commission's records, or other information otherwise obtained in regard to business, may not be disclosed to anyone, except when required for a business purpose.

Employees unsure about the confidential nature of specific information are expected to seek clarification from the Executive Director, or an authorized person in the absence of the Executive Director. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing confidential information.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications.

### **C. Honoraria and Gifts**

Employees shall not accept honoraria or gifts of cash, goods, entertainment, or services from individuals or organizations with which the Commission has, or may have had, a business contact. Similarly, employees shall not accept honoraria or gifts of any kind from any individual or entity attempting, or with the potential, to influence the Commission's decisions or the activities of its employees.

### **D. Solicitation and Distribution**

At the Commission, we believe employees should not be disturbed or disrupted while working. For this reason, solicitation of any kind by one employee of another employee is prohibited while either person is on working time. "Solicitation" is defined as requests for contributions, donations, raffles, lotteries, and membership in organizations, attendance at events, and similar conduct. "Working time" is defined as the time when an employee is scheduled to be working, exclusive of established break periods, meal times, and time before and after work hours. This rule applies to solicitations for charitable and noncharitable causes. Solicitation by nonemployees on Commission premises is prohibited at all times.

Distribution of advertising materials, handbills, or printed or written literature of any kind in work areas of the Commission is also prohibited at all times. "Work area" is defined as any Commission office or facility, other than designated break areas. Distribution of literature by nonemployees on Commission premises is prohibited at all times.

### **E. Use of Office Equipment**

Commission office equipment including telephones, mobile electronic devices, computers, photocopiers, fax machines, and postage meters are business tools to manage workload and improve efficiency and communication. Occasional use of mobile electronic devices, telephones, photocopiers, and fax machines for personal use is permitted during normal working hours.

The use of personal mobile electronic devices and cell phones should be restricted to the employee's break or meal periods, unless an emergency arises.

If personal use of office equipment or personal phone calls becomes excessive or otherwise disruptive, the employee may be asked to limit or cease personal use of the equipment or phone calls.

Violation of this policy may result in disciplinary action, up to and including dismissal.

## F. Conflicts of Interest/Volunteer Activities

The Commission expects employees to conduct themselves according to the highest ethical standards as defined in Ethical Principles in Planning of the American Planning Association and the Code of Ethics and Professional Conduct of the American Institute of Certified Planners (see pages 6 to 9). Business dealings that appear to create a conflict between the Commission's interests and an employee are unacceptable.

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with a situation in which actions taken on behalf of the Commission may conflict with the employee's own personal interests. Company property, information, or business opportunities may not be used for personal gain.

Conflicts of interest could arise in the following circumstances:

- Being employed by, or acting as a consultant to, a municipality, competitor or potential competitor, supplier, or contractor, regardless of the nature of the employment, while employed with the Commission.
- Hiring or supervising family members or close relatives.
- Owning or having a substantial interest in a competitor, supplier, or contractor.
- Accepting gifts, discounts, favors, or services from a customer or potential customer, a competitor, or a supplier, unless equally available to all Commission employees.

The Commission recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the Commission may review the situation and prevent potential conflicts of interest.

Any employee who has any question about whether an action or proposed course of conduct would create a conflict of interest should immediately contact the Executive Director.

Volunteerism and community involvement by employees are welcomed and encouraged. At the same time, it is imperative that employees exercise good judgment in determining the level of participation and the circumstances in which such participation could blur boundaries and expose an employee to a possible conflict of interest with the operations of the Commission. An employee contemplating participation in an organization where there may not be a clear boundary between the volunteer activities and the interests of the Commission should address their concerns with the Executive Director.

A violation of this policy will result in immediate and appropriate discipline, up to and including termination of employment.

## **G. Outside Employment**

No employee shall engage in any outside employment that directly or indirectly competes or conflicts with the business interests of the Commission. Any employee contemplating outside employment—whether self-employment or employment with another political subdivision of the state or with a for-profit or nonprofit organization—shall discuss it with the Executive Director prior to the start of the employment. Any breach of this policy will result in discipline, up to and including dismissal.

## **H. Attendance and Punctuality**

Attendance and punctuality are essential to an employee's position. From time to time, an employee may need to be absent from work. The Commission is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact the office to inform staff and the Executive Director of their situation. The Executive Director should be given as much time as possible to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that they will need to be late or absent, the employee is required to request, in writing, this time off directly from the Executive Director.

Tardy employees should indicate when they expect to arrive for work. If the employee is unable to call in because of an illness, emergency, or some other reason, they should arrange to have someone call for them.

When out of the office due to illness, vacation, or personal appointments, an out-of-office form needs to be filled out by the employee and approved by the Executive Director. If an employee knows ahead of time that they will be out, the form should be completed in advance.

All employees should be aware that excessive absenteeism, lateness, or early departures may lead to disciplinary action, up to and including dismissal from employment.

A no call or no show lasting three days may be considered job abandonment and may be deemed an employee's voluntary resignation of employment.

## **I. Attire and Grooming**

Commission employees should project a professional image at work by being appropriately attired and neat, clean, and well-groomed while on the job. Clothing must be consistent with the standards for a business environment and must be appropriate to the type of work being performed in the office, in the field, or off site. The Commission is confident that employees will use their best judgment regarding attire and appearance.

## **J. Cell Phone Use and Texting**

Employees who drive during work time are prohibited from using a cell phone while operating a motor vehicle. Employees who need to use the phone should pull over to the side of the road and come to a complete stop. Any traffic violations that occur because of cell phone use shall result in serious disciplinary action including possible termination of employment.

The use of any hand-held mobile electronic device capable of providing voice or data communication, (e.g., GPS devices, tablets, iPods, MP3 players, and other devices that require data entry) is prohibited while operating an organization vehicle, while driving a personal vehicle during work time or for work purposes, or while temporarily stopped for a traffic control device or other momentary delay. Prohibited activities include reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation; initiating a command or request to access the internet; inputting information into a GPS or navigation device; and manually typing data into any other portable electronic device.

Emergency calls to 911 or other public safety entities and the use of a hands-free device, such as one that uses Bluetooth wireless technology, are permitted.

## **K. Electronic and Telephonic Communications**

All electronic and telephonic communication systems and all communications and information transmitted by, received from, or stored in the Commission's equipment and systems are the property of the Commission. Use of electronic communications must comply with the Commission's anti-harassment and discrimination policies. Abuse of electronic communications by an employee may result in disciplinary action, up to and including dismissal.

Employees are not authorized to share passwords with other staff members or with anyone outside the office. The Software Administrator and other staff members are not authorized to view the contents of the Executive Director's email without prior authorization. Failure to comply with this policy would be grounds for immediate dismissal and termination of employment with the Commission.

The following guidelines have been established for using the internet, telephones, and email in an appropriate, ethical, and professional manner:

- Internet, company-provided equipment (e.g., laptops or desktop computers), and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane, or offensive language and engaging in any illegal activities, including piracy, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as laptops.
- Employees may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy for reference only.
- Employees should not open suspicious emails, pop-ups, or downloads. Contact the Executive Director with any questions or concerns to minimize the release of viruses or to contain viruses immediately.
- Internal and external emails are considered business records and may be subject to discovery in the event of litigation or right-to-know requests. Be aware of this possibility when sending email inside and outside the company.

To ensure the use of electronic and telephonic communication and business equipment is consistent with the Commission's legitimate business interests and to ensure quality service to our clients, the Commission reserves the right to have authorized representatives monitor the use of such equipment from time to time. This monitoring may include listening to voicemail messages, reviewing email messages, reviewing websites visited by an employee, or otherwise monitoring computer use. For this reason, employees should not have an expectation of privacy in their use of the Commission's computers, telephones, and other business equipment.

## **L. Social Media Policy**

The Commission understands that social media can be a positive and rewarding way to share your life and opinions with family, friends, and co-workers. However, use of social media presents risks and carries with it responsibilities.

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including on your own or someone else's web log (or blog), journal or diary, personal web site, social networking or affinity website, or web bulletin board or chat room, whether or not associated or affiliated with the Commission, as well as any other form of electronic communication. The principles and guidelines found in Commission policies apply to your online



activities. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Any conduct that adversely affects your job performance or the performance of fellow employees; that otherwise affects members, customers, suppliers, and people who work on behalf of the Commission; or that affects the Commission's legitimate business interests may result in disciplinary action up to and including termination of employment.

Always be fair and courteous to fellow employees, customers, members, suppliers, and people who work on behalf of the Commission. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers than by posting complaints on social media. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening or intimidating; that disparage or defame customers, members, fellow employees, or suppliers; or that might constitute harassment or bullying. Such conduct includes offensive posts intended to harm someone's reputation and posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law or company policy.

Make sure you are always honest and accurate when posting information or news. If you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Do not post any information or rumors that you know to be false about the Commission, fellow employees, members, customers, suppliers, and people working on behalf of the Commission or competitors.

To assist you in making responsible decisions, we have established these guidelines for the appropriate use of social media:

- Maintain the confidentiality of the Commission's private or confidential information. Do not post internal reports, policies, procedures, or other internal confidential communications related to the Commission's work.
- Do not create a link from your blog, website, or other social networking site to the Commission's website without identifying yourself as a Commission employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Commission. If the Commission is the subject of content you are creating, be clear and open about the fact that you are an associate and make it clear that your views do not represent those of the Commission, fellow employees, members, customers, suppliers, or people working on behalf of the Commission.

Refrain from using social media while on work time or on equipment we provide, unless it is work related and authorized by the Executive Director or consistent with the Commission equipment

policy. Do not use the Commission's email addresses to register on social networks, blogs, or other online tools used for personal purposes.

This policy applies to all employees of the Commission. If you have questions or need further guidance, please contact the Executive Director.

### **M. Telecommuting**

Telecommuting is an agreement between the employer and employee in which the employee works outside of the SRPC office for a specified and regular number of days a week, using telephones, computers, and related voice, video, and text technology. The intent is to improve the efficiency of the organization and maintain a healthy work-life balance.

All regular full-time and regular part-time employees are eligible to work from home or other satellite office, the specific scheduling of which being subject to the approval of the Executive Director. Employees wishing to request a telecommuting work options should review the specific terms and conditions of the SRPC Telecommuting Policy and Agreement found in Appendix A and submit a written request to their manager and Executive Director. Approved requests will require completion of the Telecommuting Agreement.

### **N. Office Hours; Night & Weekend Hours; Inclement Weather**

The Commission operates on a 40-hour work week. Regular work hours for all employees are Monday through Friday, 8:30 a.m. – 5 p.m., and include an unpaid half-hour off for lunch.

Our core hours for employees authorized to use flex time are 9 a.m. – 3 p.m. The core hours of operation may be changed at the discretion of the Executive Director. It is imperative that all employees keep the office staff notified of their work sites and hours of work. Employees not authorized to use flex time are expected to be at work during normal business hours, except as otherwise permitted by this handbook.

The Commission provides professional and technical planning assistance to its 18 member communities. The Commission works with many volunteers and elected and appointed officials whose work in their communities takes place outside of normal business hours. Employees shall be available to work during off-business hours as requested by member communities and other clients of the Commission.

Being in New Hampshire, snowstorms that make travel to work unreasonable are almost guaranteed. During storms, the Executive Director may decide to close the office entirely, or before the end of normal business hours. Time off as the result of the Commission being closed will be unpaid, as permitted under law. Or, employees may choose to use an accrued annual leave day. If the Commission office closes after employees have reported to work—but before they have worked two hours—hourly employees will be paid for two full hours.

When the Commission office is closed due to inclement weather, employees eligible to telecommute and who have work that can be done at home are encouraged to do so. At the discretion of the Executive Director, employees may bill their nonwork time due to a closure to indirect administration.

Employees will be available for early morning, evening, and weekend meetings with clients and member communities as requested. Exempt employees will have the opportunity to set a flexible schedule within the two-week pay period to accommodate these requests.

All employees will use weekly schedule, voice mail, or email to notify the Executive Director as to their hours of work, location and time of return, phone numbers, and any other pertinent information.

## **O. Plagiarism**

As professional planners or certified planners, the staff of the Commission adheres to the American Institute of Certified Planners Code of Ethics and Professional Conduct. The Rules of Conduct state, "We shall not use the product of others' efforts to seek professional recognition or acclaim intended for producers of original work."<sup>1</sup>

The definition of plagiarism is "when a writer uses someone else's language, ideas, or other original (not common knowledge) material without acknowledging the source."<sup>2</sup> This is a clear violation of ethical principles. Plagiarism can also violate copyright and may be punishable by law.

The following are examples of plagiarism:

- Copying work verbatim or nearly verbatim.
- Purposely paraphrasing portions of another author's work.
- Verbatim copying portions of another author's paper with citing but not clearly differentiating what text has been copied (i.e., not applying quotation marks correctly) or not citing the source correctly.
- Copying elements of another author's paper, such as equations or illustrations that are not common knowledge, or copying or purposely paraphrasing sentences without citing the source."<sup>3</sup>

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<sup>1</sup> ACIP Code of Ethics and Professional Conduct, October 2009, <http://www.planning.org/ethics>

<sup>2</sup> Defining and Avoiding Plagiarism: The WPA Statement on Best Practices  
January 2003 Council of Writing Program Administrators  
<http://www.wpacouncil.org/positions/WPAplagiarism.pdf>

<sup>3</sup> Plagiarism Policy ACM Policy and Procedures on Plagiarism October 2006 (revised June 2010)

## Employee Handbook

Employees are responsible for the content of their work and for ensuring the documents they create meet the highest ethical standards with respect to plagiarism.

Plagiarism of any kind will not be tolerated at the Commission. Violation of this policy may result in disciplinary action.

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[www.acm.org/publicationw/policies/plagiarism\\_policy](http://www.acm.org/publicationw/policies/plagiarism_policy)

## VI. COMPENSATION

### A. Payment of Wages

Wages are paid biweekly, on the Friday following the end of the two-week pay period. Each work week runs from Monday to Sunday. The statement of earnings given to each employee every pay period indicates their:

- Gross Pay
- Statutory Deductions
- Voluntary Deductions
- Use of Paid Leave

The amount of federal withholding depends on the number of exemptions claimed on Form W-4, Employee's Withholding Allowance Certificate. If an employee's marital status or number of claimed exemptions changes, a new Form W-4 must be submitted to the Financial Consultant. Employees are responsible for determining their exemptions according to federal guidelines.

### B. Payroll Deductions

#### 1. *Payroll Deductions for All Employees*

The Commission is required by law to make certain deductions from employee paychecks, including federal income taxes and employee contributions to social security. The Commission may also be required to make deductions pursuant to a federal or state agency or court order, such as for child support. These deductions are itemized on the employee's check stub. The Commission may also make additional deductions for insurance and other purposes to benefit the employee. Arrangements for these voluntary deductions can be made with the Financial Consultant.

The New Hampshire Department of Labor permits these deductions and requires employers to provide employees with notice of the other circumstances in which payroll deductions are permitted by law. Although not all of the following are relevant to our workplace, we are providing the entire list of permitted deductions as required by the Department of Labor:

- Installment payments of legitimate loans made by the employer to the employee.
- Repayment of accidental overpayments made to the employee.
- Repayment of advances on vacation or other paid time off.
- Required clothing not considered to be uniforms.

- Voluntary rental fees for nonrequired clothing.
- Voluntary cleaning of uniforms and nonrequired clothing.
- Medical, surgical, hospital, and other group insurance benefits having no financial advantage for the employer.
- The use of a demonstrator vehicle as defined in RSA 261:111.
- Payments into savings funds held by someone other than the employer.
- Housing and utilities.
- Strictly voluntary contributions to charity.
- Union dues.
- Health, welfare, pension, and apprenticeship fund contributions.
- Voluntary contributions into cafeteria plans, flexible benefit plans, or both, as authorized by section 125 or section 132 of the Internal Revenue Code.
- Voluntary payments by the employee for the following: child care fees by a licensed child care provider, parking fees, and/or pharmaceutical items, gift shop, and cafeteria items purchased on the site of a hospital by hospital employees.
- Recovery of tuition for nonrequired educational costs.
- Payments for the employee's use of a qualifying health or fitness facility.
- Contributions to a political action committee.
- And for any purpose on which the employer and employee mutually agree that does not grant financial advantage to the employer, other than to purchase items required in the performance of an employee's job in the ordinary course of the operation of the business.

## **2. *Payroll Deductions for Salaried Exempt Employees***

The Commission complies with all federal and state laws covering deductions from paychecks, including the paychecks of salaried exempt employees. These employees receive a predetermined salary, which is not subject to reduction due to variations in the quality or quantity of work performed, due to absences requested by the Commission, or due to the operating requirements of the Commission. Federal and state law limit when a salaried employee's salary can be subject to deductions.

The Commission prohibits salary deductions that are inconsistent with the status of an exempt employee. Employees should note that salaries are subject to modification, for example at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Employees should also note that the Commission can apply earned leaves and other forms of paid time off to full-day absences for personal reasons, sickness, or disability; applying paid time is not considered a deduction from salary.

### **3. Questions Regarding Paychecks and Deductions**

If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Financial Consultant as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should contact the Executive Director.

Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If there has been an error, such as an incorrect deduction, the employee will receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable under the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Commission will not tolerate retaliation against employees who do so.

### **C. Overtime**

Under the FLSA, nonexempt employees are entitled to be paid one-and-one-half times their regular hourly wage for any time worked over 40 hours in a week. Time away from work due to a job-related injury, jury duty, bereavement leave, vacation time, and sick time are not counted as hours worked for the purpose of computing eligibility for overtime pay. Employees are advised when hired whether they are entitled to overtime pay.

Overtime work may occasionally be necessary. All overtime must be approved in advance by the Executive Director. Except in an emergency, the Commission will attempt to provide advance notice of the need for overtime work.

### **D. Timesheets and Project Reports**

Exempt employees need to report billable hours by project, vacation, holiday, and sick leave. Nonexempt employees need to report all hours worked or charged to projects, vacation, holiday, and sick leave. All billable hours must be carefully recorded and linked to a project with a task annotation. All employees, exempt and non-exempt, will use the fiscal billing system to record their hours.

Employees will prepare an expense report for travel and other work-related expenses monthly or as needed. Employees will submit completed Travel and Expense Forms with receipts to the Executive Director for review and approval.

As required by individual project contracts, employees may be required to prepare monthly, quarterly, bi-annual, or annual reports providing enough information for the Financial Consultant to prepare accurate invoices and/or support a request for reimbursement.

Compliance with record keeping requirements and timely submittal of documents is the responsibility of the employee. Noncompliance may result in disciplinary action.

All timesheets are due Monday morning for the prior week.

All timesheets will include sufficient detail for the Financial Consultant to prepare payroll, invoices, and fiscal reports.

The Executive Director will review and approve all timesheets prior to preparation of payroll.

If any changes are made to an employee's timesheet, the employee will be asked to approve and initial any changes to ensure that they are accurate.

An employee should not complete timesheets for any other employee. Any questions regarding how to properly complete a timesheet should be addressed to the Executive Director.

## **E. Employee Records**

To keep accurate and necessary employee records up to date, it is extremely important that employees notify the designated staff person responsible for payroll processing and employee records of any changes in:

- Name and or marital status
- Current mailing address and telephone number
- Number of eligible dependents
- W-4 deductions
- Person to contact in case of an emergency
- Insurance beneficiaries
- Proof of automobile insurance



## **F. Meals and Rest Periods**

In order for our employees to perform their duties to the best of their ability, the Commission provides meal and rest periods. After five hours of work, full-time employees will receive an unpaid half-hour meal or rest period.

Two 10-minute paid breaks may be taken each work day; please coordinate these breaks with other employees and the Executive Director.

Employees may voluntarily elect to waive the meal break. Any employee who wishes to do so should speak with the Executive Director and execute the appropriate waiver form, which will be kept in the employee's personnel file.

## VII. BENEFITS

This section provides a very general description of the benefits to which employees may be entitled. Please understand that this explanation does not, nor is it intended to, provide all the details of these benefits. Therefore, the handbook does not change or otherwise interpret the terms of the official plan documents. Your rights as an employee can be determined only by referring to the full text of the official plan documents, which are available for examination from the Human Resources Department. To the extent that any of the information in this handbook is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

Please note that nothing in this handbook or the benefit plans described here shall be held or construed to create a promise of employment or of continued or future benefits, or a binding contract between the Commission and its employees, retirees, or their dependents for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

The Commission reserves the right, at its sole and absolute discretion, to amend, modify, or terminate, in whole or in part, any or all of the provisions of the benefit plans described here, including any health benefits that may be extended to retirees and their dependents. Further, the Commission reserves the exclusive right, power, and authority, at its sole and absolute discretion, to administer, apply, and interpret the benefit plans described here and to decide all matters arising in connection with the operation or administration of such plans.

### A. Health Insurance

The Commission offers permanent regular full-time and part-time employees a group health insurance plan. Insurance plans are reviewed annually by the Executive Director.

Employees may change enrollment in health insurance only during open enrollment periods, or upon a qualifying life event.

SRPC contributes to offset the cost of the premium at a rate determined by the Executive Director. The percentage contributed by SRPC may vary annually depending on the cost of the selected health plan(s) and the constraints of the resources allocated in the annual operating budget. For regular part-time employees, the Commission contribution shall be reduced proportionately for regular part-time employees. The Commission's contribution toward coverage will be specified in the employee's offer letter.

Health insurance payments, required or optional, are deducted from employee paychecks.

Information on the current health insurance plan is available from the insurance carrier, HealthTrust, and from the Executive Director or Financial/HR Consultant.

It is the responsibility of the employee to inform the Financial/HR Consultant or health insurance carrier of all changes in personal data and coverage needs.

Health insurance coverage begins on the first day of the first full month of employment with the Commission.

## **B. Health Insurance Incentive Option**

The Commission offers a cash payment to eligible staff members who elect not to participate in the health and dental insurance plans.

After showing proof of enrollment in another health insurance plan, an employee who chooses the incentive option will receive a check at the end of each fiscal year in an amount equal to 20 percent of the total annual premium the Commission would have paid for single-person coverage for both health and dental plans for that employee. This incentive payment will be pro-rated for months of employment during the immediate past fiscal year and the status of the employee, i.e., approved regular part-time employees' incentive payment will be prorated based on their regularly scheduled weekly hours. The incentive option payment is a nonwage benefit from which all applicable taxes will be withheld by the Commission.

## **C. Dental Insurance**

All regular full- and part-time employees enrolled in the Commission health insurance plan, regardless of coverage program selected, are eligible to participate in the group dental insurance plan. SRPC contributes to offset the cost of the dental insurance premium at a rate determined by the Executive Director. The Commission contribution is reduced proportionately for employees whose regular schedule is less than 40 hours per week.

Dental insurance coverage will begin on the first day of the first full month of employment with the Commission.

## **D. Life Insurance**

The Commission provides group life insurance to all regular full-time employees. Life insurance coverage for regular part-time employees is at the discretion of the Executive Director. There is no shared cost with employees.

The amount of each employee's life insurance policy is equal to their annual wages or salary. For specific information on the life insurance plan, contact the Executive Director or the Financial/HR Consultant.

### **E. Short-Term Disability**

All regular employees are covered for short-term disabling illness or injury at no cost to them. Employees are insured for 66.67 percent of their basic weekly wages with a maximum of \$600 dollars per week for 13 weeks. There is a waiting period for collection of payments.

For specific information on the short-term disability insurance plan, contact the Executive Director or the Financial/HR Consultant.

### **F. Long-Term Disability**

All regular employees are covered for long-term disabling illness or injury at no cost to the employee. Employees are insured for 60 percent of their basic monthly wages with a maximum monthly benefit of \$2,000. There is a waiting period for collection of payments.

For specific information on the long-term disability insurance plan, contact the Executive Director or the Financial/HR Consultant.

### **G. COBRA**

The Commission complies with the provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) by providing eligible employees who have left the organization the option to continue group health and dental benefits for up to 18 months at their own expense.

If an employee dies, dependents of the employee already on the insurance plan can continue coverage for up to 36 months under the guidelines established for an employee who leaves the organization.

HealthTrust will notify individuals eligible for COBRA of the premium costs and the payment process.

Premium payments are the sole responsibility of the individual. Late payments are subject to interest charges and may result in a discontinuation of the benefit. A lapse in payment of the premium will result in loss of coverage.

## H. SIMPLE IRA

All employees earning more than \$5,000 in a calendar year are eligible to participate in the 5304-SIMPLE IRA (Savings Incentive Match for Employees of Small Employers). The Commission will match, dollar for dollar, employee contributions of up to 3 percent of their gross pay. Employees are encouraged to participate in the SIMPLE IRA and save for their future retirement.

To obtain specific information about the SIMPLE IRA, please see the Executive Director or the Financial Consultant.

## I. Benefits, Educational Reimbursement Plan, Seminars, and Workshops

The Commission may reimburse the cost of post-secondary-level accredited studies that are deemed to be directly related to employees' performance of their work. This benefit is for regular full-time employees of the Commission only and is offered at the discretion of the Executive Director; it does not extend to family members of employees or to anyone else associated with the Commission who is not an employee.

Educational assistance is subject to budget constraints and internal needs for employee training. The Executive Director is responsible for determining whether coursework qualifies for reimbursement.

Employees seeking educational assistance must present supporting information to the Executive Director and must obtain the Executive Director's written approval before enrolling in a course. To qualify for the educational expenses benefit, an employee must start and complete a course while a regular full-time employee of the Commission on the active payroll (i.e., not on a leave of absence).

Upon completion of an approved course, the employee must provide certification that all course requirements were completed along with the official grade. The employee will be reimbursed based on the grade received according to the following schedule:

A	75%
B	50%
C	25%
D or below	0%
Pass	25%

Attendance at work-related seminars and workshops approved in advance by the Executive Director will be reimbursed 100 percent.

## VIII. TIMEOFF/LEAVES OF ABSENCE

### A. Holidays

The Commission observes the following paid holidays:

1. New Year's Day
2. Civil Rights Day
3. Presidents Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Columbus Day
8. Veterans Day
9. Thanksgiving Day
10. Friday following Thanksgiving
11. Christmas Day, or other single day

If different units of government observe any of these designated holidays on different dates, the Executive Director decides when the Commission will observe them.

When a designated holiday falls on a Saturday or Sunday, the Executive Director determines whether the Commission will observe the holiday on the preceding Friday or on the following Monday.

When a designated holiday occurs during an eligible employee's paid absence, holiday leave will be substituted for paid leave.

Employees may choose the date for their holiday in lieu of Christmas Day, and they must notify the Executive Director of their selection in advance. If an employee elects to work on Christmas Day, the employee may work at home with prior approval from the Executive Director.

The Executive Director will grant requests for other holidays away from work, when possible, on a first-come, first-served basis, taking staffing needs into consideration.

Part-time benefit-eligible employees are entitled to holiday pay for a pro-rated amount of hours (e.g., an employee who typically works 30 hours per week may take six "floating" holiday hours that same week). The schedule for the week may be adjusted to accommodate the total regular hours for the work week.

Paid holidays for temporary employees is at the discretion of the Executive Director and may be granted on a prorated basis as applicable.

## **B. Annual Leave (Vacation)**

Time off from work to relax and pursue special interests is important to everyone. All regular full-time employees accrue personal time off with pay at the rate of one day per month of service starting from the date of hire. This accrual rate is fractionally apportioned throughout the 26 pay periods in a year. An additional day is added for each year of service up to a maximum of 20 days per year. At the Executive Director's discretion, upon hire, an employee may be granted leave starting at a higher seniority level.

Annual leave may be accumulated up to a maximum of 20 days. Any accumulated leave over 20 days will be forfeited at the end of the pay period in which the employee exceeds their twentieth vacation day if not used.

All regular part-time employees accrue annual leave by the above formula pro-rated to their individual work schedules. For example, an employee working 20 hours per week would accumulate annual leave at 50 percent of the rate of a full-time employee with an equivalent number of years of service.

Paid annual leave for temporary employees is at the discretion of the Executive Director and may be granted on a prorated basis as applicable.

An employee will not accrue any annual leave for pay periods in which the employee is entitled to no wages, unless required under law. Generally, this means when the employee is on unpaid leave, such as FMLA leave. Requests to use annual leave must be approved by the Executive Director.

Annual leave may be used in minimum increments of one-half hour.

Employees may not ask to take unpaid time away from work until all of their available accrued earned time off has been used.

Accrued, unused vacation time will be paid out upon termination of employment.

## **C. Sick Time**

All regular full-time or part-time employees are eligible for paid time off for temporary absence from work due to illness, injury, or other conditions requiring medical attention. Medical leave may be used for medical appointments and other matters related to employee health. In addition, medical leave may be used for attending to an illness or

health-related concern for a member of the employee's immediate family or household. "Immediate family" means the employee's spouse or domestic partner, child, son/daughter-in-law, parent, grandparent, grandchild, sibling, or legal guardian. Family member also includes individuals in the following relationships with the employee's spouse or domestic partner: child, parent, or grandparent. It also includes those persons in a "step" or "half" relationship. If the employee has no spouse or domestic partner, the employee may designate one person as to whom the employee may use paid sick leave to aid or care for the person.

Medical emergencies notwithstanding, employees who are unable to report to work due to illness or injury must notify their supervisor as well as the office before the start of their workday and on each additional day they will be absent.

Medical leave is earned at the rate of one day per month of full-time service starting from the employee's date of hire. An employee may accrue a maximum 20 days of medical leave. Medical leave for regular part-time employees will be based on the percentage of hours worked compared to the normal work week for the Commission.

Paid medical leave for temporary employees is at the discretion of the Executive Director and may be granted on a prorated basis as applicable.

An employee will not accrue any medical leave during pay periods in which the employee is entitled to no wages, unless required under law. Generally, this means when the employee is on unpaid leave, such as FMLA leave.

Employees may not receive any other form of compensation in lieu of taking medical leave.

Medical leave may be taken in minimum increments of one-half hour.

Unused medical leave is not compensated upon separation from employment, whether voluntary or involuntary, with the Commission.

#### **D. Maternity Leave**

New Hampshire law prohibits discrimination on the basis of an individual's sex, which includes pregnancy, childbirth, and related medical conditions. Consequently, pregnant women are entitled to an unpaid leave of absence that covers the period of temporary physical disability, as certified by a physician, related to their pregnancy or to childbirth.

This leave will be unpaid, but the employee may elect to use her accrued annual leave or accrued medical leave during the time of her maternity leave. Eligible employees may also apply for short-term disability benefits. Any paid leave, including the use of annual leave, medical leave, and short-term disability benefits, runs concurrently with state-mandated maternity leave, and any remaining maternity leave after the use of annual leave, medical



leave and short-term disability benefits will be unpaid. Leave taken by eligible employees under our FMLA policy will run concurrently with maternity leave. An employee will not accrue any annual leave or medical leave during the pay periods in which they are entitled to no wages, such as during maternity leave, unless required by law.

Employees on maternity leave who are eligible for FMLA leave or short-term disability will remain eligible to continue to participate in the Commission's health/dental insurance benefit as set forth in the organization's FMLA Policy or Short-Term Disability Policy (available from the Human Resource Department). Employees who are not eligible for FMLA leave or who have exhausted their available FMLA leave weeks and remain disabled as a result of pregnancy, childbirth, or related conditions and who are not eligible to receive short-term disability benefits will be allowed to participate in our health/dental insurance benefit for 30 days. When those 30 days expire, the employee may continue medical insurance coverage by making arrangements with the Human Resource Department to pay the entire amount of the appropriate monthly premium in advance each month. An employee's health insurance coverage may be canceled if the premium payment is more than 30 days late.

When an employee on approved maternity leave is physically able to return to work, her original job or a comparable position will be made available to her, unless business necessity makes this impossible or unreasonable. If the employee fails to return to work when released by her doctor, she will be considered to have voluntarily terminated her employment. Employees on maternity leave should contact the Financial Consultant to make arrangements for paying their health insurance premiums during their leaves.

Female employees requesting maternity leave are asked to notify their immediate supervisor or the Executive Director of the need for such leave and its expected duration, as far in advance of the leave as possible.

Medical certification of the period of physical disability related to an employee's pregnancy or childbirth must be obtained and provided to the Executive Director as soon as possible after the need for the leave is determined, and the employee may return to work only upon certification of her doctor releasing her to return to work.

## **E. Leave of Absence Without Pay**

If a situation arises that temporarily prevents an employee with at least one year of service from working, they may be eligible for a personal leave of absence without pay.

Any request for a leave of absence without pay must be submitted in writing as far in advance as possible. The Executive Director will review each request individually.

An employee will not accrue any annual leave or medical leave during the pay periods in which they are entitled to no wages, such as during a leave of absence without pay, unless required under law.

The decision to approve or disapprove a request for a leave of absence without pay will be based on the circumstances; the length of time requested; the employee's job performance, attendance, and punctuality record; the reason for the leave; the effect the employee's absence will have on the work of the Commission; and the expectation that the employee will return to work when the leave expires.

## **F. Bereavement**

A regular full-time employee may be granted up to three days paid bereavement leave following the death of a family or household member. Family is defined as being of origin, adoption, or of choice and includes the employee's spouse or domestic partner, child, son/daughter-in-law, parent, grandparent, grandchild, sibling, or legal guardian. Family member also includes individuals in the following relationships with the employee's spouse or domestic partner: child, parent, or grandparent. It also includes those persons in a "step" or "half" relationship. If the employee has no spouse or domestic partner, the employee may designate one person as to whom the employee may use leave time under this policy..

Employees who require additional bereavement time must use available accrued paid time off. Employees must inform their supervisor or the Executive Director as soon as possible of their situation and the estimated time off from work they will need. The Commission reserves the right to request documentation to support this leave.

## **G. Civil Leave (Jury or Witness Duty)**

An employee shall be excused from employment for the day or days required to serve as a juror or witness in any court of the United States or the employee's state of residence. A full-time employee called for jury duty or subpoenaed as a witness shall be granted paid leave for the first 10 days of the civil involvement. For part-time and temporary employees, jury or witness duty should be considered an excused unpaid absence. Employees who are compensated for the civil duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing jury duty.

Upon receiving notification for jury duty or other civil duty, an employee must immediately inform their supervisor or the Executive Director of the reporting date(s).

Employees on civil leave are expected to inform daily the designated staff person responsible for employee records of the continuation of service.

Employees released from jury duty or other service during work hours are expected to report to work, unless otherwise instructed by their supervisor.

## **H. Military Leave**

Employees who belong to the U.S. armed forces reserves or the National Guard will be granted unpaid military leave when on active duty, attending a two-week annual training, or deployed to assist during an emergency.

Employees requesting military leave should give their supervisor as much advance notice as possible.

Although unpaid, military leave will not affect employment status, seniority, vacation, sick leave, advancement, or other advantages of employment. Employees may choose to take some or all of their vacation with pay during this period. An employee who wants to be reinstated to employment following military leave must promptly notify the Executive Director.

## **I. Crime Victim Policy**

In accordance with New Hampshire law, the Commission will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For the purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

An employee may also qualify for leave under this policy if they are part of the immediate family of a homicide victim, of a child under the age of 18 who is a victim of a crime, or of an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the employee's spouse or domestic partner, child, son/daughter-in-law, parent, grandparent, grandchild, sibling, or legal guardian. Family member also includes individuals in the following relationships with the employee's spouse or domestic partner: child, parent, or grandparent. It also includes those persons in a "step" or "half" relationship. If the employee has no spouse or domestic partner, the employee may designate one person as to whom the employee may use leave time under this policy.

Employees who need time off under this policy should notify the Executive Director or Financial/HR Consultant as far in advance as possible. They may be asked to submit copies of the notices for each scheduled hearing, conference, or meeting provided by the court or agency involved in the prosecution of the crime. Failure to submit these copies as

requested may result in denial of the leave of absence. The Commission will maintain any such notices or records in confidence and will disclose them only on a need-to-know basis.

The employee will be notified as soon as practicable whether the requested leave has been granted or denied. Leaves requested under this policy typically will be granted unless they would cause undue hardship (i.e., significant difficulty and expense) to the Commission. In determining whether undue hardship may exist, the Commission will consider the size of our operation, the employee's position and role within the organization, and the Commission's need for the employee to be at work.

Employees on leave under this policy will be treated for benefits purposes the same as employees on personal leave.

The Commission will not discharge, threaten, or discriminate against an employee for taking leave under this policy.

## **J. Family and Medical Leave**

*[SRPC is required to maintain this policy even though the Commission employs fewer than 50 people and so is not covered by the federal Family and Medical Leave Act (FMLA). Please see the Non-FMLA Medical Leave policy that follows.]*

Under the Family and Medical Leave Act (FMLA), eligible employees may take up to 12 weeks of unpaid job-protected family/medical leave in a 12-month period and be restored to the same or an equivalent position upon their return to work. All eligible employees at the Commission will be granted FMLA leave in accordance with the law.

Employees who meet the following two conditions are eligible for FMLA leave:

- They must have worked for the Commission for at least 12 months, and must have performed at least 1,250 hours of work in the 12 months prior to their FMLA leave request.
- When the leave is requested, they must either (a) work at a worksite with 50 or more employees or (b) work at a worksite with less than 50 employees if 50 or more employees are employed within 75 miles of the worksite.

Eligible employees may take FMLA leave for any of the following reasons:

- The birth of a child and to care for the newborn. (Leave must be taken within 12 months of the child's birth.)

- The placement of a child with the employee for adoption or foster care and to care for the newly placed child. (Leave must be taken within 12 months of the child's adoption or placement.)
- The serious health condition of a spouse, parent, minor child, or adult child who is incapable of self-care and the employee is needed for such care ("covered family members").
- The employee has a serious health condition that renders them unable to do their job.
- Qualifying exigency leave for families of the National Guard or Reserves or of a regular component of the armed forces when the covered military member is on covered active duty or called to covered active duty.
- An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:
  - Short-notice deployment.
  - Military events and activities.
  - Child care and school activities.
  - Financial and legal arrangements.
  - Counseling.
  - Rest and recuperation.
  - Post-deployment activities.
  - Additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

The FMLA includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave one time to care for a covered service member with a serious injury or illness during a single 12-month period. A covered service member is a current member of the armed forces, including the National Guard and reserves, who incurred a serious injury or illness in the line of duty while on active duty that may render the service member medically unfit to perform their duties and for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list. These individuals are referred to in this policy as "current members of the armed forces." Covered service members also include veterans who were discharged

or released from military service under condition other than dishonorable and who were members of the Armed Forces (including members of the National Guard or Reserves) at any time during the five year periods preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

**Tracking Your Leave:** When an employee requests any leave of absence that qualifies under the FMLA, the Commission may designate such leave as FMLA leave upon written notification to the employee.

As stated above, an eligible employee is entitled to a total of 12 work weeks of leave during any 12-month period. That 12-month period is defined as a "rolling" 12-month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks an employee has available upon the beginning of a FMLA leave will be 12 weeks less the number of FMLA weeks taken in the 12-month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2002, four weeks beginning June 1, 2002, and four weeks beginning December 1, 2002, the employee would not be entitled to any additional leave until February 1, 2003. Beginning on February 1, 2003, the employee would be entitled to four weeks of leave; on June 1, 2003, the employee would be entitled to four additional weeks; and so on.

FMLA leaves for the birth or placement of adoption or foster care of a child, as described in paragraphs 1 and 2 above, must be taken all at once unless otherwise agreed by the Commission. If medically necessary, FMLA leaves due to illness as described in paragraphs 3 and 4 above may be taken on an intermittent or reduced leave schedule, which is described in more detail below.

**Intermittent and Reduced Schedule Leave:** Leave due to a serious health condition may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. While you are on intermittent or reduced schedule FMLA leave, the Commission may temporarily transfer you to an available alternative position that better accommodates your recurring leave and that has equivalent pay and benefits.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers' compensation, short-term disability, or other benefits. If you are a salaried

employee, the Commission will adjust your salary based on the amount of time actually worked.

**Status of Employee Benefits:** Employees are required to use any accrued, unused Annual or Medical Leave during FMLA leave unless the FMLA leave is otherwise paid through workers' compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave times does not extend the 12-week FMLA leave period. Also, your FMLA leave may run concurrently with other types of leave.

During an approved FMLA leave, the Commission will maintain your health benefits under the same terms and conditions applicable to employees not on leave. If paid leave is substituted for unpaid FMLA leave, the Commission will deduct your portion of the health plan premium as a regular payroll deduction.

If your leave is unpaid, or is paid through workers' compensation, short-term disability benefits, or other benefits not provided through the Commission's payroll system, you must pay your portion of the premium by making arrangements with the Financial Consultant.

Your health coverage may be cancelled if your premium is more than 30 days late. If you elect not to return to work at the end of the leave, you will be required to reimburse the Commission for the cost of the premiums paid by the Commission for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or because of other circumstances beyond your control.

**Requesting Leave:** You must complete the appropriate FMLA leave request forms, which are available from the Financial/HR Consultant.

If your need for leave is foreseeable, such as for the birth of a child or for a planned medical treatment, you must give 30 days' prior written notice. Please make efforts to schedule planned medical treatments to avoid disrupting the Commission's operations.

If the need for leave is not foreseeable, you must give notice to the Executive Director as soon as practicable (within one or two business days of learning your need for leave). Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to personally notify the Commission of the need for leave because of illness, the employee should ask someone else to call on their behalf.

**Medical Certification for a Serious Health Condition:** If you are requesting leave because of your own or a covered family member's serious health condition, the appropriate health care provider must supply a medical certification. Please obtain a medical certification form from the Financial Consultant for the health care provider to use. If possible, you should provide the medical certification within 15 days of requesting

leave. If you do not provide the required medical certification in a timely manner, your leave may be delayed.

The Commission, at its expense, may require an examination by a second health care provider designated by the Commission. If the second health care provider's opinion conflicts with the original medical certification, the Commission, at its expense, may require that a third health care provider agreed upon by the employee and the Commission conduct an examination and provide a final and binding opinion.

The Commission may also require subsequent medical recertification. Failure to provide requested recertification within 15 days may result in delay of further leave.

**Reporting While on Leave:** If you take leave because your own serious health condition or to care for a covered family member with a serious health condition, you must contact the Executive Director regularly to provide updates about the status of the medical condition and your intention to return to work. In addition, you must give notice as soon as possible (within two business days if feasible) if the dates of the leave change or were initially unknown.

**No Work While On Leave:** Taking another job while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

**Returning To Work:** At the end of an authorized FMLA leave, the employee will be reinstated to their original position or an equivalent position. However, certain highly compensated employees, or "key employees," may be denied restoration to their prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Commission. Key employees are those who are among the highest paid 10 percent of employees within 75 miles of the worksite.

If you take leave because of your own serious health condition, you will not be reinstated until you provide a fitness-for-duty certificate from your health care provider confirming that you are medically able to resume work. The return-to-work medical certification forms are available from the Financial Consultant.

**Coordination with Maternity Leave:** The Commission's maternity leave policy provides female employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. Please refer to the Commission's Maternity Leave policy for more information.

For purposes of coordinating FMLA and maternity leaves, maternity disability leave will be treated in the same manner as a type 4 FMLA leave of absence. Maternity disability leave begins when an employee is medically determined to be disabled and ends when she is medically determined to be able to return to work. Remaining maternity leave unrelated to disability will be treated as type 1 FMLA leave if the employee has additional available leave weeks remaining. If a maternity disability or maternity leave is for the number of



available FMLA leave weeks or less, the employee will be reinstated in accordance with this FMLA policy. If a maternity disability or leave exceeds the number of available FMLA leave weeks, reinstatement will be governed by the maternity leave policy.

**Coordination with Other SRPC Policies; Reference to FMLA and Federal Regulations:**

In the event of any conflicts between this policy and other Commission policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The terms of the FMLA and the FMLA federal regulations are incorporated herein and will be applied in all instances of requested or designated FMLA leave.

**Employer's Responsibilities:** Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

**Unlawful Acts by Employers:** FMLA makes it unlawful for the Commission to:

- Interfere with, restrain, or deny the exercise of any right provided under the FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

If you believe that the Commission has violated either of these obligations, please report your concerns to the Executive Director or Financial/HR Consultant.

**Enforcement:** Employees may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement, which provides greater family or medical leave rights.

**K. NON-FMLA FAMILY MEDICAL LEAVE:**

Regular full-time or part-time employees who work at least 24 hours a week will receive up to 12 weeks of unpaid non-FMLA medical leave during any 12-month period for the following purposes:

- To care for a newborn child during the first 12 months after their birth.
- To care for a child during the first 12 months after their adoption or placement with you for foster care.
- To care for a spouse, domestic partner, child, or parent with a serious health condition.
- To attend to their own serious health condition involving in-patient care or continuing treatment that prevents them from performing their job.

If an employee's spouse or domestic partner also works at SRPC, the employee and spouse/domestic partner are limited to a combined total of 12 weeks of non-FMLA leave.

If medically necessary, leave related to a serious medical condition may be taken intermittently or by reducing the number of hours an employee works in a day or week.

**Requesting Leave:** Employees should give as much advance notice as possible if they intend to take non-FMLA family medical leave, and they should submit leave requests in writing to the Executive Director. The Executive Director may require a certificate or letter from the employee's physician or health care provider attesting to the illness, its severity, and its expected duration.

SRPC may require an employee to use any accrued, unused paid time off (including annual and medical leave days) concurrently with their non-FMLA Family Medical Leave unless the non-FMLA leave is paid through workers' compensation, short-term disability, or other benefits. Substituting paid leave for unpaid leave will not extend the non-FMLA Family leave period beyond 12 weeks.

**Maintenance of Your Health Benefits:** While an employee is on approved non-FMLA leave, SRPC will maintain their health benefits under the same terms and conditions that apply to employees who are not on leave.

If an employee substitutes paid leave for unpaid non-FMLA leave, SRPC will deduct from their pay check (or direct deposit) their portion of their health plan premium.

If a leave is unpaid—or paid through workers' compensation, short-term disability, or other benefits not provided through SRPC's payroll system—the employee must make arrangements with the Executive Director or the Financial/HR Consultant to pay their portion of the health plan premium.

Health and other benefit coverage may be canceled if an employee's premium payment is more than 30 days late.

Benefits based on the time an employee has worked at SRPC will remain at the level earned as of the start of the unpaid leave, and the employee will not accrue additional benefits during the leave period. For example, an employee will not earn sick days or vacation days while on non-FMLA leave. (They will, however, see such benefits reduced if they take medical leave or vacation days during the non-FMLA leave period.)

**Confirmation of Familial Relationship:** An employee who requests non-FMLA leave to care for a family member may be asked to provide reasonable documentation or a statement of the familial relationship. This documentation can take many forms, including a child’s birth certificate or a court document.

**Reporting While on Leave:** An employee who takes non-FMLA leave to care for their own serious health condition, to care for a covered family member, or for some other qualifying reason must regularly update the Executive Director about the status of their need for the leave and about their intention to return to work. If the dates of the leave change, or if they were not known when the leave was requested, the employee must notify the Executive Director as soon as they can—within two days, if possible—once that information becomes available.

**No Work While on Leave:** Employees on non-FMLA leave or other authorized leave may not take another job or engage in freelance work or other form of self-employment. If they do, they may be subject to disciplinary action up to and including loss of employment with SRPC.

**When the Leave is Over:** At the end of non-FMLA leave, the employee will return to the position held when the leave started—or to an equivalent position with the same pay, benefits, and other terms and conditions of employment—unless the position would have been eliminated anyway during the leave period.

If an employee decides not to return to work at the end of their unpaid non-FMLA leave, they will be required to reimburse SRPC for the cost of the premiums paid by the Commission to maintain their coverage while on leave. The only exceptions allowed are if an employee cannot return to work because of a serious health condition or because of other circumstances beyond their control. An employee who took non-FMLA leave for a condition covered under SRPC’s short- or long-term disability insurance—and they are covered by that insurance—can apply for benefit coverage.

Employees who you have any questions about SRPC’s non-FMLA Family Medical Leave policy are asked to contact the Executive Director.

## IX. APPEALS

### A. Process

Any decision made by the Executive Director in the implementation of this Employee Handbook, or in the general management and operation of the Commission, may be appealed. Employees, including recently terminated employees, are encouraged to first discuss any problems or concerns with the Executive Director on an informal basis prior to making a formal appeal. The appeal process follows three steps:

1) WRITTEN APPEAL TO THE EXECUTIVE DIRECTOR - The employee or recently terminated employee shall notify the Executive Director of his/her intent to formally appeal a decision, action or policy and set forth the reasons for the appeal in writing. Within one week, the Executive Director shall respond to the employee as appropriate and document the appeal and any decision in writing;

2) WRITTEN APPEAL TO THE EXECUTIVE COMMITTEE - If the employee or recently terminated employee is not satisfied by the decision of the Executive Director, he/she may transmit in writing to the Executive Committee the reasons for furtherance of the appeal. The Executive Committee will take appropriate action and respond to the employee in writing as soon as reasonably possible but not later than by 3 days following the next regularly scheduled Executive Committee Meeting;

3) HEARING BEFORE THE EXECUTIVE COMMITTEE - The employee or recently terminated may seek further redress through a personal hearing before the Executive Committee by written request. If warranted, such a hearing may be granted as soon as reasonably possible but not later than the next regularly scheduled Executive Committee meeting following receipt of the request. The Executive Director shall be available for the hearing, and the decision of the Executive Committee shall be rendered in writing within one week of the hearing's conclusion.

Appeals shall be made within 30 days after the aggrieved action occurs. Employee complaints considered in the judgment of the Executive Committee to be trivial or malicious shall be subject to disciplinary action up to and including termination of employment

### B. Decisions

All actions of the Executive Committee regarding appeals are final.

## X. CLOSING

Again, we are delighted to have you join us at the Strafford Regional Planning Commission. We hope the policies and information in this handbook provide you with a respectful, safe, and productive work environment. If you have any questions about any of the material, please do not hesitate to ask the Executive Director or the Financial/HR Consultant.

## APPENDIX A: SRPC TELECOMMUTING POLICY AND AGREEMENT

**Definition of Telecommuting:** Telecommuting is an agreement between the employer and employee in which the employee works outside of the SRPC office for a specified and regular number of days a week, using telephones, computers, and related voice, video, and text technology. The specific scheduling of which being subject to the approval of the Executive Director. It is the exception, not the rule.

### A. Telecommuting Guiding Principles

1. Telecommuting is an alternative method for meeting the needs of our customers, our office and our employees;
2. Telecommuting increases employee productivity and is an inducement for the Commission to attract and retain high quality staff;
3. Telecommuting requires effective, supportive and ongoing communication by the employee with the public, other employees, and their supervisors;
4. Telecommuting has a positive impact on the environment by reducing employee vehicle miles traveled with corresponding reduction in use of gasoline and reduction of air pollution;
5. Telecommuting is a privilege that employees may earn and lose (based on their work performance and demonstrated ability to successfully work independently, etc.). It may be refused to individuals or terminated at any time.

### B. Eligibility

The following factors will be used to decide whether telecommuting is an option for those employees interested in participating in this work option:

1. Does the employee have clearly defined tasks that can be accomplished off-site?
2. Can the results and/or productivity be effectively measured without supervisor oversight?
3. Can the present level of customer service be maintained or improved through telecommuting?
4. Is the current level of interaction with the public and employee minimal or can it be scheduled to permit telecommuting?

Employees that have a rating of below expectations on their annual performance evaluations are not eligible to participate in telecommuting.

Prior to initiating the telecommuting work option, the employee will sign the SRPC Telecommuting Agreement (part of this Appendix) and submit it for approval. The supervisor will periodically meet with the telecommuter, and other staff as appropriate

(e.g. support staff, etc.), to evaluate the telecommuting experience and make improvements as needed.

### **C. Dependent Care**

Telecommuting is not a substitute for dependent care. Telecommuters must make dependent care arrangements, as they are required when working in the office, to permit concentration on work assignments off-site.

### **D. Workspace**

Employee understands their workspace is considered an extension of the Commission workspace. Telecommuters must maintain a dedicated safe, secure, and ergonomic work environment.

Employee is responsible for providing telephone, printing, networking and/or Internet capabilities at the telecommute location and shall not be reimbursed by the employer for these or related expenses. Internet access be via DSL, Cable Modem, or an equivalent bandwidth network.

Workers compensation from job related accidents would continue to exist within the defined workspace during telecommuting hours. Employee shall report work-related injuries to Executive Director at the earliest reasonable opportunity. Employee agrees to hold the Commission harmless for injury to others at the alternate work site.

### **E. Equipment & Information Security**

With the aid of various technologies such as phone, email, internet, and remote work software, SRPC employees are expected to maintain the same level of office productivity while telecommuting.

1. **Office equipment and records:** Equipment owned by SRPC and used in the telecommute location shall be accurately listed and updated on the Telecommuting Agreement. Employee shall protect Commission-owned equipment, records, and materials from unauthorized or accidental access, use, modification, destruction, or disclosure. All equipment, records, and materials provided by the Commission shall remain the property of the Commission. The precautions described in this policy apply regardless of the storage media on which information is maintained, the locations where the information is stored, the systems used to process the information, or the process by which the information is stored. Employee shall report to the Executive Director any incidents of loss, damage, or unauthorized access at the earliest reasonable opportunity.

Should the telecommuting agreement be revoked, employees are required to return Commission-owned equipment, records, and materials within the 48 hours of termination of this agreement. Any software provided for

telecommuting will be deleted from any compute not belonging to the Commission. Within 48-hours of written notice, Employee must return Commission owned equipment for inspection, repair, replacement, or repossession.

2. **Phones:** Employees that telecommute must provide their own landline and/or cell phone. Employees are responsible for forwarding work calls to this phone while off-site and are expected to answer calls and/or check voicemail in a rate and manner consistent with on-site work



### Stafford Regional Planning Commission Telecommuting Agreement

**A. Definition:** Telecommuting is the use of telephones, computers, and related voice, video, and text technology to enable an employee to work outside of the traditional workplace for a specified and regular number of days a week. It is the exception, not the rule. This is an agreement between the telecommuting employee and Stafford Regional Planning Commission (SRPC).

Telecommuting Employee: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Effective Date: \_\_\_\_\_

#### B. General Work Arrangement

1. I (the employee) understand and agree to the terms and conditions as stated in the SRPC Telecommuting Policy.
2. SRPC and I agree that at SRPC’s discretion, I may perform portions of my assigned duties for SRPC at a location other than at SRPC as a telecommuter.

- a. Employee’s telecommuting schedule is:
  - Monday     Tuesday     Wednesday     Thursday     Friday
  - Start Time: **[start time]**      End Time: **[end time]**
- b. Employee’s regular telecommuting site location is **[location]**.
- c. Employee’s regular telecommuting phone number is **[telephone number]**. SRPC encourages staff not to share their personal phone number with work clients and partners beyond SRPC staff.
- d. The employee has been provided with the following equipment for which they are responsible:

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3. While telecommuting, Employee will:
  - a. remain accessible during the telecommute work schedule;
  - b. check in with the Executive Director or colleagues to discuss status and open issues;
  - c. be available for teleconferences, scheduled on an as-needed basis;
  - d. be available to come into the office if a business need arises;
  - e. request Executive Director approval in advance of working any overtime hours (if employee is non-exempt); and
  - f. request Executive Director approval to use vacation, sick, or other leave in the same manner as when working at Employee’s regular work location.

2. Employee's duties, obligations, responsibilities, and conditions of employment with the Commission remain unchanged except those obligations and responsibilities specifically addressed in this agreement. The employee will continue to comply with the Commission policies and procedures while working off-site. Employee's salary and benefits remain unchanged. Job responsibilities and standards of performance remain the same as when working at the Commission's regular work site. The Executive Director reserves the right to assign work as necessary at any work site.
3. The employee will always remain responsible and maintain professional standards of behavior, as noted in the Employee Handbook. The employee will not use their home as a meeting location to conduct the Commission business. If the employee leaves their home when Telecommuting for any Commission purpose, they will dress and present themselves in a professional manner.
4. The employee agrees that their Telecommuting does not adversely impact the support staff either way when they return to the office (i.e., major mailing the next day etc.) or when they are working from home. The employee realizes this will require effective and frequent communication.
5. The employee understands that telecommuting is a privilege that may be revoked at any time under the discretion of the Director. The parties acknowledge that this agreement may be evaluated on an ongoing basis to ensure that Employee's work quality, efficiency, and productivity are not compromised by the telecommuting arrangement described herein.

\_\_\_\_\_

Employee

\_\_\_\_\_

Date

\_\_\_\_\_

Supervisor

\_\_\_\_\_

Date

Insert a photo of your telecommute workspace here:

## STRAFFORD REGIONAL PLANNING COMMISSION EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

This Employee Handbook has been prepared for your information and understanding of the policies, philosophies and practices and benefits of the Commission. PLEASE READ IT CAREFULLY. Upon completion of your review of this Handbook, please sign the statement below, and return to the Executive Director or Financial/HR Consultant.

I \_\_\_\_\_, have received and read a copy of the Commission's Employee Handbook, which outlines the goals, policies, benefits, and expectations of the Commission, as well as my responsibilities as an employee.

I have familiarized myself with the contents of the handbook. By my signature below, I acknowledge, understand, accept, and agree to comply with the information contained in the employee handbook provided to me by the Commission Secretary. I understand this handbook is not intended to cover every situation that may arise during my employment, but is simply a general guide to the goals, policies, practices, benefits, and expectations of the Commission.

I understand that the policies and benefits described in the handbook are subject to change at the Commission's sole discretion at any time. I further understand that the handbook is not intended as an express or implied contract for employment, benefits, or other terms and conditions of employment between the Commission and any of its employees.

I acknowledge that I have the right to terminate my employment with the Commission at any time, with or without cause or notice. In turn, I acknowledge that the Commission has the right to terminate my employment at any time, with or without cause or notice, at its sole discretion.

I understand that this version of the handbook supersedes and replaces all previous manuals, handbooks, policies, procedures, and understandings.

I understand that my signature below indicates that I have read and understood the above statements.

Print Employee Name \_\_\_\_\_

Employee Signature \_\_\_\_\_

Date: \_\_\_\_\_

(version: May 15, 2020)