

TOWN OF GEORGETOWN

Ordinance No. G-24-01

An Ordinance Repealing the Old Personnel Manual and Establishing a New Personnel Manual (REV. 12/2023)

**WHEREAS**, the Town Council for the Town of Georgetown, Indiana is the legislative body of the Town of Georgetown;

**WHEREAS**, pursuant to Ind. Code 36-5-2-9, the legislative body may adopt ordinances or resolutions for the performance of functions of the town; and

**WHEREAS**, the Georgetown Town Council desires to update its personnel policies; and

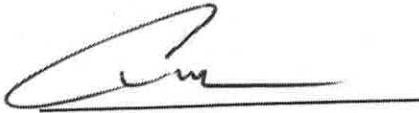
**WHEREAS**, after input from the Town Council, Town Attorney, Chief of Police, Clerk-Treasurer, and Town Manager has updated the Personnel Policies Manual.

**Now, therefore, be it ordained** by the Town Council of the Town of Georgetown, Indiana it is hereby ordered as follows:

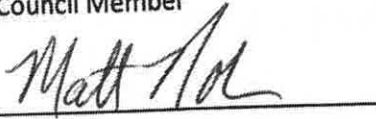
1. That the Personnel Policies Manual attached hereto as Exhibit "A" and made a part hereof is hereby adopted.
2. That the 34.15(A) of the Georgetown Code of Ordinances is hereby amended and restated so that it provides as follows: "The town's personnel policies shall henceforth be those referenced and further identified as being adopted by ordinance G-24-01."
3. That this ordinance and the personnel policies adopted hereunder repeal Ordinance G-11-04.
4. This ordinance shall be applied and construed in such as manner that it conflicts with any state statute governing the affairs of police officers.
5. That if any portion of the foregoing personnel policies are found to be unlawful that it shall not affect the validity of the remaining parts hereof.
6. The provisions of this Ordinance shall become and remain in full force and effect and until its repeal by ordinance.

**DULY PASSED AND ADOPTED** this 22<sup>ND</sup> day of JANUARY, 2024 by the Town Council of the Town of Georgetown, Indiana.





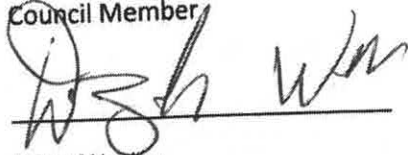
Chris Loop  
Council Member



Matt Nolan  
Council Member



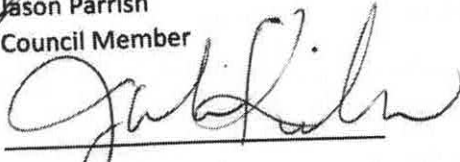
Brandon Hopf  
Council Member



Doug Wacker  
Council Member

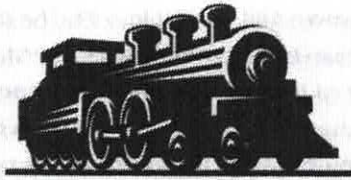


Jason Parrish  
Council Member



Attested by: Julia Klieber  
Georgetown Clerk-Treasurer





**THE TOWN OF  
GEORGETOWN  
I N D I A N A**

**Personnel Policies Manual**

## Introduction

Welcome to the Town of Georgetown – we are glad to have you on our team. At the Town of Georgetown, we believe that our employees are our most valuable asset. In fact, we attribute our success to our ability to recruit, hire, and maintain a happy and productive workforce. We hope that during your time of employment that you will become a productive and successful member of the team.

This Employee Handbook describes the personnel policies and procedures that govern the employment relationship between the Town of Georgetown and its employees. The policies stated in this handbook are subject to change at any time at the sole discretion of the Town Council. This handbook supersedes any prior handbooks or written policies of the Town of Georgetown that are inconsistent with its provisions. You may receive updated information concerning changes in policy from time to time, and those updates should be kept with your copy of the handbook. If you have any questions about any provisions in the handbook, please ask your supervisor or a member of the Town Council.

This handbook does not create a contract of employment between the Town of Georgetown and its employees. Although we hope that your employment relationship with the Town will be long-term, either you or the Town may terminate this relationship at any time, for any reason, with or without cause or notice. Our relationship remains at-will, notwithstanding any provision in this handbook to the contrary. No supervisor, manager, or representative of the Town of Georgetown has the authority to enter into any agreement with you regarding the terms of your employment that changes our at-will relationship or deviates from the provisions in this handbook.

Sincerely,

Chris Loop

Town Council President

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## Section 1: Town Officials

- A. The Town Council has the responsibility and authority to manage the Town's operations on behalf of the citizens/taxpayers. This responsibility is delegated to several management personnel. The Town Council's duties include but are not limited to:
1. Establishing policies.
  2. Maintaining the efficiency of the Town.
  3. Taking actions necessary to carry out the mission of the Town-owned utilities, including the budget of employees responsible for the billing and collection of utility rates and charges as provided by the law.
  4. Hiring of a Town Chief of Police to provide law enforcement for the Town.
  5. Creating, authorizing, and funding Town employee positions as the Town Council sees fit to benefit the Town.
- B. The Town Clerk/Treasurer has the responsibility and authority to manage and direct on behalf of the citizens/taxpayers the operations and activities of the Clerk/Treasurer Office. These duties include but are not limited to:
1. Appointing/hiring a Deputy Clerk/Treasurer and a number of Utility Clerks and other personnel necessary for the effective operation of the Office of the Clerk/Treasurer with the funding and approval of Town Council.
  2. Directing the work of his/her deputies and employees, including the appointment of employees responsible for the billing and collection of utility rates and charges as provided by law.
  3. Establishing and enforcing policies concerning the Town's monies, budgets, and utility funds.
  4. Hiring, promoting, terminating, demoting, transferring, assigning, and retaining employees of the Office of the Clerk/Treasurer.
- C. The Town Chief of Police has the responsibility and authority to manage and direct on behalf of the citizens/taxpayers the operations and activities of the Town's Police Department and all law enforcement functions of the Town. The Chief of Police is responsible to the Town Council, but his/her policing authority and arrest powers are granted by the State of Indiana. These duties include but are not limited to: (See also title 36. Indiana Code):
1. Appointing/hiring patrol officers necessary for the effective operation of the Town's Police Department with the funding and approval of the Town Council.
  2. Directing the work of his/her officers including insuring that each officer and the Chief maintain annual training requirements necessary to retain their State Peace Officer certification as provided by law.
  3. Enforcing Federal, State, and Town laws established by Federal Codes, statutes and/or ordinances.
  4. Hiring, promoting, terminating, demoting, transferring, assigning, and retaining employees of the Police Department.
  5. Recommending termination of police officers to the Town Council.
- D. The Town Manager has the responsibility and authority to manage and direct on behalf of the citizens/taxpayers the operations and activities of the Public Works Department. These duties include but are not limited to:
1. Appointing/hiring public work employees necessary for the effective operation of the Town with the funding and approval of the Town Council.
  2. Directing the work of his/her employees insuring that each employee has the necessary training requirements to do their jobs.

3. Enforcing local ordinances on behalf of the Town.
4. Establishing and enforcing policies concerning the Town's day to day operations.
5. Hiring, promoting, terminating, demoting, transferring, assigning, and retaining employees.
6. Other designated activities from the Town Council.

## **Section 2: Applicability**

- A. These personnel policies are applicable to all Town employees, including, but not limited to employees of the Office of the Town Clerk/Treasurer, Police Department employees, and Public Works Department employees.

The Town of Georgetown maintains standard definitions of employment and classifies employees in accordance with these definitions:

1. Full-time employment in an established position requiring 40 hours or more of work per week. Full-time employees are eligible for full participation in benefit programs.
2. Part-time employment in an established position requiring less than 40 hours of work per week. Normally a part-time schedule, such as positions of days or weeks, will be established. Part-time employees are not eligible for full participation in benefit programs.
3. Temporary and/or casual employment in a job established for a specific purpose for a specific time or for the duration of a specific project or group of assignments. Temporary and/or casual employees are not eligible for full participation in benefit programs.

Additionally, all employees are defined as either:

1. Exempt: Those employees who are employed in an executive, administrative, professional capacity and who are not covered by the Federal Minimum Wage and Maximum Hours Laws; or
2. Non-Exempt: Those employees who are not employed in an executive, administrative, professional capacity and who are covered by the Federal Minimum Wage and Maximum Hours Laws.

## **Section 3: Equal Employment Opportunity and Non-Discrimination**

- A. Equal Employment Opportunity

The Town of Georgetown is committed to non-discrimination in the consideration of employment and the employment terms and conditions of all job applicants and employees. No applicant or employee will be discriminated against or treated unfavorably because of race, color, gender, religion, national origin, age, or disability. All Town policies and procedures will be regularly reviewed to assure their full adherence to our equal employment opportunity objectives.

Any person who is aware of any alleged violation of this policy should report such concerns to their supervisor or a member of the Town Council as soon as possible. The Town Council will thoroughly investigate and promptly resolve all such complaints in strict compliance with all applicable laws. Any employee violating this policy or retaliating in any against complainants under this policy will be subject to discipline, up to and including termination of employment.

All employees are expected to comply with our equal opportunity policy. Managers and supervisors who are responsible for meeting business objectives are expected to cooperate fully in meeting our equal employment opportunity objectives and their overall performance will be evaluated accordingly.

## B. Sexual Discrimination

It is the policy of the Town of Georgetown to provide an environment free from sexual and sex-based harassment. It is against the policy of the Town of Georgetown for any employee, whether a manager, supervisor, or co-worker, to sexually harass another employee. Sexual harassment or sex-based harassment occurs when unwelcome conduct of a sexual nature becomes a condition of an employee's continued employment, affects other employment decisions regarding the employee, or creates an intimidating, hostile, or offensive working environment.

Sexual and sex-based harassment may include:

1. Requests for sexual favors.
2. Unwanted physical contact, including touching, pinching, or brushing the body.
3. Verbal harassment, such as sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
4. Non-verbal conduct, such as display of sexually suggestive objects or pictures, leering, whistling, or obscene gestures.
5. Acts of physical aggression, intimidation, hostility, threats, or unequal treatment based on sex (even if not sexual in nature).

Any employee who believes he or she has been sexually harassed should report the conduct immediately to the Human Resource Clerk or the Town Council President. No victim retaliation or discrimination will result from any good-faith complaint made under this policy.

A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as possible. Any employee of the Town of Georgetown who has been found, after appropriate investigation, to have sexually harassed another employee will be subject to disciplinary action up to and including discharge.

## C. Harassment based on race, color, gender, religion, national origin, age, or disability

In providing a productive working environment, the Town of Georgetown believes that its employees should be able to enjoy a workplace free from all forms of discrimination, including harassment on the basis of race, color, religion, gender, national origin, age, and disability. It is the Town of Georgetown's policy to provide an environment free from such harassment.

It is against the policy of the Town of Georgetown for any employee, whether a manager, supervisor, or coworker, to harass another employee. Prohibited harassment occurs when verbal or physical conduct defames or shows hostility toward an individual because of his/her race, color, religion, gender, national origin, age, or disability, or that of the individual's relatives, friends, or associates; creates or is intended to create an intimidating, hostile, or offensive working environment; interferes

or is intended to interfere with an individual's work performance; or otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to:

1. Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts, which related to race, color, religion, gender, national origin, age or disability.
2. Written or graphic material that defames or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, or disability and that is placed on walls, bulletin boards, or elsewhere on the Town of Georgetown's premises, or that is circulated in the workplace.

Any employee who believes he or she has been harassed in violation of this policy should report the conduct immediately to the Human Resource Clerk or the Town Council President. No victim retaliation or discrimination will result from any good-faith complaint made under this policy.

A thorough and impartial investigation of all complaints will be conducted in as timely and confidential a manner as possible. Any employee of the Town of Georgetown who has been found, after appropriate investigation, to have harassed another employee in violation of this policy will be subject to disciplinary up to and including discharge.

#### **Section 4: Recruitment, Selection, and Hiring**

##### **A. Recruitment/Hiring**

Department Heads should obtain prior approval from the Town Council when recruiting, interviewing, and hiring any vacant position. Department Heads must obtain prior approval from the Town Council when creating a new job or before converting a part-time position to a full-time position. Recruitment activity may begin only after the job need has been properly allocated and all required approvals have been obtained.

When vacancies occur in the Town's personnel structure, preference shall be given to existing Town employees who are qualified for the open position. Town employees will be given at least two (2) weeks to respond to the open position prior to the position being added to any job boards.

The following criteria shall be used when recruiting and screening for any open positions:

1. Prior work experience
2. Education
3. Work history
4. Physical ability required for the position
5. The applicant's ambitions and goals
6. Special qualifications, licenses, or certifications possessed by the applicant or required for position
7. Compliance with applicable laws

Any newly hired employee who had previously been an employee of the Town for at least one (1) year and resigned in good standing may be entitled to a reinstatement of their length of service benefits, at the sole discretion of the Town Council.

## B. Resumes and Applications

The Clerk/Treasurer's Office will collect all resumes and direct applicants to complete an Application for Employment as well as any other forms deemed necessary to process the application. Resumes and applications must be current, accurate and truthful. Applications must be fully completed and must account for periods of employment and unemployment. The Town relies on the truthfulness and accuracy of information provided by applicants for employment. Any misrepresentations, falsifications or material omissions in any information may result in the Town's exclusion of the individual from further consideration for employment, or if the person has been hired, termination of employment may occur.

Submission of a resume or application with the Town does not mean the applicant will be granted an interview or hired. Equal consideration will be given to all applicants based on the qualifications listed for the job. Resumes and applications will only be accepted for open positions.

The Town of Georgetown is an equal opportunity employer. Accordingly, the Town does not discriminate in employment related to race, color, religion, national origin, citizenship status, ancestry, age, pregnancy, sex, sexual orientation, transgender status, gender identity, genetic information, marital status, physical or mental disability, military status or unfavorable discharge from military service, or any other characteristic protected by applicable law.

As a part of the Town's application for employment, any job candidates will be required to sign a waiver form granting permission for the Georgetown Police Department to perform an NCIC records search. Said records check will only be performed if/when a job is offered to a specific person. Any history of traffic violations may be grounds to disallow the applicant employment. A serious, unacknowledged criminal history and/or any unstated, unresolved violations of the law may be grounds to refuse to employ the otherwise acceptable job candidate.

## C. Applicant Testing

Applicant tests including, but not limited to, written tests for basic skills, mechanical or physical agility tests, and some psychological tests may be used by the Town in the selection process. Such tests are to be related to the requirements and essential duties of the position.

## D. Pre-Employment Interviews

Pre-employment interviews will be used to gather information and screen applicants for Town employment. Final interviews will be conducted by the Elected Official/Department Head with the Town Council, if they so choose.

## E. Background Check & Drug Screening Policy and Procedure

Georgetown may conduct a background check and/or a drug screen on candidates offered employment as well as for employees seeking promotion or transfer. Background checks may include:

1. Social Security Verification: validates the applicant's Social Security number, date of birth and former addresses.
2. Prior Employment and Education Verification: confirms the candidate's employment with the listed employers, including dates of employment, position held and any additional information available pertaining to performance, attendance, reason for departure and eligibility for rehire.

3. Personal and Professional References: contacts may be with individuals listed as references by the candidate.
4. Educational Verification: confirmation the candidate's claimed educational institution, including the years of study and the degree/diploma earned.
5. Criminal History: includes review of criminal convictions and probation. The following factors will be considered for candidates with a criminal history:
  - a. The nature of the crime and its relationship to the position.
  - b. The date of the conviction.
  - c. The number (if more than one) of convictions.
  - d. Whether hiring, transferring, or promoting the candidate would pose an unreasonable risk to the Town, its employees, or citizens.

The following additional background searches may be required if applicable to the position:

1. Motor Vehicle Records: provides a report on a candidate's driving history. This search will be run on all CDL positions or when driving is an essential requirement of the position.
2. Indiana Data and Communications System Background Check
3. Child Protective Services History Check
4. Polygraph Test

#### F. Conditional Offer of Employment

Applicants hired for positions with the Town will be offered employment contingent upon successful completion of all established job prerequisites and requirements of the position, which may include physical and/or mental examinations, drug and/or alcohol testing, immigration, and background checks. The Town may withdraw the conditional offer of employment at any time for any reason, except as otherwise prohibited by law.

#### G. Residency Requirements

The Town of Georgetown encourages all people to apply for employment with the Town regardless of their residency. However, certain positions within Town Government require that the employee maintain residency within the Town throughout the duration of their employment. Residency requirements will be noted in the job postings for those positions.

#### H. Employment Eligibility Verification

The Immigration Reform and Control Act (IRCA) requires all U.S. employers to be responsible for verifying the employment eligibility and identity of all employees hired to work in the United States after November 6, 1986. To comply, the County is required to complete Employment Eligibility Verification forms (Form I-9) for all employees, including U.S. citizens.

The compliance procedure for the I-9 form stipulates that employees complete the Employee Section of the I-9 form no later than the first day of work. Per the U.S. Citizenship and Immigration Services (USCIS) handbook, employees must provide for review original, verifiable documents from those listed as 'acceptable' on the I-9 form (no later than 3 business days from hire) to verify identity and eligibility to work in the United States. If employment is less than 3 days, these documents must be presented on or before start date of employment. If you have questions about what documentation is required, please contact the Clerk/Treasurer's Office. Should I-9 procedures require re-verification;

the Town will follow the USCIS I-9 handbook procedures regarding the allowable time employees have to provide required documents.

Per I-9 compliance requirements, employees who cannot provide verifiable documentation by the required deadlines will be terminated from employment. Employees found to have knowingly provided false documents, or falsified their I-9 forms or other employee records may be subject to disciplinary action up to and including termination.

I. Nepotism, Employment of Relatives and Personal Relationships

The Town of Georgetown will ensure that relative and personal relationships do not create a conflict of interest or favoritism. This extends to employee hiring, promotion, and transfer.

J. Employment Status

It is the intent of the Town to clearly define employment status. Any changes in employment status will be conveyed in writing. No change in employment status is to be inferred without written notification. Employment beyond any initially stated period does not in any way imply a change in employment status. If a department hires an individual to fill in for a full-time employee on leave, the Department Head should contact the Clerk/Treasurer's Office to confirm the individual's employment status and eligibility for benefits.

K. Access to Personnel Files

Employee personnel records are maintained by the Clerk/Treasurer's Office. Accurate personnel records are to be kept on file for each employee. For purposes of this policy, your personnel file will include records related to application, on boarding, training, performance, and other records related to promotion and documenting disciplinary action.

As required by law, some records pertaining to employees are maintained in separate files such as the employee's confidential medical file which contain the employee's medical information, including health insurance, disability information, Workers Compensation injury, other medical related information, and I-9 forms and documents. Personnel files are the property of the Town; employees can access their information by scheduling an appointment with the Clerk/Treasurer's Office.

L. Personal Information Changes

In order to keep your benefit and pay status current and accurate, each employee should keep their benefit and W-4 information updated. If you experience any of the following changes, it is your responsibility to report them immediately. Current information is needed to properly administer your group health and other benefit programs and could even result in loss of certain benefits if not reported in a timely fashion.

## **Section 5: Hours of Work, Work Week, Compensation**

A. General

The normal work week for town employees shall consist of forty (40) hours of duty, computed based on eight (8) hours per day, five (5) days per week. The workweek begins at 12:01 AM, Wednesday and ends at 12:00 PM, Tuesday. With the approval of the Town Council, department heads may schedule personnel for (10) hour duty days, four (4) days per week. Duty in excess of these amounts may be



performed when deemed necessary by the Town Council and shall be compensated for in accordance with the following policies:

B. Allocation

1. The hours during which the departments, offices and activities shall be open for business or in operation shall be determined by the Town Council and may be subject to change by the Town Council.
2. The assignment of an employee or employees to shifts or to hours within these hours during which the department, office or activity is open for business shall be at the discretion of the department head and approval by the Town Council.
3. It is likely that a workload in excess of that which can be accomplished under the hours and/or days of an established category will exist from time to time. All employees are required to work the additional hours when called upon to do so. It is also possible that part-time work schedules will become necessary, as covered below.

C. Part-Time Employees

1. The workweek and/or the daily hours of work of a given position may be changed to a scheduled part-time work week and/or daily hours of work when full-time service is no longer required by reason of shortage of work or of funds, material change in departmental organization or for other related reasons. Part-time employees work less than (40) forty hours within a prescribed one-week work pay period. Such changes may be made only with the prior approval of the Town Council.
2. Before the workweek and/or the daily hours of work of a full-time employee shall be changed to a part-time work schedule, all temporary and probationary employees in the same class of position in that department shall have been dismissed in that order.
3. The change of employees to a part-time work schedule shall be made in inverse order of length of service, other considerations being equal, in the class in the department.
4. Part-time personnel employed by the Town of Georgetown shall be entitled to Social Security benefits (FICA) and Workmen's Compensation Insurance in addition to the rate of pay.
5. Part-time employees may receive 5 total PTO days that will expire at the end of the calendar year if not used.

D. Exempt Employees

If you are classified as a Salaried/Exempt employee, you will regularly receive a predetermined amount of compensation each pay period without regard to your work hours. A Salaried/Exempt employee's salary will be established at the time of hire or when they become classified as an exempt employee. An employee's salary may be subject to review and modification from time to time at the sole discretion of the Town Council.

You will receive your full salary for any workweek in which work is performed. However, in accordance with State and Federal law, your salary is subject to certain reductions for partial weeks worked. Exempt employees are required to record paid time off or other forms of paid time off for absences related to personal reasons, i.e. bereavement, jury duty. Salaried/Exempt employees are still required to fill out a time sheet and turn it into the payroll clerk.

#### E. Compensatory Time and/or Overtime

Because the Town is a local government, the Town may elect to pay and/or the employee may elect to receive compensatory time in lieu of paid overtime; in accordance with the Fair Labor Standards Act and related case law.

Compensatory time shall be accrued at the same rate as overtime, i.e. 1-1/2 hours compensatory time for every one hour worked over and above 40 hours within a given pay period. Under no circumstances shall the employee accumulate compensatory time in excess of 80 hours.

An employee who elects to accrue compensatory time instead of being paid for overtime must coordinate use of this compensatory time with their respective department head such that the department will not be left in an untenable manning posture due to indiscriminate "cashing in" of compensatory time.

If compensatory time is being abused, in the discretion of the department head, employees who are abusing this privilege will no longer be eligible to accrue compensatory time but will necessarily be paid for all overtime.

In the event Town revenues are low, or some related financial hardship for the Town, the Town Council may elect to compensate all overtime hours worked with compensatory time for a given fiscal year. This decision of the Council must be renewed each fiscal year in which they intend to invoke this prerogative. This annual decision will not carry over from one fiscal year to the next automatically.

Compensatory Pay upon Termination/Resignation: An employee who leaves the Town through retirement, resignation, or termination of employment shall be paid for any accumulated compensatory time. Compensation shall be pro-rated at the wage rate as of the date of termination. One (1) – ten (10) years of service receive 50% and ten plus (10+) years of service receive 100% of their compensatory time.

#### F. On Call Work/Pay

On-Call Work and On-Call Pay will follow Ordinance G-07-21. This Ordinance will be followed until another ordinance is put in place.

### **Section 6: Attendance Regulations**

An employee shall be at his/her place of work in accordance with these Rules and Regulations and departmental regulations.

No employee shall be paid for other than time worked unless, in accordance with the Rules and Regulations, he/she is authorized to be absent.

Each department in maintaining attendance records shall enter thereon information as to days absent or tardy for each employee and in each instance, whether such absence or tardiness was authorized. A copy of such record shall be forwarded to the payroll clerk for each payroll period, the information to be recorded in the personnel record of the employee concerned.

Each employee shall be responsible for notifying his/her department head of his/her inability to report for work, and of the reason for each such absence or tardiness. Calls to other than his/her department head shall not be considered proper notification.

Failure by an employee to conform to the requirements of attendance such as unauthorized absence and/or tardiness, shall subject the employee to disciplinary action.

Absence is the condition of being absent, or the time of being away. Authorized absence is a paid absence when an employee uses their earned time to be away. An unauthorized absence is an unpaid absence when an employee has no earned time to be away.

## **Section 7: Holiday Regulations**

### **A. Holidays**

The fourteen (14) official paid holidays for employees of the Town of Georgetown shall be:

1. New Year Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Juneteenth
7. Independence Day (July 4<sup>th</sup>)
8. Labor Day
9. Columbus Day
10. Veteran's Day
11. Thanksgiving
12. Friday after Thanksgiving
13. Christmas Eve
14. Christmas Day

### **B. Holiday Compensation**

When paid holidays fall on a Saturday, the preceding Friday shall be observed as the holiday. When a paid holiday falls on a Sunday, the following Monday shall be observed as the holiday. If a nonexempt employee is required to work on a holiday, he/she shall be compensated at a pay rate of time-and-one-half of time worked and holiday hours will be accumulated. Public Works employees must receive approval from Town Manager.

An employee working on a shift basis who are required to work on an official holiday, or for whom a holiday falls on a scheduled day off, will be granted an additional day off for each holiday worked at the department heads discretion. These accumulated days must be used during within a year of the holiday worked.

The following listed categories of employees specifically do not qualify to receive compensation or compensatory time for the day on which a holiday falls.

1. An employee who is absent without the specific approval of his/her department head for such absence on his/her scheduled working day immediately preceding and/or following the day on which an official holiday falls.
2. Temporary employees.
3. Employees on unauthorized leave.

Nothing set forth herein shall be construed as relieving the heads of various departments, offices, and activities of their responsibilities for the required functions. Heads of departments shall determine what people may be spared to observe holidays.

All full-time employees are eligible for to be paid for Holidays even if they haven't completed their probationary period.

## **Section 8: Probationary Period**

### **A. General**

All original employment shall be probationary.

The probation period is an integral part of the evaluating, testing and/or examination process and shall be used by the department head for closely observing a probationary employee. It shall be utilized for the most effective adjustments to the duties of the probationary employee and for the elimination of any probationary employee whose work performance or conduct does not meet the required standards.

### **B. Duration**

The probation period shall begin immediately upon appointment and shall be for a period of ninety (90) days, except that the department head with the Town Council approval may extend the probation period up to one year from date of employment if it is deemed to be in the best interest of the Town.

### **C. Rejection**

During the probationary period an unsatisfactory probationary employee may be rejected and dismissed at any time.

### **D. Reinstatement**

An employee rejected and dismissed during the probationary period from a position to which they were promoted or transferred shall not be returned to the position from which they were promoted or transferred unless it shall be the decision of the department head that such return is in the best interests of the Town.

### **E. Service Date**

Upon the satisfactory completion of a probationary period and upon receiving an appointment, an employee shall receive credit for service from the date of their probationary appointment.

## Section 9: Suspension, Demotion, Dismissal, Layoff, Resignations

### A. General

As a normal rule, progressive discipline will be used. The department head and/or the Town Council may, however, begin a disciplinary action at any step he/she deem appropriate, if the violation is so serious that beginning with the 1st Step is inappropriate and/or insufficient punishment to fit the violation. The sequence of progressive disciplinary actions will be:

1st step - formal verbal warning.

2nd step - formal written warning (i.e. typewritten letter).

3rd step - suspension with or without pay.

4th step- dismissal.

### B. Verbal Warning

The Department Head may verbally warn an employee for disciplinary purposes. The Department Head may supply the Town Council with written reasons for, and notification of, such verbal warning. The Department Head is not required to notify the Town Council of only verbal counseling. Whether the Town Council is advised or not, however, the Department Head will keep a written record of the verbal warning for his department's records.

### C. Written Warning

The department head may issue a written warning to an employee for disciplinary purposes. The reason or reasons for such written warning will be given in writing, one copy to be sent to the Town Council for review and the employee's service record.

### D. Suspension

The department head may initiate the suspension of an employee with or without pay for disciplinary purposes. Emergency suspension by anyone other than a department head must be ordered in writing prior to such suspension.

The reason or reasons for any proposed suspension and the proposed period of any such suspension shall be given in writing to the Town Council and shall require prior approval of the Town Council to be valid and a copy to be served to the affected employee before the suspension shall become effective.

### E. Demotion

The department head may initiate the demotion of an employee.

An employee may be granted a demotion upon their request and such demotion shall be termed and recorded as voluntary.

The reason or reasons for any proposed demotion, involuntary or voluntary, shall be given in writing to the Town Council and shall require the prior approval of the Town Council to be valid; and a copy of such form to be served upon the affected employee before the demotion becomes effective.

The rate of compensation of a demoted employee shall be fixed at any step within the rate range for the new class of position which does not exceed their current rate of pay in the position from which they are being demoted, but not above the third step of such range.

The demoted employee shall be required to serve a probationary period of 90 days in the new position.

#### F. Dismissal

The department head may initiate the dismissal of an employee.

Dismissals are permanent terminations of employment. The reasons for any proposed dismissal shall be given in writing to the Town Council and shall require the prior approval of the Town Council. A copy of such a form shall be served on the affected employee before the dismissal shall become effective.

Causes for removal shall be based on, but not restricted to: incompetency; wanting in adequate strength, capacity; or physical and/or mental capabilities, permanent or chronic physical or mental ailment(s) or defect(s) which incapacitate the employee for their essential duties.

Additionally:

1. Insubordination.
2. Inefficiency.
3. Neglect of duty.
4. Absence from duty without leave for three (3) consecutive working days.
5. Excessive absenteeism or tardiness hindering the work of the department or activity.
6. Being found guilty of infamous or notoriously disgraceful conduct.
7. Having committed an act which would bring discredit to the Town Violation of any law, rule or regulation pertaining to or affecting employment in the Town.
8. Offensive, indecent, or abusive conduct.
9. Addiction or the use of any narcotic, drug, or the habitual use of intoxicating liquor(s) to excess.
10. Theft, or willful neglect or misuse of Town funds, property, equipment, material or supplies.
11. Discourteous treatment of the public.
12. Sexual harassment.
13. Any other related activity or activities which would bring discredit on the Town.

#### G. Layoff

No layoff of an employee from the Town shall be made as a disciplinary action.

The department head may recommend to the Town Council, the layoff of an employee when it is deemed necessary by reason of a shortage of work or funds, the abolition of the position by the Town Council, material change in departmental organization, or for other related reasons which are outside of the employee's control, and which do not reflect discredit upon the employee.

Before any employee shall be laid off, all temporary and probationary employees in the same class in that department shall have been dismissed, in that order.

The reason or reasons for any proposed layoff shall be given in writing to the Town Council and shall require the prior approval of the Town Council. To be valid, a copy must be served upon the affected

employee sufficiently before the effective date of the layoff to give the employee seven (7) calendar days' notice of such layoff - except under conditions beyond the control of the Town government.

#### H. Resignation

An employee is asked to give their department head at least two (2) calendar weeks notice.

A written resignation should be supplied by the employee to the department head, giving the reason or reasons for their leaving.

A resignation shall be forwarded to the Town Council by the department head, together with an Employee Performance Review Report on the required form, and official notice of the resignation, giving any pertinent information concerning the reason or reasons for the resignation.

### Section 10: Leave Policies

#### A. Paid-Time Off (PTO)

Eligible employees are awarded PTO on January 1 of each calendar year based on years of service (outlined below).

Years of Service	PTO Days
0-2	20 days (160 hours)
3-5	25 days (200 hours)
6-9	30 days (240 hours)
10+	35 days (280 hours)

#### New Employees: (less than one (1) year of service)

New Employee's will receive a pro-rated PTO based on the months that they are hired in at:

1. January-March = 100% (20 days, 160 hours)
2. April-June = 75% (15 days, 120 hours)
3. July-August = 50% (10 days, 80 hours)
4. September-October = 20% (4 days, 32 hours)
5. November-December = 10% (2 days, 16 hours)

New Employees under their Probationary Period are eligible to use two (2) PTO days that must be approved by their immediate supervisor. During the Probationary Period, individuals are also eligible for Bereavement Leave.

These employees are not eligible for compensation of unused days if the employee were to leave before their one (1) year anniversary.

New employees are eligible to carry over no more than 80 hours of PTO if applicable. Any hours over the 80 hours that have not been used will be forfeited.

#### Employees: (more than one (1) year of service)

Employees are eligible to carry over no more than 80 hours of PTO. Any hours over the 80 hours that have not been used will be forfeited. Those 80 hours carried over must be used before July 1<sup>st</sup> of each year.

An employee who leaves the Town through retirement, changing of jobs, or termination of employment shall be paid for any unused PTO. Compensation shall be at the wage rate as of the date of termination.

Any employees that have holiday or sick days remaining from before the new PTO days take effect may roll 80 hours to PTO, any additional hours will be paid at their current rate of pay.

Part-Time Employees: Employees that are considered part-time employees may receive five (5) PTO days or 40 hours. Any hours not used in a calendar year will be forfeited.

#### B. Disability Sick Leave

Definition - A full time employee who is disabled by illness or injury is entitled to Disability Sick Leave. The disability must not be a result from a self-inflicted injury or negligence. The employee must supply the department head with a physician's certification that the employee is unable to perform his/her duties.

Disability Sick Leave status shall continue during the period of actual disability to a maximum of ninety (90) calendar days.

Should a disabled employee be unable to return to work at the expiration of the ninety-day period, the case shall be reviewed by the department head. The Town Council may approve or disapprove the continuation of disability sick leave status. If approved by the Town Council the leave status shall continue for the duration of the actual disability, up to a maximum of an additional ninety days.

If disapproved by the Town Council the disability leave status shall terminate immediately.

Accrual of Benefits During Disability Sick Leave: During the disability sick leave status time period an employee may use any PTO days to supplement his/her disability sick leave benefits.

Termination of Disability Sick Leave: In addition to the time limitations set forth above, disability sick leave status may be terminated by:

1. The employee's physician's certification that the employee is physically able to return to work.
2. Termination of employment of the employee, for any reason. Entry into employment of any kind by the employee, including self-employment.

Effect on Other Benefits: While on disability sick leave status, an employee shall not lose his/her seniority of their job position.

#### C. Parental Leave

The birth or adoption of a child is an important event where the family benefits from time spent together without concern for loss of employment or wages.

To facilitate opportunities for such family time, full-time eligible employees may request and receive up to 120 hours of paid leave upon the birth of their child or upon placement of a child with the employee for adoption. Part-time eligible employees may request up to 60 hours of paid leave.

Any new parent leave not taken within six (6) months after the birth or placement for adoption; or prior to separation from employment in state service is forfeited.



This leave runs concurrently with family-medical leave (FML) for eligible employees who are charged FML for absences due to childbirth or parenting. Employees may choose to use available PTO hours if they want to receive compensation during the FML absence.

#### D. Funeral or Bereavement Leave

In the event of the death of a member of the immediate family; the department head shall be notified and sufficient working days will be granted to an employee to allow up to a total of three (3) days funeral leave. For the purposes of this policy, immediate family is defined as: child, parent, spouse, brother, sister, guardian, step-parents, step-children, grandparents (both sides), grandchild, parents-in-law, and significant other.

If more than three (3) days funeral leave is desired, the funeral leave may be extended, upon application for such extension, at the discretion of the department head. Such extension of time shall be charged against: (1). Compensation Time accrued, (2). Sick Leave Time accrued, (3). Accumulated Vacation time, and (4). Personal Time. If necessary, the Department Head may grant additional leave without pay to facilitate a funeral.

Only scheduled working days falling within the period of funeral leave will be compensated for.

#### E. Leave of Absence (Personal)

A leave of absence is authorized absence from work for a definite period without pay.

Requests for Leave of Absence:

1. A written request for leave of absence shall be supplied to the department head by the employee, giving the reason(s) for such request and the period of leave sought.
2. Such requests shall be supplied at least ten (10) working days before the requested beginning date of such leave. Because of extenuating circumstances, the department head may agree to a shorter period of notice.
3. The department head shall forward the request to the Town Council.

Granting of Leave of Absence:

1. Any leave of absence shall require the favorable recommendation of department head and the approval of the Town Council.
2. Approval of a leave of absence shall be at the discretion of the department head for such reason(s) as he may find to be valid and for a period not to exceed sixty (60) days.
3. In considering a request for a leave of absence, the employee's length of service, service record, experience, and the requirements of the department for the period of requested leave will be taken into account.

Extension: Any extension of a leave of absence of over fifteen (15) calendar days shall be requested in writing at least one (1) calendar week before the expiration date thereof and shall be made with the department head. Thereafter, the procedure for handling such requested extension shall be the same as for an original request.

Restrictions on Other Gainful Employment: Any employee while on leave of absence who shall engage in any other gainful employment shall be deemed to have resigned without notice and his employment with the Town shall be terminated unless the department head, shall determine that such other gainful employment shall be permitted due to extenuating circumstances.

**Failure to Return to Work:** Any employee who fails to return to work from a leave of absence on or before the expiration date thereof without notifying his/her department head and making satisfactory arrangements with him/her, or without reasons acceptable to the department head, shall be deemed to have resigned without notice and their employment with the Town shall be terminated as of the third work day after failing to appear for work.

**Restoration of Former Position:** Upon the expiration of a leave of absence the employee shall be restored to the position held at the time said leave was granted, or to a position equal thereto and at the same established rate of pay.

#### F. Military Leave

The Town of Georgetown provides compensation fifteen (15) days, under IC 10-16-7, during annual reserve and National Guard military training for regular full-time employees who have completed the orientation period. Part-time and temporary employees do not qualify for military leave compensation.

The amount of the military leave compensation paid is the difference between military pay and regular pay based on a 40-hour workweek. Time spent on military leave will not be counted as vacation time used.

Military reservist employees and those volunteering for or called to active military duty are entitled to reemployment. Upon their return from duty the Town of Georgetown will comply with all applicable federal and state laws. In addition, besides the military leave benefits discussed above, employees who request a military leave of absence may elect to use any accrued vacation pay in lieu of unpaid leave and may elect to continue health care benefits to the extent permitted by law, during their leave of absence.

#### G. Jury Duty

The Town of Georgetown provides compensation of up to five (5) days paid to any Town employee that has been selected for Jury Duty and is serving on the Jury. Additional days can be approved by the Town Council if the court case extends beyond five days.

Employees must present a summons to their supervisor as soon as possible. Any time in court for personal business does not count and will be responsibility of employee.

### **Section 11: Outside Employment**

Prior to engaging in any outside business or employment, Town employees shall advise their Department Head and the Town Council of the organization and the position the employee is to be filling.

Any employment engaged in by any employee that may bring discredit upon the Town or be a conflict of interest will not be approved by the Town Council.

### **Section 12: Employee Performance Reports**

#### A. General

Each employee shall have his/her work performance, conduct, attendance, and potential appraised and evaluated annually during the calendar year.

Other appraisals and evaluations of employees may be made at the discretion of the department head. Appraisals and evaluations of an employee's work performance, conduct, attendance, and potential may be required at any time by the Department Head.

#### B. Evaluation Procedures

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, ongoing basis. Formal performance evaluations will be conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees will be evaluated at least every 12 months or whenever an employee requests one. The preparation of the Employee Performance Report shall be the responsibility of the employee's Department Head.

Employee Performance Review Report ratings shall be considered in all matters concerning changes in the status of the employee. Copies of the completed report will not be made until after the Department Head has reviewed it with the employee. The Department Head and employee shall both sign the report, and the report shall be kept in the employee's personnel file.

#### C. Non-Exempt Employee Performance Review Form

The Non-Exempt Employee Performance Review Form may be used for evaluating employee performance. Department Heads may develop a more objective review form that is more specific to their employees' job duties.

Please see Exhibit "A" for an example of the Non-Exempt Employee Performance Review Form.

#### D. Exempt Employee Performance Review Form

The Exempt Employee Performance Review Form may be used for evaluating employee performance. Department Heads or Town Council may develop a more objective review form that is more specific to their employees' job duties.

Please see Exhibit "B" for an example of the Exempt Employee Performance Review Form.

#### E. Employee Performance Review Manual

The Employee Performance Review System is a uniform procedure which permits the evaluation of services performed by employees of the Town.

The purpose of the Employee Performance Review system is to permit supervisory personnel to evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities by established standards. The evaluation of the performance of employees is to determine how and to what extent employee performance relates to the standard position requirements.

It is very important that you, the supervisor, give this employee an honest and fair evaluation. Do not turn in an evaluation with all-excellent checked without justification.

This information is collected with the objective of improving employee performance, and thereby improving the various services rendered to the community.

1. It indicates to the employee how his/her past performance has been evaluated by his/her immediate supervisor, brings out his/her strong and weak points, serves as the basis for discussion of how he/she can improve his/her performance and provides for the counseling of the individual employee.
2. It calls attention to the need for training employees whose reviews reveal areas to improve their work performance and may indicate the special working area in which intensive training is required. It may be used as a basis for granting a merit increase in salary which is intended as a reward for more than satisfactory performance.
3. It may be used to estimate an employee's potential for promotion.

The rating scale is made up of rating values which are listed on the performance review form in the five columns. The scale permits values for each factor considered.

These rating values which make up the scale are:

1. Totally Unsatisfactory: An employee who fails considerably in meeting the minimum performance requirements of the position to which he/she has been assigned shall be rated in the unsatisfactory column for the factors applicable.
2. Needs Improvement: An employee who fails to meet the established standards of the position shall be rated in the Improvement Needed column. \*Employees in this category must bring their performance up to a satisfactory level.
3. Satisfactory: An employee who fully meets the performance standards of the position to which he/she has been assigned shall be rated in the satisfactory column for the factors applicable.
4. Excellent: An employee whose performance has been above the standard performance requirements of the position to which he/she has been assigned shall be rated in the Excellent Column for the factors applicable.

The evaluation factors are the criteria by which an employee's performance is measured. These factors are listed and defined below:

1. Quantity of Work: To determine a standard quantity of production for a particular job the rating authority must understand the quantity of work factor in terms of the actual job. The employee should only be rated on the volume of work that is subject to his/her control. The quantity of work is measured by comparing the work performed to the established standard.
2. Quality of Work: Quality of Work is concerned with accuracy, completeness, neatness, and effectiveness of work performed. The standard is that quality of work which is desirable in the occupation or class of work which is acceptable to the department or division head. The quality of work is measured by comparing the work performed to the established standard.
3. Work Habits: The several different areas that together make up an employee's work abilities. Each individual category shall be rated, and then an overall rating should be made. The overall rating shall depict how well an employee works.

- a. **Dependability:** Dependability is concerned with the employee's attention to his/her work in the absence of direct and indirect supervision. An employee who does not shift the burden of difficult assignments and who is reliable at all times tends to display dependability. The ability to meet deadlines is another indication of this trait.
- b. **Job Knowledge:** Job Knowledge is concerned with the employee's overall knowledge of the subject matter and techniques necessary for full job performance. The care of property and materials used by the employee in his/her daily work, the observance of rules, recommended procedures, and safety regulations should be considered in rating this factor. Proper care and use of equipment should be expected of all employees regardless of its value. An employee's ability to observe rules, follow instructions, use effective supervisory techniques, carry out duties in accordance with approved procedures, and conform to safety regulations is vital in rating the performance of work habits. In the overall evaluation of job knowledge, does the employee organize, arrange, and conduct his/her work in an efficient manner compared to a standard which meets the approval of his department head?
- c. **Punctuality:** Punctuality is the careful observation of an appointed time; being on time; being prompt.
- d. **Initiative:** Initiative is concerned with resourcefulness, self-reliance, willingness to accept and ability to carry out responsibility and the adaptability of the employee to his/her works assignments. An employee who attempts to solve problems, suggest improvements and requests additional assignments tends to display the factor of initiative. Engaging in training courses and encouraging others toward productive use of time also indicates initiative.
- e. **Attendance:** Attendance is concerned with the employee's attendance, punctuality, and time devoted to actual work. The rating party should consider presence on the job when required, punctuality in reporting to work and/or promptness in reporting to assignments.
- f. **Appearance:** Appearance is concerned with the overall appearance of the employee measured with type work performed.
- g. **Safety:** Safety is the quality or condition of being free from damage, danger, or injury. The acts of taking no risks and being prudent and cautious. The ability to prevent an accident or an undesirable effect.
- h. **Talkativeness:** Talkativeness is the ability to put ideas into, or exchange ideas by spoken words. The ability to converse with co-workers, superiors, and citizens.

**Interpersonal Relations/Communication Skills:** Each of the subcategories shall be rated, with an overall rating assigned for this category. The primary purpose of this area is to attempt to rate or score the employee's abilities to get along with others as well as being able to discuss concepts and ideas with others. Can this employee explain to other employees his/her thoughts and ideas on a particular subject? Can he/she transmit his/her ideas so everyone can understand?

1. **Attitude Reflected in Behavior:** This factor deals with the employee's feelings towards his/her job, fellow employees, and the organization for which he/she works. An employee who is flexible in

his/her thinking, is conscious of his/her job responsibilities, and looks for new and better ways of doing things in order to improve the function of the organization for which he/she works tends to display an acceptable attitude towards his/her job. Conversely, an employee who resists authority and is antagonistic about necessary changes in procedure tends to display a poor attitude toward his/her job.

2. Interactions with Employees: This factor is concerned with an employee's ability to get along with associates and his/her degree of effectiveness in dealing with supervisors. In most cases, complaints of employees or incidents arising may attract the attention of the supervisor to those employees among whom poor relations exist, but the attention of the supervisor is not easily attracted to those employees among whom good relations exist.
3. Interactions with Citizens: The citizens are our customers. It is important, to keep the customer, the citizen, happy. When they have a concern, listen and tell them you will report it. Always be polite. If an employee handles himself/herself well with the citizens, then the rating in this category should reflect that ability.

Flexibility/Adaptability: How well does the employee adapt to changing- situations? Does the employee fight new systems and ideas? Does the employee give a new program his/her best effort? On the other hand, does he/she just say, "We never used to have to do this."

Each subcategory shall be scored and then an overall score for the category assigned.

1. To Job Changes: When the job changes, due to whatever reason, does the employee continually complain about wanting the old job back? Be it a change in the employee's assignment, or a change in just the type of work within the assignment, etc.
2. Change in Job Procedures: When the job remains the same, but the way the job is to be performed is different, it is a change in procedures. Often time changes in procedures are made for safety reasons. Other times a new procedure is more time and/or energy efficient. Does the employee try to continue to work the old way? If so, then the employee should not receive a high rating in this area.
3. Changes in Personnel: When a new person is hired, does this employee try to make him/her feel welcomed, or does he/she make life difficult? When another employee is promoted, does this employee accept that promotion, or complain about it?

Administrative Comments: Most of the administrative information on the review form is self-explanatory; the name, the date, the department, etc. Reviews are confidential and are not to be discussed with other personnel outside the rating sequence.

Steps in the Review Process:

1. Blank review form with employee's name and information is given to the employee's supervisor on or about the anniversary date of the employee's hire.
2. The supervisor will have five working days to complete the review form.

3. The review form will be submitted to the department head for review.
4. Annually the Department Head will discuss the review with the individual.
5. Total Rated Value: The total rated value of an employee shall be computed according to the formula below.

Excellent	18-20
Satisfactory	14-17
Improvement Needed	10-13
Unsatisfactory	5-9

\*Only the five major categories will be utilized for Rated Value Computation. The fourteen subcategories are designed to assist in the evaluation process, and do not increase or decrease the score.

6. Employee's Rating Review. It is mandatory that the person rating the employee discuss the evaluation report thoroughly and completely with the employee, in the presence of the department head, or his/her representative. After the evaluation report has been discussed, the employee shall sign the review form. The employee whose rating is unsatisfactory shall be informed in writing on the evaluation form in that section reserved for comments as to the specific reasons he/she was rated unsatisfactory.
7. The employee shall be fully instructed with respect to the standard requirements of his/her positions, and regarding the methods, procedures, techniques, and practices which must be applied in order to bring his/her performance up to the standard level. The rating authority shall give the employee a copy at this time. In no case shall any rating authority reveal to any employee the contents of any review other than the employee's own.
8. Conclusion. The usefulness of any Employee Evaluation depends almost entirely upon the understanding, impartiality, and objectivity with which ratings are made. Care and skill used by rating authorities in rating employees are measures of supervisory ability in directing the work of subordinates. It must be remembered that RATING EMPLOYEE'S PERFORMANCE IS A CONTINUING PROCESS OF DAY-TO-DAY OBSERVANCE AND NOT EXTRAACTIVITY WHEN RATINGS ARE MADE!

### Section 13: Incentive Program

Since the Town administration and the council members want to encourage the continuous self-improvement of all Town employees, the Town of Georgetown therefore , has institute an Incentive Program designed to reward those employees who have made a personal sacrifice in order that they might better themselves both to their personal benefit and to the benefit of the Town.

#### A. Eligibility

All full time Town employees are eligible for the Incentive Program. Schooling/education requirements that are part of the minimum requirements of a job position can't be considered as contributing factors to the Incentive Program. This Program is designed for those types of training

that are above and beyond the minimum requirements for a position in the Town employment system.

The Department Head must recommend the employee for an incentive raise. Incentive pay raises will be granted by approval of the Town Council.

#### B. Categories Qualifying for Recommendations

Department Heads should recommend employees for an incentive pay rise when any of the following occurs. (Whether the said training qualifies the employee for a promotion in classification should have no impact upon whether the employee receives an incentive pay raise):

1. Employee completes a training course of 40 classroom hours, or more. Said course completion certificate shall accompany the recommendation form.
2. Employee completes a college degree program resulting in receipt of an associate degree, bachelor's degree, or master's degree. Diploma shall accompany recommendation form.
3. Employee completes a correspondence course equal to 80 classroom hours, or more. Completion certificate shall accompany recommendation form.
4. Employee passes a state or national test-causing employee to receive a certain professional recognition for such passage. Proof of satisfactory testing results shall accompany the recommendation form.
5. Employee has performed his/her duties in an exceptional manner throughout the year/employment. The employees' Performance Review Rating Sheet should reflect a rating of "Outstanding" or "Excellent" in virtually every category for the department to recommend an incentive pay raise under this category.

#### C. Incentive Pay Raise Recommendations

The Department Head must submit the recommendation in writing to the Town Council during a duly called Town Council meeting, along with supporting documentation. The written recommendation must include the accomplishment of the incentive pay rate, and the effective date. The Town Council will approve or deny the recommendation.

#### D. Longevity Pay

In addition to the Incentive Pay Raise Program designed to reward education, training, and outstanding work performance, the Town of Georgetown will also initiate a program designed to recognize those employees who have been employed by the Town over the years. The only requirements to qualify for this program are continual employment with the Town of Georgetown for the period indicated. This does not apply to elected officials.

Years of Service	Amount
1-3 years	\$1,000
4-6 years	\$1,500
7-9 years	\$2,000
10+	\$2,500

Longevity Pay will be approved at the November Council meeting and be paid in December. Pay will be presented at the Annual Employee Holiday Party.



## E. Educational/Training Expenses

When the budget permits, departments shall have line item accounts for training purposes. Primarily, this money is to be used in order to facilitate the attendance of employees at seminars, etc., related to their employment in the Town.

When/If the Supervisor feels it is in the best interest of the Town and when his/her department has sufficient moneys in the Training Account, the Supervisor may fund or participate in the funding of an employee attending college or other pertinent after-work hours classes. The funding, or lack thereof, is irrespective of the work schedule required for the employee to meet his/her obligation to the Town, compensatory time, etc. These will be dictated by the Department Head.

## Section 14: Health and Safety Policy

### A. General

The Town Administration and the Council members are vitally interested in the safety and well-being of all employees of the Town.

All employees are required to take every precaution in the prevention of accidents to themselves, their fellow employees, and the public.

All employees shall observe safety rules and regulations as issued and shall be chargeable with responsibility for the proper operation of all equipment that is used in the normal performance of their duties.

### B. Reporting Accidents/Incidents:

1. It shall be the responsibility of each employee to report immediately to his/her department head any injury, accident, or incident to his/her person or to others, or to Town property.
2. It shall be the responsibility of the department head to investigate the circumstances of the accident; to secure the name of employees and/or other persons who witnessed the occurrence; to make such investigations as may appear desirable; to make a written report on the form provided of the information secured; to forward such report to the Department Head, indicating whether the accident was preventable or unpreventable.
3. The Department Head will submit the accident report to the Safety Panel. The Safety Panel will investigate and make a recommendation regarding the findings to the Department Head.
4. The Department Head shall evaluate the reports as submitted and make such further investigations and determinations as may be desirable. After such consideration the Department Head shall make a final ruling as to whether the accident shall be classified as preventable or unpreventable.

### C. Criteria for Ruling: The basic criteria for ruling whether an injury was preventable or unpreventable shall be as follows:

1. Preventable: violations of any safety rules, regulations, requirements, or standards shall be deemed sufficient cause for an accident and/or injury to be ruled to have been preventable. Any obviously unsafe act will be sufficient cause for an accident to be found to have been preventable.
2. Unpreventable: An accident and/or injury resulting through no fault of the employee, or from unusual hazards or circumstances, in which an employee is injured, may be deemed to have been unpreventable.

D. Safety Panel:

1. The Safety Panel consists of an appointed four-member safety panel with members coming from the following departments: Town Council, Town Hall, Police Department, and Public Works Department. The Safety Panel must be approved by the Town Council. These members shall serve for a one-year period in conjunction with the Town's fiscal year. Reappointments or new appointments will be made each January 1st.
2. Each accident and/or injury involving a Town employee and/or vehicle and/or equipment will be investigated by this Town Safety Panel. The investigation's major purpose will be to establish whether the accident was preventable or non-preventable.
3. The Town Safety Panel will make recommendations to the department head. These recommendations may refer to proposed changes in Town policy to avoid recurrence, disciplinary action(s) to employees, corrective (repair) action to vehicles and/or equipment.
4. Although the Town Safety Panel will exist to make investigations and recommendations on Town accidents and/or injuries, the department head's decisions on all action taken will be final.

## Section 15: Drugs and Alcohol Policy

### PURPOSE

It is the policy of TOWN OF GEORGETOWN (TOWN) that federally regulated employees and employees in safety sensitive positions are free of substance abuse and alcohol abuse. Consequently, the use of illegal drugs by employees is prohibited. Further, employees shall not use alcohol or engage in "prohibited conduct" as defined herein. The overall goal of this policy is to ensure a drug and alcohol-free environment and to reduce accidents, injuries, and fatalities. A copy of this policy and information regarding the harmful effects of drugs and alcohol is available to all employees. The Town Manager is designated as the person to answer questions regarding this policy. Hereafter, the term "employee" shall refer to employees in safety sensitive positions to which Department of Transportation (DOT) drug testing policies apply).

### SAFETY SENSITIVE FUNCTION

Definition: *Safety-sensitive function* is all time spent either waiting to be dispatched; inspecting equipment or otherwise inspecting, servicing, and/or conditioning any commercial motor vehicle; driving in or upon a commercial motor vehicle (with the exception of driving a passenger vehicle carrying papers only); loading/unloading a vehicle, supervising or assisting in the loading/unloading process, attending a vehicle

being loaded/unloaded, remaining in readiness to operate a vehicle, or giving or receiving receipts for shipments loaded/unloaded; performing accident related duties; or repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. A supervisor, mechanic or clerk, etc., who is on call to perform safety sensitive functions may be tested at any time they are on call, ready to be dispatched while on duty.

#### **TYPES OF TESTS**

Pursuant to regulations promulgated by the Federal Motor Carrier Safety Administration (FMCSA) and the DOT, the TOWN has implemented six circumstances for drug and alcohol tests: (1) pre-employment, (2) reasonable suspicion, (3) random, (4) post-accident, (5) return-to-duty, and (6) follow-up.

#### **REFUSAL TO TEST**

Substitution, adulteration, or refusal to submit to the types of drug and alcohol tests employed by the TOWN will be grounds for refusal to hire employee/applicants and to terminate employment of existing employees. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. A delay in providing a urine or breath sample could be considered a refusal. If an employee cannot provide a sufficient urine specimen or adequate breath sample, a physician of the TOWN'S choice will evaluate him or her. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), it will be considered a refusal to test. In that circumstance, the employee has violated one of the prohibitions of the regulations. Refusal to submit (to an alcohol or controlled substances test) means:

1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see §40.61(a) of this title);
2. Fail to remain at the testing site until the testing process is complete. Provided, that an employee who leaves the testing site before the testing process commences (see §40.63(c) of this title) a pre-employment test is not deemed to have refused to test;
3. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences (see §40.63(c) of this title) for a pre-employment test is not deemed to have refused to test;
4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the employee's provision of a specimen (see §40.67(1) and §40.69(g) of this title);
5. Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (see §40.193(d) (2) of this title);
6. Fail or declines to take a second test the employer or collector has directed the employee to take;

7. Fail to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under §40.193(d) of this title. In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
8. Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process);
9. Is reported by the collector as having a verified adulterated or substituted test result.

#### **CONSEQUENCES OF POLICY VIOLATION**

Any employee who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

#### **PRE-EMPLOYMENT TESTING**

Before an employee performs any safety-sensitive functions for an employer, the employee must submit to testing for drugs. The employer must receive a negative result from the medical review officer (MRO) prior to allowing the employee to drive or perform other safety-sensitive functions.

(Note: The pre-employment regulations are listed in §382.301. However, §382.301(e) suspends pre-employment alcohol testing as of (May 1, 1995.)

#### **RANDOM TESTING**

The TOWN conducts random drug/alcohol testing of personnel in safety sensitive positions. The TOWN or its agents will submit all mandated employees to a computerized random selection system. The random selection system provides an equal chance for each employee to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. Random selection by its very nature may result in employees being selected in successive selections or more than once a calendar year. Alternatively, some employees may not be selected in a calendar year. If an employee is selected at random for either drug or alcohol testing a TOWN official will notify the employee. Once notified, every action the employee takes must lead to a collection. If the employee engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

#### **POST ACCIDENT TESTING**

Both drug and alcohol testing are performed following any accident involving a fatality; or any accident in which the employee receives a citation under state or local law for a moving traffic violation arising from the accident. (An accident is defined as an incident involving a vehicle in which there is a fatality, an injury treated away from the scene, or where a vehicle is towed from the scene.) After any accident, the employee must contact the employer as soon as possible.

The FMCSA/DOT requires that any time a post-accident drug or alcohol test is required, that it be performed as soon as possible following the accident. If collection for an alcohol test can be made within eight (8) hours, attempts to collect a breath sample shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such a collection shall cease. All attempts shall be documented.

In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine tests for the use of controlled substances following an accident, these tests shall be considered to meet the requirements of this section, provided the tests conform to applicable federal, state, or local requirements. The employee will sign a release allowing the TOWN to obtain the test results from federal, state, or local officials.

In the event an employee is so seriously injured that the employee cannot provide a urine specimen or breath sample at the time of the accident, the employee must provide necessary authorization for the TOWN to obtain hospital records or other documents that would indicate whether there were controlled substances or alcohol in the employee's system at the time of the accident.

### **REASONABLE SUSPICION TESTING**

A covered employee must be tested for alcohol misuse when the TOWN has reasonable suspicion to believe that the employee has violated the rules regarding use of alcohol. A determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. Reasonable suspicion testing is authorized only if the required observations are made during, just preceding or just after the period of the workday that the covered employee is performing a safety-sensitive function. A supervisor trained in detecting the symptoms of alcohol misuse must make the observation and determination that a reasonable suspicion exists; however, the supervisor making the determination is not to conduct the reasonable suspicion test on that employee. A written record of the observations leading to a controlled substance reasonable suspicion test must be made and signed by the supervisor who made the observations. This record must be made within 24 hours of the observed behavior or before the results of the controlled substance test are released, whichever is earlier.

### **RETURN-TO-DUTY (Amended 8/31/09)**

This testing is required for employees who want to return to work after being unqualified for a safety sensitive function. The return-to-duty testing can be done once the referral/evaluation has been completed. All return-to-duty testing must be observed by a collector of the same sex except when performed by physicians or nurses (§40.67 (b)), and requires a negative result prior to the employee returning to a safety-sensitive function.

### **FOLLOW-UP (Amended 8/31/09)**

Follow-up testing is required after rehabilitation for a drug or alcohol misuse problem and a return-to-duty test. Six unannounced follow-up tests are required within one year of evaluation and treatment by a Substance Abuse professional (SAP). All follow-up testing must be observed by a collector of the same sex except when performed by physicians or nurses (§40.67 (b)).

### **PROHIBITED CONDUCT**

The following shall be considered "prohibited conduct" for purposes of this policy:

1. No employee shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater.
2. No employee shall be on duty or operate a commercial motor vehicle while in possession of alcohol unless the alcohol is transported and manifested as part of a shipment.
3. No employee shall use alcohol while performing safety-sensitive functions.
4. No employee shall perform safety-sensitive functions within eight (8) hours after using alcohol.

5. No employee required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, a random, a reasonable suspicion, return-to-duty, follow-up, or post-injury breath-alcohol or urine drug test.
7. No employee shall report for duty or remain on duty when the employee uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate a commercial motor vehicle or perform a safety sensitive function.

If the TOWN has actual knowledge or has reason to believe that an employee has engaged in prohibited conduct, the TOWN may require the employee to submit to drug and/or alcohol testing. If an employee engages in prohibited conduct, the employee is not qualified to drive a commercial motor vehicle or to perform a safety-sensitive function and shall be immediately removed from service. The TOWN may in its discretion and at the request of the employee, keep the employee's position open while such employee attempts to become re-qualified. At its discretion, TOWN may also take action against the employee up to and including termination.

#### **AUTHORIZATION FOR PREVIOUS TEST RECORDS**

Within 30 days of performing a safety-sensitive function, federal regulations require that the TOWN obtain certain drug and alcohol testing records from employee's previous employers for the previous (3) three years of employment. (Other forms: work record (3) three years, DMV and Hazmat (7) seven years, drug and alcohol authorization form from past employers, (2) two years).

As a condition to employment, the employee shall provide the TOWN with a written authorization for all previous employers within the three years to release such drug and alcohol testing records as are required under federal regulation.

#### **DRUG URINALYSIS**

Drug testing will be performed through urinalysis. Urinalysis will test for the presence of drugs and/or metabolites of the following controlled substances: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, and (5) phencyclidine (PCP)

The urinalysis procedure starts with the collection of a urine specimen. Urine specimens will be submitted to a SAMHSA certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials; a primary vial and a secondary vial. The SAMHSA certified laboratory will perform initial screenings on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed before being reported by the laboratory to the MRO as a positive.

All laboratory results will be reported by the laboratory to a Medical Review Officer (MRO) designated by the TOWN. Negative test results shall be reported by the MRO to the TOWN. Before reporting a positive test result to the TOWN, the MRO will attempt to contact the employee to discuss the test result. If the MRO is unable to contact the employee directly, the MRO will contact a TOWN management official designated in advance by the TOWN who shall in turn contact the employee and direct the employee to contact the MRO. Upon being so directed, the employee shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative.

Pursuant to FMCSA/DOT regulations, individual test results for applicants and employees will be released to the TOWN and will be kept strictly confidential unless consent for the release of the test results has been obtained. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

An individual testing positive may make a request of the MRO to have the secondary vial tested. A SAMHSA certified laboratory will test the secondary vial different from the one that tested the primary specimen. The individual making the request for a test of the second specimen must pre-pay all costs associated with the test. The request for testing of a second specimen must be made to the MRO within 72 hours of the individual being notified by the MRO of a positive test result.

### **ALCOHOL TESTS**

The TOWN will perform alcohol tests using an evidential breath-testing device. The TOWN may provide use of an evidential breath-testing device through a vendor or agent. The employee shall report to the site of an evidential breath-testing device as notified by the TOWN. A breath alcohol technician will operate the evidential breath-testing device. The employee shall follow all instructions given by the breath alcohol technician.

In the event that an employee has a blood alcohol content of 0.02 to 0.0399 on the basis of evidential breath, the employee shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer. Employees are not medically qualified until after the 24-hour time frame expires. Employees with tests indicating a blood alcohol concentration of 0.04 or greater are considered to have prohibited conduct which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

### **TRAINING**

For Designated Employer Representative (DER) and Supervisors:

The TOWN shall ensure that Supervisors who are designated to determine whether reasonable suspicion exists to require an alcohol test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Supervisors who are designated to determine whether reasonable suspicion exists to require a controlled substance test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable use of controlled substances under §382.307.

For Employees:

The TOWN shall provide educational materials that explain the requirements of §382.601, consequences of violating the regulations, materials that explain the harmful effects of alcohol and drug abuse, and the employer's policies and procedures with the respect to meeting these requirements. The materials supplied to employees may include information on additional employer policies with respect to the use or possession of alcohol or controlled substances, for example, the consequences for a employee found to have a specified alcohol or controlled substances level based on the employer's authority independent of §382.601. The TOWN shall ensure that each employee sign a required statement certifying that he/she has received a copy of these materials described in §382.601. (See the "Driver Education Packet" for information and signature page.) This policy is not intended, nor should it be construed, as a contract between the

TOWN and the employee. This policy may be changed at any time at the sole discretion of the TOWN.

## **Section 16: General Regulations**

### **A. General**

No employee shall use the Town Hall for personal mail.

All employees of the Town shall carry the required identification card.

### **B. Religious Observance**

Employees whose religious convictions require time off to observe religious holidays may arrange with their department head for time off with or without pay.

### **C. Displays, Photos, and Posters**

No employee shall display, post or otherwise promote the exhibition of sexually explicit materials and/or photographs.

### **D. Restricted Information**

All employees of the Town of Georgetown shall consider information secured in the course of their work as confidential. Any disclosure of this confidential information to other than legally constituted authority shall be cause for disciplinary action up to and including termination.

### **E. Town Property**

Town employees who are issued non-expendable Town property to be used in the performance of their duties shall be held responsible for this equipment. Any damage to the equipment will be evaluated, and if the damage is due to negligence or abuse by the employee, the employee will be required to pay for the repair or replacement of the damaged equipment.

Town employees at the time of their separation from the employment of the Town shall be required to return all Town property in their possession. All Town property not returned at that time shall be charged for at its cost.

Town property may include cell phone, two-way radio, ID Card, keys, uniforms, tools, and any other Town equipment which was issued to the employee.

### **F. Town Vehicles and Equipment**

The use of Town vehicles or equipment during the workday shall be at the discretion of the department head. Any after hour's use of Town vehicles and equipment can only be authorized by a majority vote of the Town Council in a duly convened business meeting.

1. No Town vehicle shall be used by an employee for private use unless authorized in writing by the Town Council.
2. Any violation of this policy will be grounds for disciplinary action.
3. No smoking in any of the Town's vehicles.



**Non-Exempt Employee Performance Review**

**Town of Georgetown**

Employee Name: \_\_\_\_\_

Position Title: \_\_\_\_\_

Original Employment: \_\_\_\_\_

Rating Period: \_\_\_\_\_

Date of last Merit Increase: \_\_\_\_\_

List any commendation or disciplinary action since last review:

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Scale of Values: (1) = Totally Unsatisfactory, (2) = Needs Improvement, (3) = Satisfactory, (4) = Excellent

Quantity of Work: (1) (2) (3) (4) Comments: \_\_\_\_\_

Quality of Work: (1) (2) (3) (4) Comments: \_\_\_\_\_

Work Habits:

- a. Dependability (1) (2) (3) (4)
- b. Job Knowledge (1) (2) (3) (4)
- c. Punctuality (1) (2) (3) (4)
- d. Initiative (1) (2) (3) (4)
- e. Attendance (1) (2) (3) (4)
- f. Appearance (1) (2) (3) (4)
- g. Safety (1) (2) (3) (4)
- h. Talkativeness (1) (2) (3) (4)

Comments: \_\_\_\_\_

Interpersonal Relations/Communication Skills:

- a. Attitude reflected in behavior (1) (2) (3) (4)
- b. Interaction with employees (1) (2) (3) (4)
- c. Interactions with citizens (1) (2) (3) (4)

Comments: \_\_\_\_\_

Flexibility/Adaptability:

- a. To job changes (1) (2) (3) (4)
- b. To change in procedures (1) (2) (3) (4)
- c. To changes in personnel (1) (2) (3) (4)

Comments: \_\_\_\_\_

Strengths: \_\_\_\_\_

---

**Weaknesses:** \_\_\_\_\_

**Training Needs and Goals:** \_\_\_\_\_

**Rated By:** \_\_\_\_\_

**Title:** \_\_\_\_\_

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

**Date Reviewed:** \_\_\_\_\_

**Comments by the employee:** \_\_\_\_\_

This report has been discussed with me and I have received a copy.

**Signature of Employee:** \_\_\_\_\_

**Signature of Rater:** \_\_\_\_\_

**Exempt Employee Performance Review**

**Town of Georgetown**

Employee Name: \_\_\_\_\_ Position Title: \_\_\_\_\_

Original Employment: \_\_\_\_\_ Rating Period: \_\_\_\_\_

Date of last Merit Increase: \_\_\_\_\_

List any commendation or disciplinary action since last review:

\_\_\_\_\_

- Scale of Values:
- (1) = Outstanding
  - (2) = Excellent
  - (3) = Satisfactory
  - (4) = Improvement Needed
  - (5) = Unsatisfactory

Overall rating of Unsatisfactory or Outstanding must be substantiated by comments. Use this space to describe employee's strengths and weaknesses, work well done and plans for work improvement.

Appearance (1) (2) (3) (4) \_\_\_\_\_

Attendance (1) (2) (3) (4) \_\_\_\_\_

Knowledge of Work (1) (2) (3) (4) \_\_\_\_\_

Quality of Work (1) (2) (3) (4) \_\_\_\_\_

Quantity of Work (1) (2) (3) (4) \_\_\_\_\_

Initiative (1) (2) (3) (4) \_\_\_\_\_

Dependability (1) (2) (3) (4) \_\_\_\_\_

Attitude (1) (2) (3) (4) \_\_\_\_\_

Relationships with People (1) (2) (3) (4) \_\_\_\_\_

Rating Score: \_\_\_\_\_ Rating (Overall): \_\_\_\_\_

Rated By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Date Reviewed with Employee: \_\_\_\_\_

I understand that a score less than 23 is classified as a satisfactory evaluation. This report has been discussed with me and I have received a copy.

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

