

PERSONNEL PLAN



April 2022

WELCOME

As an employee of the Town of Brookline, your contributions are essential to our success. The Town's goal is to provide you with satisfying and rewarding work while providing our residents with the best public services. Welcome to our team.

ABOUT THIS DOCUMENT

The policies outlined in this Personnel Plan should be regarded as guidelines only, which may require changing from time to time. The Town of Brookline retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the Town of Brookline. This Plan supersedes and replaces any and all personnel plans of the Town of Brookline, except for those in place under a pre-existing collective bargaining arrangement.

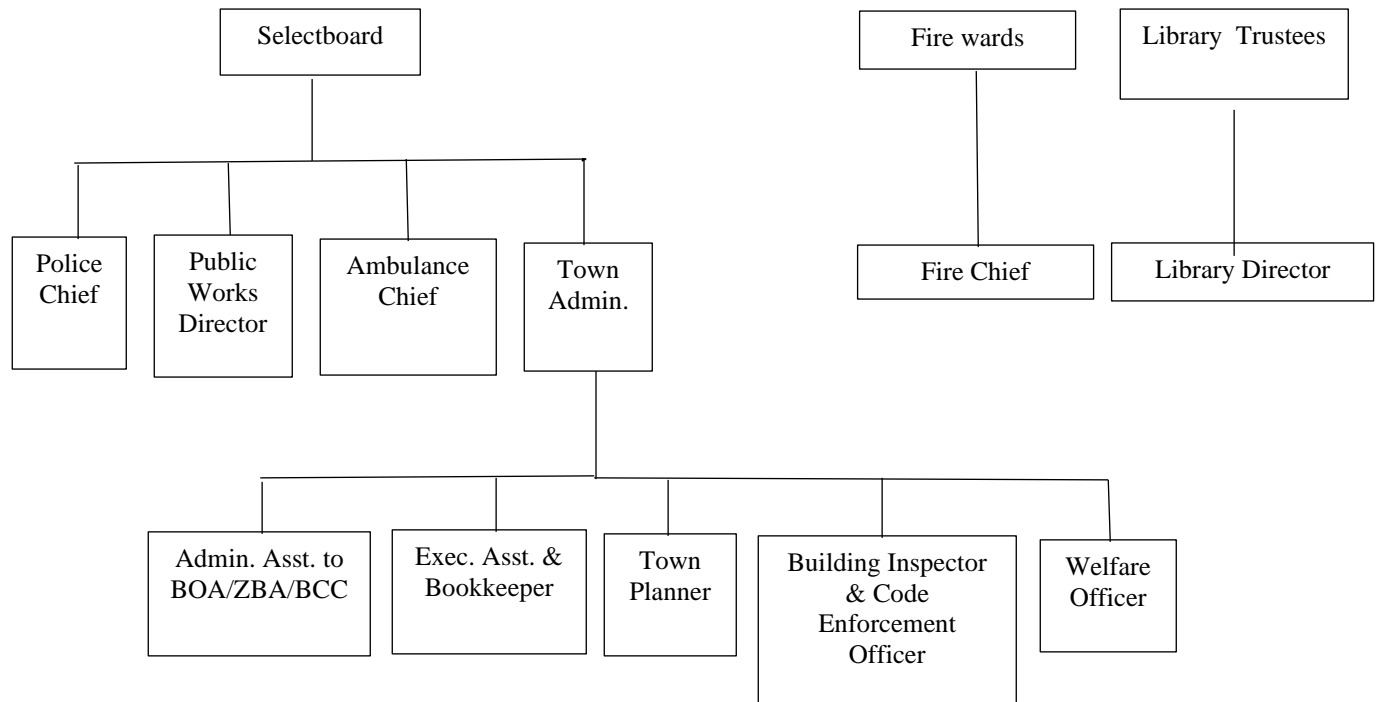
This Plan also summarizes the current benefit plans maintained by the Town of Brookline for eligible employees. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Plan. The Plan (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This Plan is not, and should not be construed as an express or implied contract, and does not modify any existing at-will status of any Town of Brookline employee. It is not intended to create any due process protections or requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Town of Brookline has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law.

Please also be aware that the Town of Brookline reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Plan at any time.

This Plan applies to Town departments with the exception of the Library, per RSA 202-A:11. Each separate and identifiable department of the Town, subject to the approval of the Selectboard, may develop, implement, and revise as necessary such policies, procedures, and rules pertaining to unique operational requirements and their effect upon employees as are needed for the efficient and effective performance of the department. Such policies, procedures, and rules shall not conflict with these policies and procedures, or amendments thereto.

Organizational Chart



Notes:

- 1.) All department heads have direct reports.
- 2.) All other elected positions (Town Clerk/Tax Collector, Treasurer, Board of Assessors, Finance Committee, Moderator, Cemetery Trustees, Trustees of Trust Funds, Library Trustees, Supervisors of the Checklist) “report” to the town’s registered voters.

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I. GENERAL PROVISIONS

EMPLOYMENT AT-WILL

Unless otherwise provided in a written contract or unless set forth by statute, Town of Brookline employees are considered to be employees at-will. Employment at-will status enables both the Town of Brookline and the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law. Neither the policies contained in this Plan, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.

CODE OF CONDUCT

It is the desire of the Town of Brookline to operate in a manner that demonstrates the highest level of professionalism and public service and to avoid all circumstances, which may create the appearance of impropriety or otherwise undermine this stated objective. Accordingly, all employees shall conduct all business of the Town of Brookline in accordance with this Code.

Town employees shall anticipate and avoid areas of potential conflict, or the appearance of conflict, when a matter they become involved in may directly, or indirectly, benefit a spouse, significant other, close family member, friend, partner, business associate, prospective customer/client, or under circumstances where the employee may ultimately receive some pecuniary benefit, gain, employment, advantage, contract or favor. This provision should not be construed to prevent an employee from participating in any action or project that, while conferring some general benefit to a business or family member, nonetheless was conceived or intended to provide a benefit to the public as a whole. Further, the pecuniary interest, benefit or gain prohibited hereby; whether received by a business or family member, or employee; must be immediate, definite and capable of demonstration, not remote, uncertain, contingent or speculative. Such pecuniary interest, benefit or gain must be of the type or magnitude that would influence individuals of ordinary capacity, intelligence and means.

Business Transactions - No employee shall have any direct personal or pecuniary interest in a contract or transaction with the Town of Brookline, nor shall they directly furnish any equipment, goods, materials or supplies to the Town of Brookline in exchange for any form of pecuniary gain, compensation or benefit, except as otherwise permitted by this Code. In the event a Town employee obtains employment with, or an interest in, any company or business which furnishes goods or services to the Town of Brookline, the Town employee must declare their interest to the Selectboard, through the Town Administrator. After such disclosure is made, the Selectboard shall determine, in public session, whether it is in the best interests of the Town to continue the contracting with such business or company. Ultimately, the determination of whether to continue the contractual relationship will be determined based upon whether continuation of the relationship creates the appearance of impropriety or a conflict of interest.

Misuse of Information - No employee shall utilize or dispense information gained through their official capacity in a manner that gives the employee any type of personal profit or pecuniary gain not otherwise available to members of the general public. Similarly, employees shall not share such information with family members, significant others, partners, clients, customers, friends, business associates or members of the general public in exchange for any pecuniary gain, interest, employment, personal advantage or contract. This provision shall not apply to information that has already been made part of the public record.

Nepotism – Selectboard - Once a member of the Town of Brookline Selectboard has been elected, members of his/her immediate family, including father, mother, brother, sister, wife, husband, significant other, son, daughter, son-in-law, daughter-in-law, sister-in-law, brother-in-law shall not, thereafter, be hired by the Town of Brookline so long as the Selectboard member serves on the Board. However, this policy shall not prevent the immediate family member of an employee from running for the Selectboard. Further, once elected the preexisting employee may continue to retain his/her employment with the Town.

Collection of Fees or Gifts - No employee shall collect any fees, salaries, favors or other payments in exchange for work performed within their scope of official duties, except as provided by ordinance or State law. No employee shall solicit or accept any employment, fee, gift, favor or gratuity that could, in any manner, be construed to affect, influence, diminish or impair the performance of their duties for the Town of Brookline. This shall include referral fees, finder's fees, commissions or other miscellaneous kickbacks. Similarly, no employee shall be involved in contracting with any vendor under circumstances where the employee will personally receive in exchange for any such purchase any pecuniary gain, free gifts, favors, commissions, employment, kickbacks, discounts on subsequent personal purchases or any other incentives that do not directly benefit the Town of Brookline. This provision shall not be construed to prohibit employees from accepting any bonafide incidental gift (less than \$25 value), community award or recognition. Similarly, this provision does not prevent employees from recognizing each other through the exchange of incidental holiday or other gifts, awards, plaques, trophies or retirement presents.

Appeal and Public Review - In the event of a situation or circumstance that may not meet the requirements of this Code, the involved party shall notify the Selectboard, through the Town Administrator, about the matter on a timely basis. The Selectboard will then review the matter, in public session, to determine if the situation or circumstance is permitted, prohibited or warrants some modification or conditions.

Violations - Violations of this Code undermine the confidence that the general public has in Town government. The Town must operate effectively and efficiently, so that we will encourage individuals and businesses to become, or remain, a part of our community. Accordingly, all employees must avoid circumstances that damage public confidence. Violations of this Code that occur under circumstances where the employee knew, or should have known, that the conduct in question violated this Code, must have strong consequences. Accordingly, violations of this Code may subject the employee to

sanctions, which may include, but are not limited to: written or oral warnings, suspension, or immediate termination of employment.

EQUAL EMPLOYMENT OPPORTUNITY AND POLICY AGAINST DISCRIMINATION

The Town of Brookline is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town of Brookline will not discriminate against employees or applicants for employment based on any legally-protected status, including, but not limited to: veteran or military status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, gender identity and expression, pregnancy, national origin, genetic information or ancestry. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Town of Brookline prohibits any and all discrimination or harassment on any of the bases discussed above. This policy prohibits all of the activities discussed herein, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on Town premises or who comes into contact with Town employees.

Any employee who harasses or discriminates against another employee, citizen, or visitor on any of the bases discussed above will be subject to discipline, up to and including discharge. Prohibited conduct includes, but is not limited to:

- Epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that are based on or that relate to race, color, religion, gender, national origin, genetic information, ancestry, pregnancy, age, disability, sexual orientation, marital status, or veteran status;
- Written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, genetic information, ancestry, age, disability, sexual orientation or veteran status; and,
- Offensive comments, jokes, innuendos, and other statements or conduct based on an individual's membership in any of the legally protected categories listed above.

If you experience or witness what you believe may be harassment and/or discrimination in violation of this policy, you should immediately report the incident. All reports must be made in accordance with the Reporting Procedure contained in this Plan. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any founded policy violation.

Retaliation against an employee who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in

the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you must report the incident in accordance with the Reporting Procedure contained in this Plan.

SEXUAL HARASSMENT POLICY

The Town of Brookline's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by the Town of Brookline. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against an individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

The Town of Brookline takes allegations of sexual harassment seriously and will respond promptly to complaints of sexual harassment. Where it is determined that inappropriate conduct has occurred, the Town of Brookline will act promptly to eliminate the conduct and implement any necessary remedial or corrective action, including disciplinary action where appropriate.

Definition of Sexual Harassment: Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment includes a wide range of behaviors from the actual coercion of sexual relations to unwelcome offensive comments, jokes, innuendoes and other sexually oriented statements and unwelcome behavior emphasizing sexual identity. Sexual harassment may be indirect and even unintentional. Employees are prohibited from bringing into the workplace or otherwise displaying any written materials or pictures that are sexually suggestive or offensive in nature.

This policy prohibits all of the activities discussed above, whether engaged in by a supervisor, employee, co-worker, agent or non-employee who is on the Town of Brookline's premises or who comes into contact with Town of Brookline employees.

Reporting Complaints of Sexual Harassment: Experience has shown that a clear statement to the person engaging in the offensive behavior is sometimes all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, you are not required to do so. If you believe that you have

been subjected to sexual harassment, you should report the incident immediately. All reports must be made in accordance with the Reporting Procedure contained in this Plan. The matter will be promptly investigated and if it is determined that such inappropriate conduct has occurred, then steps including, but not limited to, corrective and/or disciplinary action will be taken to eliminate and/or correct the conduct, as appropriate. Employees who violate this policy will be subject to disciplinary action, up to and including immediate termination of employment.

REPORTING PROCEDURE FOR SEXUAL AND OTHER UNLAWFUL HARASSMENT, DISCRIMINATION AND RETALIATION

Any employee who feels that they have experienced sexual or other unlawful harassment and discrimination or retaliation should immediately report such actions. All reports must be made in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

1. If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you should report the incident immediately to your Supervisor, Department Head, or the Town Administrator.
2. Supervisors and managers who become aware of discriminatory or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Department Head or the Town Administrator.
3. The Town of Brookline will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of the Town of Brookline who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment and/or retaliation will be subject to appropriate remedial and/or disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town of Brookline.
4. The Town of Brookline will conduct all investigations in a discreet manner. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

ACCOMMODATION FOR INDIVIDUALS WITH DISABILITIES

In accordance with the Americans with Disabilities Act of 1990 ("ADA"), its amendments, and RSA 354-A, it is policy of the Town of Brookline not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's physical and/or mental disability, record of a disability, or perceived disability, so long as the employee can perform the essential functions of the job with or without a reasonable accommodation. The Town will provide reasonable accommodations to a qualified individual with a disability, as defined by applicable law,

who has made the Town aware of disability, provided that such accommodation(s) do(es) not constitute an undue hardship on the Town.

If you require an accommodation because of a disability, you should notify your Department Head and the Town Administrator. You may be asked to provide medical information and/or documentation regarding your disability and suggestions of possible accommodations. You are expected to cooperate by engaging in this interactive process in good faith so that we may determine your eligibility and work together to identify effective reasonable accommodations. The Town will maintain all medical information in a confidential manner and will disclose such information only on a need-to-know basis in accordance with the law. The Town of Brookline will determine the feasibility of the requested accommodation by considering various factors, including, but not limited to, the employee's eligibility for accommodation under applicable law, the nature and cost of the accommodation, safety and health issues, and the accommodation's impact on the operations of the Town. The Town will promptly inform the employee of its decision on the accommodation request and, when applicable, assist the employee in implementing the accommodation.

II. EMPLOYEE DEFINITIONS/CLASSIFICATIONS

At the time that you are hired, you are classified as full-time, part-time, on call/per diem, or temporary and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Plan or as required by law, the benefits described in this Plan apply only to full-time employees. All other policies described apply to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of the job classification into which your position fits, please ask your Department Head or the Town Administrator.

Full Time Employee: One who is scheduled to work 35 hours or more per week on a regular basis, except for employees of the police and fire departments where "full time" applies to those personnel who are scheduled to work 40 hours or more per week on a regular basis. All full time employees are eligible for the benefits described in Section IV after fulfilling the 90-day waiting period.

Part Time Employee: One who is scheduled to work for the Town of Brookline less than 35 hours per week on a regular basis, except for employees of the Police and Fire Departments. "Part time" applies to those police and fire personnel who work less than 40 hours per week on a regular basis. All part time employees are eligible for vacation, holiday and bereavement leave after fulfilling the 90-day waiting period. No other benefits are provided to part time employees.

On Call/Per Diem Employee: A member of the Fire Department or Ambulance Service that responds to calls, but is not a full time or part time employee. Includes an individual who works on a per diem basis for Public Works to provide seasonal or project-specific assistance. On call/per diem employees are not eligible for any benefits, including vacations or holidays.

Temporary/Unscheduled Employee: A full time or part time employee who works for the Town as needed or for a specific period of time, including duly appointed non full time

police. Temporary employees receive no benefits except for those covered by statutory requirement. Building custodians are included in this category as they set their own schedules, which can vary week to week.

Regular Employee: A full time or part time employee who works for the Town on a regularly scheduled basis.

Non-exempt and Exempt Employees: Employees will be classified as either “exempt” or “non-exempt.” Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and the Town of Brookline policy.

III. COMPENSATION AND HOURS OF WORK

REPORTING OF TIME WORKED

It is important that your time be accurately reported so that you are compensated for all of the hours that you work. All exempt and non-exempt employees are required to complete timesheets on a timely basis. No one is authorized to complete timesheets on your behalf. Falsification of time records could lead to disciplinary action, up to and including termination from employment. If there are any changes needed to your weekly timesheet, then you must initial the change, indicating that you agree to the change and the accuracy of the change.

PAY/PAY PERIODS

Employees are paid on a biweekly basis on Wednesdays for all hours worked during the preceding pay period. Please review your paycheck for errors. If you find a mistake, report it to Supervisor or Department Head immediately. Paychecks will be distributed only to you. Paychecks are distributed either by your Supervisor or Department Head. Employees may have pay directly deposited into their bank accounts at no charge if they provide advance written authorization to the Town of Brookline.

WORK WEEK/HOURS OF WORK

For most employees the workweek begins on Sunday at 12:00 a.m. (midnight) and ends on Saturday at 11:59 pm. For Ambulance Service personnel, the workweek begins on Wednesday at midnight and ends on Tuesday at 11:59 pm. Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your Department Head or Supervisor will inform you of your hours of work.

The Town of Brookline requires the presence and diligent efforts of employees in order to provide the requisite level of service to our community. The Town of Brookline reserves

the right to alter or amend any employee's work at its own discretion and in accordance with the needs of the Town of Brookline.

An honor code of conduct exists whereby employees are entrusted to work their scheduled hours. Employees are encouraged to embrace this show of responsibility and commitment to the Town of Brookline, the community and to each other. Time records must be completed fully and accurately, and employees may not provide any false information on time records or any other Town of Brookline records.

PAYROLL DEDUCTIONS

Payroll Deductions for All Employees: There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax (for part-time employees), and wage garnishments. If authorized by an eligible employee, the Town of Brookline will also make payroll deductions for health insurance, "gap" insurance provided by a third party, and voluntary contributions to a retirement plan. These deductions will be itemized on your pay stub.

The New Hampshire Department of Labor permits these payroll deductions, and requires that we provide you with notice of other circumstances in which payroll deductions are permitted by law. Payroll deductions are also permitted by law for: installment payments of legitimate loans made by the employer to the employee; repayment of accidental overpayments made to the employee; repayment of advances on vacation or other paid time off; voluntary contributions into cafeteria plans or flexible benefit plans, or both, as authorized by section 125 or section 132 of the Internal Revenue Code; voluntary payments by the employee for the following: child care fees by a licensed child care provider and/or parking fees; required clothing not considered to be uniforms; voluntary rental fees for non-required clothing; voluntary cleaning of uniforms and non-required clothing; medical, surgical, hospital, and other group insurance benefits having no financial advantage for the employer; the use of a demonstrator vehicle as defined in RSA 261:111; payments into savings funds held by someone other than the employer; housing and utilities; strictly voluntary contributions to charities; union dues; health, welfare pension, and apprenticeship fund contributions; pharmaceutical items, gift shop and cafeteria items purchased on the site of a hospital by hospital employees; recovery of tuition for non-required educational costs; payments of the employee's use of a qualifying health or fitness facility; and contributions to a political action committee, or for any purpose on which the employer and employee mutually agree and that does not grant financial advantage to the employer if agreement is in writing and withholding is not used to offset payments intended for purchasing items required in the performance of the employee's job in the ordinary course of the operation of the business.

Payroll Deductions for Salaried Exempt Employees: The Town of Brookline complies with all federal and state laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. In accordance with the laws, salaried exempt employees receive a predetermined salary, which is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by the Town of Brookline or due to the operating requirements of the Town. The Town of Brookline recognizes that under federal and state

law there are only limited times when a salaried employee's salary can be subject to deductions.

The Town of Brookline prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Exempt employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Exempt employees should also note that it is permissible for an employer to apply vacation, sick, personal and other forms of paid time off to partial or full-day absences for personal reasons, sickness, or disability, and that applying paid time is not considered a deduction from salary.

Questions Regarding Paychecks and Deductions: If you have any questions or concerns about your paycheck or any deductions from your pay, please contact your Supervisor or Department Head as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should feel free to contact the Town Administrator.

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

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Town of Brookline will not tolerate retaliation against employees who have expressed concerns using this procedure.

REIMBURSABLE EXPENSES

With prior approval of your Department Head or the Town Administrator, legitimate expenses will be reimbursed by the Town of Brookline to the employee. The employee must submit receipts containing an itemized list of purchases in order to be reimbursed. Reimbursement may be in the form of petty cash or a separate check. See your Department Head or the Town Administrator with any questions as to whether and what expenses may be reimbursed.

Employees should make reasonable efforts to minimize expenses associated with travel for town business consistent with safety and circumstances; for example, by sharing vehicles where it is reasonable to do so, to use the least expensive available mode of transport, route, etc.

Expenses incurred by employees or town officers during travel required or authorized by the applicable Department Head or by the Town Administrator, shall be reimbursed as follows:

Personal vehicle mileage will be reimbursed at the then-current maximum rate per mile allowed by IRS regulations.

Allowable mileage claimed will be:

- Actual round-trip mileage from Brookline Town Hall or the employee's usual place of work, if the travel originates from there, to the venue.

- Actual round-trip mileage from the employee's home address, if travel originates from there, to the venue, minus the employee's usual home to work round-trip commute mileage.

Any tolls incurred may be claimed. Receipts required.

Reasonable parking fees (using normal public parking facilities) may be claimed. Receipts required.

OVERTIME

All overtime must be approved in advance by the Department Head. Most non-exempt employees, with the exception of certain law enforcement and fire protection employees, are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours per week. Sick days, holidays, vacation time, leaves of absences, and other time off benefits are not counted as "time worked" for purposes of determining overtime. You will be advised when you are hired if you are entitled to overtime pay.

Compensation/ "Comp" Time – Non-exempt Employees: The use of compensatory time in lieu of overtime is governed by the provision of the Fair Labor Standards Act (FLSA) Section 553.22.

Non-exempt employees have the option to use compensatory time in lieu of paid overtime with the approval of their supervisor.

Compensatory time shall be accrued at a rate of one and one-half (1 ½) hours for each overtime hour worked.

A non-exempt employee may only accrue a maximum of 40 hours of compensatory time at any time.

Compensatory time unused at the end of the year will carry over to the following year.

Make-up Time – Exempt Employees: Exempt employees who work more than their regular number of weekly hours can accrue "make up" time at a rate of one (1.0) hour for each hour worked over their regular number of weekly hours.

An exempt employee may only accrue a maximum of 40 hours of make-up time at any time. Unused make-up time at the end of the year is not paid out for exempt employees, but is carried over to the next year up to the maximum of 40 hours.

MEAL PERIOD/BREAK

All Town employees will be provided with a paid thirty (30) minute meal period/break after five consecutive hours of working, or sooner with a Supervisor's approval. In the event the meal break exceeds 30 minutes, the excess time will be unpaid and reflected on the employee's timesheet. Employees are encouraged to take a break from their work during

the meal break.

Ambulance, Fire Protection, Public Works and Police personnel will receive meal breaks as established by their respective departments.

IV. TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS

The following summarizes benefits available to town employees:

Full Time Employee: Overtime/Comp Time/Make-up Time, Holidays, Vacation, Personal, Sick, Parental, Jury, Bereavement, Military Leave, Family and Medical Leave, NH Retirement, Workers' Compensation, Health Insurance, Dental Insurance, Life Insurance, Short and Long Term Disability Insurance.

Part Time Employee: Vacation and holidays falling on the employee's normal workday.

HOLIDAYS

Full Time and Part Time Employees become eligible for paid holiday benefits after being employed for a period of ninety **(90)** consecutive days from their Start Date or promotion from temporary status to full time status.

There are ten paid holidays each year. Each full time employee also receives one floating holiday, which may be taken at the employee's choice (with approval of the department head). A floating holiday is not provided to new full-time employees during their first, partial year, of employment.

The Selectboard generally base holidays on the following guidelines:

- Holidays falling on a Sunday will be observed on the following Monday.
- Holidays falling on a Saturday will be observed on the preceding Friday.

The following holidays are generally observed by the Town of Brookline:

- New Year's Day – January 1st
- Martin Luther King Day - 3rd Monday in January
- Presidents Day – 3rd Monday in February
- Memorial Day – Last Monday in May
- Independence Day – July 4th
- Labor Day – 1st Monday in September
- Veterans Day – November 11th
- Thanksgiving Day – Last Thursday in November
- Day after Thanksgiving
- Christmas Day – December 25th

Employees who are absent without authority on workdays directly preceding or following a

holiday will not be paid for the holiday.

Full-time employees who do not work on holidays will be paid for the holidays at their regular straight time rate. Part-time employee holiday pay is calculated by multiplying the employee's regular hourly rate by the number of hours normally worked on the day of the week the holiday falls.

Non-exempt employees who work on holidays will be paid for the holiday at their regular straight time rate. In addition, they will be paid time and ½ for the actual hours worked on these days. Exempt employees working on a holiday will receive credit for the number of hours worked and may apply the balance of that day's "holiday hours" to another regular workday within the same calendar year. In the event the New Year's Day holiday falls on December 31st and an exempt employee works during that day, they will have until the end of the following month to use the "holiday hours" that were worked.

In the event an on call employee responds to a call during a holiday, the employee will be paid time one and one-half their regular hourly rate for the call. On call or per diem employees that work a shift during a holiday receive straight time, unless responding to a call.

Employees will not receive holiday pay for any holiday that occurs during the period for which an employee is on a leave of absence.

VACATION

Regular Full Time and Part Time employees become eligible for paid vacation benefits ninety (**90**) consecutive days after their start date or promotion from temporary status. Total annual vacation is calculated by multiplying the annual vacation time corresponding to the employee's years of service as listed in the chart below by the number of hours the employee has been hired to work each week, not to include overtime or any other additional hours they may work.

As an example, an employee hired to work 35 hours per week will be granted vacation time as shown on the following table:

| Full Years of Service* | Annual Vacation Time (in work weeks) | Example of Vacation for 35-hour week (in hours) | Example of Vacation for 40-hour week (in hours) |
|-----------------------------------|---|--|--|
| 1 st Yr. until Oct 2nd | 2 prorated* | **see below | ** see below |
| Up to 2 | 2 | 70 | 80 |
| 3 or 4 | 2.4 | 84 | 96 |
| 5 | 3 | 105 | 120 |
| 6 or 7 | 3.4 | 119 | 136 |
| 8 or 9 | 3.8 | 133 | 152 |
| 10 and higher | 4 | 140 | 160 |

*An employee's vacation allotment is made on January 1st of each year based on the full years of service completed on that date, except for the first year of employment when they will receive a prorated amount after 90 days of employment retroactive to their date of hire. The vacation allotment is not adjusted at the anniversary date of the Start Date.

**During an employee's first calendar year of employment, their annual vacation time will be prorated by the number of whole months left in the year rounded up to the next whole hour. For example, an employee with regular weekly scheduled hours of 35 hours, who begins employment with the town of April 16th, will be entitled to 47 hours of vacation that calendar year (8 months/12 x 70 hours, rounded up).

No vacation time may be taken in the first **90** days of employment unless agreed in advance and documented in the employee's offer of employment.

Vacation can be taken in hourly increments, but will only be paid for any given day up to the amount of regular hours the employee has been hired to work on that day of the week. For example, a part-time employee hired to work five hours a day is only entitled to five (5) hours of pay when they take a vacation day.

Department Heads determine the vacation schedule for their department. After consulting with the employee to determine preferences, resolving conflicting date requests among staff members with due regard to employees' seniority and other departmental priorities, the Department Head will enter each employee's agreed vacation dates on the schedule.

A paid holiday falling within a vacation is not counted as vacation time.

Vacation time must be taken before the last working day of the calendar year in which it was granted. Employees will not receive payment for unused vacation time at year end. If, due to extenuating circumstances, all outstanding vacation time cannot be taken before year end, the employee may apply to their Department Head (and Department Heads may apply to the Selectboard) to carryover up to one week of unused vacation time into the following year. Any vacation time allowed to be carried over to the next calendar year must be used during such year or will be otherwise forfeited.

An employee will not be paid prorated, unused vacation pay upon termination from employment unless the employee has been actively employed for at least six (6) months prior to the termination and: (1) in the event of resignation or retirement, the employee has given two (2) weeks' notice of his/her intent to resign or retire and actively works their two week notice period; or (2) in the event of involuntary discharge, the termination was not "for cause," as determined by the Town of Brookline.

An employee will not accrue any vacation time for those pay periods in which the employee is entitled to no wages, unless required under law.

PERSONAL DAYS

Regular Full Time employees become eligible for paid personal day benefits ninety (**90**) consecutive days after their Start Date or promotion from temporary status.

Each Full Time Employee is entitled to two (2) personal days on an accrual basis. One personal day may be taken between January 1st and June 30th. The second personal day may be taken between July 1st and December 31st.

Personal time may be taken in hourly increments at the discretion of the Department Head.

Personal day pay is calculated by multiplying the employee's regular hourly rate by the number of hours normally worked on the day of the week the employee takes a personal day.

Personal days may not be carried over from year to year and employees will not be paid for personal days not taken during the year upon separation from employment. All personal days must be approved in advance by the Department Head.

SICK LEAVE

Regular Full Time employees become eligible for paid sick time benefits ninety (90) consecutive days after their Start Date or promotion from temporary status.

Employees will not be paid for sick time involving work-related injuries or disabilities covered by Workers' Compensation.

Sick pay is calculated by multiplying the employee's regular hourly rate by the number of hours normally worked on the day of the week the employee takes a sick day. Sick time may be taken in hourly increments.

Employees receive their full annual sick time on January 1st of each year. based on the table below:

| Years of Service | Annual Sick Time in Days | Example of 35-hour week (in hours) | Example of 40-hour week (in hours) |
|-------------------------|---------------------------------|---|---|
| <1 | 10 days, prorated* | See below* | See below* |
| 1 or more | 10 days | 70 | 80 |

*During their first year of employment, annual sick time will be prorated by the number of whole months left in the year rounded up to the next whole hour.

For example, an employee with regular weekly scheduled hours of 35 hours who begins employment with the town of April 16th will be entitled to 47 hours of sick time that calendar year (8 months/12 x 70 hours, rounded up).

Whenever an employee is without enough sick time to cover an absence, vacation time will be deducted until depleted, and then leave without pay will apply subject to the agreement of the Department Head or the Selectboard.

In order to receive pay for sick time, an employee must notify the Department Head, or their designee no later than the employee's regular start time on that day, unless unable to

do so.

The Town, through the Department Head, reserves the right to require a doctor's statement for sick days taken. Employees are permitted to use sick time to care for a sick child or family member.

No employee may carry-over sick time from year to year. Any unused sick time at year's end will be paid to the employee at 50% of the employee's normal hourly rate of pay, unless otherwise provided under a collective bargaining agreement.

Payment for unused sick time will be authorized during the final payroll of the calendar year in which the unused sick time applies. If an employee takes sick time between the payment at year-end and the actual end of the calendar year, such sick time will be taken from the following year's allotment of sick time.

FAMILY AND MEDICAL LEAVE

Under the Family and Medical Leave Act ("FMLA"), eligible employees may take an unpaid leave of absence and be restored to the same or an equivalent position upon their return to work for any of the following reasons:

1. The birth of the employee's child and to care for the newborn child (leave must be taken within twelve (12) months of the birth of the child);
2. The placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve (12) months of the adoption or placement of the child);
3. The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self-care and the employee is needed for such care ("covered family members");
4. The employee's own serious health condition that renders the employee unable to perform their job;
5. A "qualifying exigency" (as defined in the Department of Labor Regulations) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on "covered active duty" or has been notified of an impending call or order to "covered active duty" in the United States Armed Forces;
6. The employee is a spouse, son, daughter, parent, or next of kin of a "covered service member" (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Eligibility Requirements: To be eligible for FMLA leave, an employee must satisfy both of the following conditions:

The employee must have worked for the Town of Brookline for at least twelve (12) months, and must have performed at least 1,250 hours of work in the twelve (12) months prior to a leave request; and

At the time leave is requested, the employee must either: (a) work at a site where the Town employs fifty (50) or more employees or (b) work at a worksite where the Town employs less than fifty (50) employees if fifty (50) or more employees are employed within a seventy-five (75) mile radius of the worksite.

Leave Entitlement: If an employee takes FMLA leave for a reason stated in paragraphs (1)-(5), above, the employee is entitled to up to twelve (12) workweeks of unpaid leave during a twelve (12) month period. That twelve (12) month period is defined as a "rolling" twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks the employee has available upon the beginning of a FMLA leave will be twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2021, four weeks beginning June 1, 2021, and four weeks beginning December 1, 2021, the employee would not be entitled to any additional leave until February 1, 2022. Beginning on February 1, 2022, the employee would be entitled to start accruing a new four weeks of leave; on June 1, 2022, the employee would be entitled to start accruing four additional weeks; and so on.

If an employee takes FMLA leave for the reason stated in paragraph (6), above, the employee may take up to 26 weeks of unpaid FMLA leave within a single 12-month period. This 12-month period begins on the first day of leave.

An employee who takes FMLA leave for a reason stated in paragraph (6), above, will be limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. The leave entitlement described in paragraph (6) above is to be applied on a per-covered-servicemember, per injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered servicemembers or to care for the same servicemember with a subsequent serious illness or injury, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Tracking FMLA Leave: When an eligible employee requests any leave of absence that qualifies under the FMLA, the Town of Brookline has the right to designate such leave as FMLA leave. For example, if an eligible employee suffers a work related injury that qualifies as a serious health condition, the Town of Brookline has the right to designate any time away from work as FMLA leave. In such circumstances, the Town of Brookline will provide the employee with the same notifications as though the employee had specifically requested FMLA leave.

Intermittent and Reduced Schedule Leave: Under some circumstances, employees may take FMLA leaves of absences intermittently (in separate blocks of time due to a single FMLA qualifying reason) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday). Certification will be required to show that an intermittent or a reduced schedule leave is a medical necessity for leaves under paragraphs (3), (4), and (6), above. Other documentation or certification may be required to show that such an intermittent or a reduced schedule leave is necessary in the case of a leave of a "qualified exigency" under paragraph (5), above.

If FMLA leave is for birth and care, or placement for adoption or foster care, as described in paragraphs (1) and (2), above, use of intermittent leave is subject to the Town of Brookline's approval.

When an employee takes intermittent or reduced schedule leave, time spent working will not be counted against the employee's FMLA entitlement.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers' compensation, short-term disability, or other benefits. If an employee is a salaried employee, the Town of Brookline will adjust the employee's salary based on the amount of time actually worked.

While an employee is on intermittent or reduced schedule FMLA leave, the Town of Brookline may temporarily transfer the employee to an available alternate position that better accommodates the employee's recurring leave and that has equivalent pay and benefits.

Employees who take intermittent leave for a planned medical treatment have an obligation to make a "reasonable effort" to schedule the treatment so as not to disrupt unduly the Town of Brookline's operations.

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

During an approved FMLA leave, the Town of Brookline will maintain the employee's health benefits under the same terms and conditions applicable to employees not on leave.

If paid leave is substituted for unpaid FMLA leave, the Town of Brookline will deduct the employee's portion of the health plan premium as a regular payroll deduction.

If an employee's leave is unpaid, or is paid through workers' compensation, short-term disability benefits, or other benefits not provided through the Town of Brookline's payroll system, the employee must pay their portion of the premium by making arrangements with the Town of Brookline.

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

If an employee elects not to return to work at the end of the leave, the employee will be required to reimburse the Town of Brookline for the cost of the premiums paid by the Town of Brookline for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or because of other circumstances beyond the employee's control. If the FMLA leave is for a condition that is covered under the Town of Brookline's short or long term disability insurance, covered employees may apply for benefit coverage.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave, but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Town Administrator.

If an employee's need for leave is foreseeable, such as for the birth of a child or planned medical treatment, you must give the Department Head (thirty) 30 days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting the Town of Brookline operations.

If the need for leave is not foreseeable, the employee must give notice to the Department Head as soon as practical (generally, either the same day or the next business day of learning the employee's need for leave) and the employee must comply with all of the Town of Brookline's policies regarding absences from work. Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to notify the Town of Brookline of the need for leave personally because of illness, the employee should ask someone else to call on their behalf.

Medical Certifications: If an employee is requesting leave because of the employee's serious health condition, a covered family member's serious health condition, or for the serious injury or illness of a covered service-member, the employee must provide a medical certification from the appropriate health care provider. It is the employee's responsibility to provide a complete and sufficient certification. Please obtain a medical certification form from the Town of Brookline for the health care provider to use. If possible, the employee should provide the medical certification before the leave begins. If that is not possible, the employee must provide the medical certification within fifteen (15) days of requesting leave. If the employee does not provide the required medical certification in a timely manner, the employee's leave may be delayed. If you do not provide the certification at all, the Town of Brookline will not be able to determine whether you are eligible for FMLA leave and your leave will be denied. The Town of Brookline reserves the right to authenticate or clarify any medical certification if necessary.

In the case of an employee's own serious health condition, or that of a family member's serious health condition, the Town of Brookline, at its expense, may require an examination by a second health care provider designated by the Town of Brookline. If the second health care provider's opinion conflicts with the original medical certification, the Town of Brookline, at its expense, may require a third health care provider agreed upon by the employee and the Town of Brookline to conduct an examination and provide a final and binding opinion.

The Town of Brookline may also require subsequent medical recertification. Failure to provide requested re-certifications within fifteen (15) days may result in delay of further leave.

Certifications for a Qualifying Exigency: Employees who request a leave for a "qualifying exigency" arising from an immediate family member's call to active duty or impending call or order to active duty will be required to provide a copy of the family

member's active duty orders or other documentation issued by the military indicating the member is on active duty or call to active duty status in support of a contingency operation. Other documentation certifying the exigency necessitating the leave will also be required.

Confirmation of Familial Relationship: Employees requesting a leave of absence based on a familial relationship may be required to provide reasonable documentation or statement of family relationship. This documentation may take many forms, including but not limited to a child's birth certificate, a court document, etc.

Reporting While On Leave: If an employee takes leave because of their own serious health condition, to care for a covered family member with a serious health condition, to care for a covered service-member with a serious illness or injury, or for a qualifying exigency, the employee must contact the Town Administrator on a regular basis to provide updates about the status of the need for leave (e.g. the medical condition of the employee or the individual for whom the employee is caring, or other circumstances necessitating leave) and the employee's intention to return to work. In addition, the employee must give notice as soon as practical (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While On Leave: The taking of another job (including self-employment) while on FMLA leave or any other authorized leave is not allowed unless specifically authorized by the Department Head or Town Administrator and violations of this policy may lead to disciplinary action, up to and including discharge.

Returning To Work: At the end of an authorized FMLA leave, the employee will be reinstated to their original position or an equivalent position. However, certain highly compensated employees or "key employees" may be denied restoration to their prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Town of Brookline.

If an employee takes leave because of their own serious health condition, the employee will not be reinstated until the employee provides a fitness for duty certificate from their health care provider confirming that the employee is medically able to resume work and perform the essential functions of the job. The return-to-work medical certification forms are available from your Department Head or Town Administrator. The Town of Brookline reserves the right to clarify and authenticate such certification.

Coordination With Parental Leave: As stated in our Parental Leave policy, the Town of Brookline provides employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee's FMLA leave and Parental Leave will run concurrently. Please refer to the Town of Brookline's Parental Leave policy for more information regarding Parental Leave.

For purposes of coordinating FMLA and parental leaves, parental disability leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Parental disability leave begins when an employee is medically determined to be disabled, and ends when medically determined to be able to return to work. If a parental disability leave is for the number of available FMLA leave weeks or less, the employee

may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a parental disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the parental leave policy.

Coordination with Other Town of Brookline Policies; Reference to FMLA and Federal Regulations: In the event of any conflicts between this policy and other Town of Brookline policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The Town of Brookline reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements, should be directed to your Supervisor, Department Head or the Town Administrator.

PARENTAL LEAVE

The purpose of Parental Leave is to provide full-time employees with salary continuation for up to 4 weeks, to take time off for the birth of a child, transition of a child through adoption or surrogacy, or long term placement of a child (defined as 30 or more days) as a kindred or private foster care provider. Parental Leave will run at the same time as FMLA leave.

Parental Leave will be taken in consecutive days, up to 4 weeks, and within 12 weeks of the effective date of the cause for Parental Leave (e.g., birth, placement for adoption). Parental Leave may also be used by an additional, eligible, town employee.

The employee who has given birth to the child in question must apply for short term disability benefits as a condition of receiving the salary continuation provided under this policy. Short term disability benefits will offset, and are not in addition to, the salary continuation provided under this policy. If eligible for Parental Leave, you must apply all accrued, unused sick days and vacation time to the balance of the Parental Leave period beyond the four week period. Employees are not required to provide medical certification of the need for paid Parental Leave, but may be asked to provide documentation confirming a family relationship, or an adoption or foster care placement.

Future eligibility will be on a rolling 12-month period from the effective date of the last use of Parental Leave. Parental Leave cannot be taken on a partial or intermittent basis or to supplement another leave type.

PERSONAL LEAVE OF ABSENCE

The Town of Brookline recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies. A personal leave of absence may be granted at the sole discretion of the Selectboard to employees who have exhausted their leave available under our other leave policies, including vacation, sick, personal, parental leave and FMLA, and is normally only granted for compelling reasons.

Personal leaves of absence will be unpaid, and an employee on an unpaid personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days. However, if the leave of absence is for medical reasons, eligible employees may apply for workers' compensation or short-term disability benefits. The forms for these benefits are available from the Town Administrator.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with the Town Administrator to pay the entire amount of the appropriate monthly premium in advance each month.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. We cannot guarantee reinstatement from a personal leave. If the Town of Brookline is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from employment with the Town of Brookline.

MILITARY LEAVE

An employee who is called to and performs short-term annual active duty for training as a member of the United States Armed Forces Reserve or National Guard shall be paid as provided herein for days spent performing such duty provided the employee would not otherwise be on layoff or leave of absence.

In order to receive payment under this paragraph, an employee must give the Town prior notice of such military duty and upon his/her return to work, furnish the Town with a statement of the military pay received for performing such duty.

Payment under this section is limited to a maximum of ten (10) working days in a calendar year.

In computing the pay due to the employee, if any, payment will reflect the difference between the employee's normal pay for the days in question and the military pay if the normal regular pay exceeds the military pay for the specified period.

Long term recall to active duty obligations are covered under federal law and will be followed.

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make the Supervisor or Department Head aware of the need for leave as soon as the employee receives the written or verbal orders. It is

requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by their Supervisor or Department Head based on a case by case basis.

Health Coverage: If a military leave lasts less than 31 days, the employee's health insurance will be continued and the employee will pay his/her regular contribution for the cost of health insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue health insurance coverage at their own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, they will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes, unless New Hampshire Retirement System has modified this provision. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

Reinstatement: Employees wishing to be reinstated following military leave should promptly notify their Supervisor or Department Head of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled workday following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify their Supervisor or Department Head of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify their Supervisor or Department Head of the desire for reinstatement within 90 days of completing service.

The Town of Brookline will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town of Brookline will make reasonable accommodations and efforts to help the employee become qualified to perform the duties of their reemployment position.

Statement Against Discrimination and Retaliation: The Town of Brookline will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town of Brookline also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to your Department Head or Town Administrator.

BEREAVEMENT LEAVE

Regular Full Time and Part Time employees are eligible for bereavement leave with pay in the event of the death of an immediate family member or significant other.

For the purpose of this section, immediate family member includes: spouse, parent, in-law (mother-in-law, father-in-law), child, sibling, grandparent, and guardian.

Bereavement leave is not to exceed five work (5) days per occurrence.

JURY DUTY/WITNESS LEAVE

The Town of Brookline considers it a civic duty to serve on a jury if summoned and will grant you leave in order to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court of the United States or the employee's state of residence. For part-time and temporary employees, jury or witness duty will be considered an excused unpaid absence. A full-time employee called for jury duty (*or subpoenaed as a witness*) shall be granted paid leave for the period of the civil involvement. Employees who are compensated for jury duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing their jury duty.

Employees summoned for jury duty must inform their Supervisor or Department Head as soon as possible, and must present a copy of the summons to their Supervisor or Department Head. If released from jury duty on any day, the employee is expected to return to work.

LEAVE OF ABSENCE FOR VICTIMS OF CRIME

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

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the father, mother, stepparent, child, stepchild, sibling, spouse, civil union partner, grandparent, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify their Supervisor or Department Head as far in advance as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town of Brookline will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practical whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town of Brookline. An “undue hardship” for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, we will consider the employee’s position and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use accrued, unused vacation time, sick leave, or personal days.

The Town of Brookline will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

MEDICAL BENEFIT PLAN

Each full time employee shall be entitled to single, two-person or family coverage as appropriate to his/her family status on a group policy, including domestic partners so long as they meet the insurance company’s requirements of “domestic partners”. Full time employees are eligible for health insurance as of the 1st of the month following their Start Date or promotion from temporary status. The health insurance plan is at the discretion of the Selectboard.

To assist you with the cost of this insurance, the Town of Brookline currently pays 80% of the premium for single, two-person, or family coverage for employees. The balance of the premium is paid by the employee through payroll deduction. The Town of Brookline may adjust these contribution amounts in the future at its discretion.

Employees shall inform the Town Administrator of any changes in family status by the end of the month in which the change occurs.

Each full time employee may “opt out” of health insurance coverage by the Town. If the employee opts out of the insurance, the employee will receive \$100 per pay period (\$2,600 per year) in lieu of health insurance.

Regular part time employees working a minimum of 17 ½ hours per week are allowed to purchase health insurance through the Town’s provider at the sole cost of the employee.

Elected officials are allowed to purchase health insurance through the Town’s provider at the sole cost of the official.

A retired employee is allowed to purchase health insurance through the Town’s provider at the sole cost of the retired employee.

A surviving spouse of a deceased retiree is allowed to purchase health insurance through the Town's provider at the sole cost of the surviving spouse.

The coverage and type of policy shall be as approved by the Selectboard and is subject to available funds as approved at the Annual Town Meeting.

Any employee opting for any other Town offered plan will pay the difference between the chosen plan and the actual cost of the standard plan.

Please see the Town Administrator for more details.

DENTAL PLAN

Each Full Time employee shall be entitled to single, two-person or family coverage as appropriate to his/her family status, including domestic partners so long as they meet the insurance company's requirements of "domestic partners". Full Time employees are eligible for dental insurance as of the 1st of the month following their Start Date or promotion from temporary status.

Regular part time employees working a minimum of 17 ½ hours per week are allowed to purchase dental insurance through the Town's provider at the sole cost of the employee.

Elected officials are allowed to purchase dental insurance through the Town's provider at the sole cost of the official.

A retired employee is allowed to purchase dental insurance through the Town's provider at the sole cost of the retired employee.

A surviving spouse of a deceased retiree is allowed to purchase dental insurance through the Town's provider at the sole cost of the surviving spouse.

The Town shall contribute an amount equal to the single person premium for all eligible employees who elect coverage. The difference in cost between the single person rate and the two-person or family coverage rate, if selected by the employee, shall be the responsibility of the employee and paid through payroll deduction.

The coverage and type of policy shall be as approved by the Selectboard and is subject to available funds as approved at the Annual Town Meeting.

Please see the Town Administrator for more details.

EMPLOYEE ASSISTANCE PLAN

All employees, their dependents and household members can access the LifeResources Employee Assistance Program (EAP) through HealthTrust by calling (800) 759-8122. The program provides broad resources – from counseling to child and elder care assistance, drug and alcohol counseling as well as financial and legal counseling. Please contact your Department Head or the Town Administrator for more details. Any contact an employee has with the Employee Assistance Plan is confidential and will not be shared with any other town employees.

LIFE INSURANCE

Each Full Time employee shall be entitled to Group Life Insurance in the amount of \$50,000 per employee. There is no shared cost with eligible employees at this time. The coverage shall be approved by the Selectboard and is subject to available funds as approved at the Annual Town Meeting.

RETIREMENT PLAN

The Town of Brookline is a member of the New Hampshire Retirement System. All Full Time employees must enroll as a condition of employment. All other employees will participate in Federal Social Security.

Please see the Town Administrator for more details.

SHORT-TERM AND LONG-TERM DISABILITY

Full-time employees are currently eligible for short-term and long-term disability insurance as of the 1st of the month following their Start Date or promotion from temporary status. This insurance is designed to provide some income in the event of a non-occupational illness or injury. There may be waiting periods that apply before the benefits begin.

Our short-term and long-term disability benefits are governed by detailed plan documents that are available from the Town Administrator.

If you are enrolled in our short-term or long-term disability benefits and you suffer an illness or injury, please notify the Town Administrator immediately.

COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") provides eligible employees and their eligible dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage due to certain qualifying reasons. Please see the Town Administrator for more information about COBRA.

WORKERS' COMPENSATION INSURANCE AND REPORTING WORKPLACE INJURIES

On-the-job injuries are covered by Workers' Compensation Insurance, which is provided at no cost to the employee. We ask for your assistance in alerting the Town of Brookline to any condition which could lead or contribute to an employee accident.

Reporting Injuries: If you are injured on the job, no matter how slightly, you **must** report the incident immediately to your Supervisor or Department Head. Employees must complete the necessary workers' compensation forms following any injury on a timely basis and the Supervisor or Department Head must notify Primex no later than the next business day. In the event that the injured employee is not able to make the report, the supervisor shall be responsible for submitting all required reports with all available information.

The Workers' Compensation carrier must also be contacted prior to seeking medical attention (unless it is a life-threatening injury).

Weekly Income Benefits: The amount of the weekly workers' compensation benefit is set by the New Hampshire Department of Labor. The weekly benefit is currently based upon 60% of an employee's average weekly wages. These benefits are paid by our workers' compensation carrier to eligible employees once a minimum time period is fulfilled. If the employee is injured for less than the minimum time period, they must use paid leave time to account for the hours of work missed.

Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's workers' compensation laws. Employees with non-work-related disabilities who require accommodations to perform their jobs should make accommodation requests to their Supervisor or Department Head. Please refer to the Americans with Disabilities Act policy in this Personnel Plan for more information.

Reinstatement: A full-time employee who has sustained an on-the-job injury will be reinstated to their former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and the employee is not disabled from performing the duties of the position. A fitness-for-duty certificate may be required before an employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen (18) months from the date of injury. An employee also will not be reinstated if the employee has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

TEMPORARY ALTERNATIVE DUTY POLICY

In accordance with the provisions of RSA 281-A: 23-b, the Town of Brookline will provide temporary alternative work opportunities for employees who suffer a work-related injury or illness.

When practical, employees will be returned to their regular duties with modifications consistent with a healthcare provider's stipulated work restrictions. In the event that such restrictions make it impractical for an employee to perform their normal job duties, even with modification, the employee may be reassigned to different duties or a different work schedule and may include assignment to a different department within the Town of Brookline.

The specific assignment of duties shall be determined on a case-by-case basis pursuant to the healthcare provider's restrictions and the work available at the time of the injury or illness.

The Temporary Alternative Work Program will be available to employees for a period of time extending as long as the circumstances of the illness/injury requires, but not longer than four (4) months as dictated by the treating physician and as such duties are available.

After each subsequent visit, the ill/injured employee will be responsible for providing an updated medical form completed by the treating healthcare provider and returned to the Department Head or Town Administrator. Additional modifications will be made to the return to work program as required.

Upon release by the healthcare professional, the employee will assume normal duties of their regular position.

V. ON THE JOB

ATTENDANCE

The absence of an employee from duty for a day, or part of a day, that is not authorized by the Department Head will be deemed to be an absence without leave. Any such unexcused absence will be without pay and may be a reason for disciplinary action. The Department Head is responsible for maintaining complete and accurate records of attendance.

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

CONFIDENTIALITY

The Town of Brookline's information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly. Additionally, the contents of the Town of Brookline's records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from their Department Head. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

COMPUTER USE AND COMMUNICATIONS EQUIPMENT POLICY

The Town of Brookline provides communication tools including computers, fax machines, telephones, voicemail, e-mail, and access to the internet.

All employees should be aware that the Town of Brookline has the right, but not the duty, to monitor the computer, network, fax, voicemail, e-mail, and internet use of all employees. For this reason, employees should not have any expectation of privacy in their use of Town computers or other communications equipment, including e-mail and voicemail systems. The Town of Brookline reserves the right to suspend individual user accounts for violation of this policy and to take disciplinary action up to and including termination of employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to having the ability to monitor e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), the Town of Brookline has the ability and the right to monitor such things as internet web site visits, newsgroup discussions, chat room discussions, computer network use, and voice mail accounts. Town computers and other communications equipment and the communications, information, and documents created on them are the property of the Town of Brookline and may be monitored by the Town at any time.
- Town computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Town of Brookline resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- The Town of Brookline reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- Any personal use of our computers or other communications equipment for any commercial activity (other than Town of Brookline business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of the Town of Brookline including, but not limited to, activities that disclose any confidential or proprietary information of the Town of Brookline.
- Destruction, theft, alteration, or any other form of sabotage of the Town of Brookline's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
- RSA 33-A provides minimum record retention requirements for municipal records. Employees shall not delete any files, data or documents that are prohibited under this RSA. In the event of any questions regarding record retention requirements, contact your Department Head or the Town Administrator.
- The use of viruses or other destructive programs is prohibited. If a virus or other destructive program is identified, it must be immediately reported to your Department Head.
- All employees are responsible for taking precautions to safeguard the physical security of the Town of Brookline's network, internet, computers, and other communications equipment. Computers should be logged off when not in use for an extended period of time or when an employee is out of the office.
- All employees are required to report any violations, or suspected violations, of this policy.

SOCIAL MEDIA POLICY

It is the policy of the Town of Brookline to ensure that certain standards are set with respect to social media to serve all constituents in a positive, productive manner. The Town supports the use of social media as a method to communicate information to its citizens regarding its Town government. The primary mission of the Town's social media efforts is focused on providing information on Town services, programs, and information to the public.

This policy provides guidance for Town employees' use of social media, which should be broadly understood for purposes of this policy to include: blogs, wikis, microblogs, message boards, chat rooms, electronic newsletters, online forums, social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

Department or other Town-sponsored social media sites may not be created without the approval of the Town Administrator. Any such sites, including those already created, are considered property of the Town. The employee with password access to such a site must also provide the Town Administrator with the current username and password credentials, so at least two employees have access at all times. Any town-sponsored sites shall not turn off "comments", consistent with freedom of speech protections, but employees are not required to respond to comments.

The following principles apply to professional use of social media on behalf of the Town of Brookline, as well as personal use of social media:

- Employees should be aware of the effect their actions may have on their images, as well as the Town's image. The information that employees post or publish may be public for a long time and on the internet forever.
- Employees should be aware that the Town may observe content and information made available by employees through social media. Employees should use their best judgement in posting material that is neither inappropriate nor harmful to the Town, its employees, or residents.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, and libelous, that can create a hostile work environment, or otherwise reflect poorly on the Town.
- Employees are not to publish, post, or release any information that is considered confidential or non-public. If there are questions about what is considered confidential, individuals should check with the Town Administrator.
- Social media networks, blogs, and other types of online content sometimes generate press and media attention or legal questions. Individuals should refer these inquiries to their respective Department Head or the Town Administrator.

- If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner.
- The Town's computer systems are to be used for business purposes only. When using the Town's computer systems, use of social media for town-related business is allowed, but personal use of social media networks or personal blogging is prohibited and could result in disciplinary action or termination.
- Subject to applicable law, after-hours online activity that violates the Town's Personnel Plan or any other Town policy may subject an employee to disciplinary action or termination
- If employees publish content after-hours that involves work or subjects associated with the Town, a disclaimer should be used, such as: *"The postings on this site are my own and may not represent the Town of Brookline's position or opinion."*

Town employees are permitted to post content in their official capacity. If there is a question as to whether an item is acceptable for posting, the respective Department Head or Town Administrator should be contacted.

Employees shall not post, transmit, or distribute any images obtained from a workplace while on-duty, to include scenes of accidents, crimes, fires, training sites or any other municipal activity except with written authorization from the employee's immediate supervisor. (This guideline does not apply to images made during a public meeting as otherwise allowed under RSA 91-A:2). The unauthorized release or distribution of any photograph or video recording of an incident victim will be cause for immediate termination as an employee.

Employees who participate in social networking while off-duty shall maintain an appropriate level of professionalism and decorum when making reference to municipal operations or other Town employees and board/commission/committee members, agents, officials, or residents.

The Town recognizes all employees have constitutionally protected rights pertaining to freedom of speech, freedom of expression, freedom of association, and protections afforded under the Whistle Blower's Protection Act. However, any social media displays of willful or deliberate malicious acts that result in the disruption of workplace relationships will be treated as though the behavior took place while in the employment of the Town. The following social media situations by employees are likely to result in the imposition of disciplinary action, up to and including termination:

- Behavior that is directed towards a Town employee/official using language that is insubordinate, defamatory, slanderous, or unlawful;
- Conduct that interferes with the maintenance of essential workplace discipline;

- Actions of an obscene or derogatory nature that damage or impair the reputation and/or efficiency of municipal operations;
- Cyber-bullying directed towards any one employee or a board/commission/committee member.

INCLEMENT WEATHER

Employees generally are expected to report to work during inclement weather. However, there may be occasions when the Town of Brookline will be closed due to severe weather. You should contact your Department Head for information as to whether the Town of Brookline will be open for business.

If your respective department is not closed due to severe inclement weather, but you are unable to get to work, then you must call your Department Head to explain why you cannot get to work. If you do not come to work because of inclement weather, you must use your earned vacation time, sick days, or personal days. If your earned benefits have been exhausted, you will not be paid for the time missed, unless otherwise required by law. In the event you are at work and the Department Head closes the office during the workday due to inclement weather, you will be paid for your full regular day.

POLICY AGAINST/REGARDING NEPOTISM

Nothing in the Town's equal employment opportunity policy is intended to be interpreted as preventing the Town from reasonably regulating nepotism for reasons of supervision, safety, security or morale. Generally, employee's relatives will be eligible for employment with the Town as long as no conflicts in supervision, safety, security, morale or potential conflicts of interest exist.

Department Heads are to notify the Selectboard in advance of potential new employees who are relatives of individuals already employed by the Town. Effective with the adoption of this Plan, two family members ("relatives") cannot work in the same department with the exception of on call/on premise/per diem employees. Currently employed personnel that are related are exempted from this prohibition.

A relative is defined to include spouse, significant other, children, parents, step-parents, step-children, brothers, sisters, immediate in-laws, grandparents, grandchildren, or another person living in the employee's household.

DISCIPLINE

Disciplinary action will normally be taken in the following order:

1. Verbal warning, which may be documented for the benefit of both parties
2. Written warning
3. Suspension without pay
4. Discharge

However, the above sequence need not be followed if an infraction is sufficiently severe to merit immediate suspension or discharge. Additionally, The Town reserves the right to take disciplinary action in a manner consistent with the efficiency of operations and appropriate to the infraction involved. The Selectboard will have the authority to impose discipline on any Town employee with the exception of the Library, Fire Department or elected positions. Each Department Head will typically be responsible for discipline of employees in their respective department.

In the event an employee believes they have received unjust discipline, the employee may appeal the discipline to the Selectboard, in writing, through the Town Administrator. If the employee believes the Town Administrator has provided unjust discipline, the employee may appeal the discipline, in writing, to any member of the Selectboard.

In addition, nothing in this policy or Personnel Plan undermines the at-will nature of the employment relationship, which may be terminated at any time by either party with or without cause, and regardless of whether any prior disciplinary action has been taken. The Town of Brookline may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law.

PERSONNEL RECORDS

The Town of Brookline maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. However, you may not be permitted to review your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through the Town Administrator. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information together with evidence supporting such version. The Town of Brookline will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify the Town Administrator as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

PERFORMANCE APPRAISALS

Employee Performance Evaluation: A Performance Evaluation form, will be filled out at least annually for each employee in order to improve performance and better understand performance expectations.

Minimum Requirements for Evaluations: Each evaluation shall measure the employee's performance in relation to the performance expectations of their position, as

previously communicated to the employee. At a minimum, these expectations shall include those listed in the employee's job description.

Each evaluation shall rate the employee's performance as "meeting", "exceeding", or falling "below expectations" as noted in the evaluation form.

Frequency of Evaluation: Each employee will be reviewed annually between October 1st and the end of the year. The employee's supervisor shall be responsible for conducting at least one evaluation per year for each employee.

The supervisor shall be responsible for conducting more frequent evaluations for reasons including, but not limited to:

- Evaluating an employee's response to any comments on a previous evaluation stating that the employee needs improvement;
- Evaluating the performance of probationary employees.

Delivery of Evaluation: The supervisor shall conduct a meeting with the employee being evaluated to explain the evaluation and shall record the date of the meeting on the form.

The employee shall have the opportunity to comment in writing on the evaluation. If the employee does not concur with the evaluation's findings, the employee shall include an explanation of the reasons for non-concurrence.

Each evaluation shall be signed and dated by the supervisor who conducted the evaluation and the employee being evaluated.

The employee's signature on the evaluation shall certify only that the evaluation has been read and discussed and that the employee's comments, if any, are an accurate statement of the employee's response to the evaluation. If the employee refuses to sign the evaluation after being given the opportunity to do so, the supervisor shall so certify in writing.

INTERNAL PROMOTIONS, TRANSFERS & JOB POSTINGS

The Department Head in which an employee is terminated shall immediately notify the Selectboard of a resignation from or involuntary termination of a departing employee.

The Selectboard shall notify the town at large during the next public session of the Selectboard after receiving notification.

The Town of Brookline strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote qualified employees from within the Town of Brookline, if possible, based upon the needs of the Town of Brookline and employee qualifications. We may also recruit individuals from outside of the Town of Brookline, depending upon the circumstances.

Whenever a vacancy is to be filled, the Department Head shall post an in-house notice for a period of not less than 5 working days. The notice shall include the following: job title, job description for the position to be filled, (which includes the minimum qualifications), benefits associated with the vacated position, whether the position is full time or part time, the closing date for applying, and the name and telephone number of the person to contact for further information.

The purpose for posting the position in-house for a period of 5 working days shall be to allow in-house employees to apply for a vacant position. The in-house posting shall be on a designated bulletin board or boards accessible to all in-house employees and all vacancy notices shall always be posted in the same designated place or places.

WORKING FROM HOME

Employees are expected to work on town premises, so they are available to respond in person to inquiries or requests. In the case where an employee needs to be able to work from home, such an arrangement shall require the approval of the Selectboard, but is permitted on an interim basis, until the next Selectboard meeting, upon the approval of the Town Administrator. Working from home would require, but not be limited to:

- The employee providing details of work activities completed each day while working from home and submitting the information with their respective timesheet
- The employee working with the Town's IT resource to establish safe remote access to the Town's IT equipment from home
- The employee maintaining confidentiality of all Town-related information or work products outside town buildings
- The employee ensuring that electronic files created while working from home are eventually saved on Town IT equipment for ease of future access
- The employee providing for a safe working environment at home
- The Selectboard reviewing the arrangement on a monthly basis and considering recommendations from the relevant department head as part of each review.
- The arrangement can be revoked at any time.

EXTERNAL JOB POSTING

When a Department Head determines that a vacant position shall be filled and the requirements for in-house posting have been initiated, the Department Head may post an advertisement for the vacant position in the sources the Department Head determines to be most effective. The job posting shall include the same information contained in the internal job posting.

JOB CANDIDATE REVIEW PROCESS

Department Heads must adhere to the following process when receiving applications for an open position:

1. All persons applying for an open position shall fill out an Employment Application. The

application includes a release for a criminal and motor vehicle background checks.

2. The Department Head shall review all applications for employment filed and determine if the minimum job requirements are met.
3. Candidates who meet the job requirements may be interviewed.
4. Conditional offers shall be extended contingent on completion of background checks. The offer letter will include the position, start date, pay rate, benefits, supervisor, and work hours or these details can be included in a formal letter following the appointment that shall be signed by the individual and returned.
5. Reference and background checks shall be completed.
6. Appointment will be requested of the Selectboard and Selectboard members will be supplied with the resume of the recommended individual. Candidates who are not chosen will receive a letter stating they were not chosen.

SEASONAL EMPLOYMENT

The hiring of seasonal employees shall adhere to the following process:

1. Posting of the openings
2. Completion of the Town's Employment Application
3. Satisfactory background checks (a driving record check is not required for individuals that have not yet obtained a driver's license).
4. Proof of lifeguard certification, in the case of lifeguards.

MEDICAL EXAMINATIONS

For those positions that require particular physical conditions in order to properly carry out or withstand the prescribed tasks of the position, it may be necessary for the job applicants to pass a medical examination paid for by the Town.

Such medical examinations will be based on bona fide occupation standards that are reasonably related to the position in question, with consideration given by the Town to accommodating physical handicaps and limitations.

VI. EMPLOYEE SAFETY AND HEALTH

HEALTH & SAFETY PROGRAM

Safety is of great concern to the Town of Brookline. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

1. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.

2. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Any possession of alcohol or the unlawful manufacture, distribution, dispensing, possession, stealing or use of a controlled substance in the workplace is prohibited and will result in disciplinary action up to and including termination, and may also have legal consequences. Any employee who is accused or convicted of a drug statute violation must report it to their department head as soon as practical.
3. The use of hand-held cell phones while driving is against the law in New Hampshire and in many other states. Drivers are expressly prohibited from using such devices while operating a vehicle on Town-related business.
4. The use, adjustment, and/or repair of machines or equipment is to be performed by you only if you are trained and qualified.
5. Get help when lifting or pushing heavy objects.
6. Know locations, contents, and intended use of all first aid and firefighting equipment.

Any employee who is in an accident while on Town business shall be required to undergo an alcohol and/or drug test if required by a police officer on scene. Violations of safety precautions may lead to disciplinary action up to and including termination.

SAFETY COMMITTEE

The Town of Brookline maintains an active Safety Committee (called the Joint Loss Management Committee) comprised equally of management and regular employees, which meets quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please contact the Town Administrator for details.

SMOKING POLICY

Pursuant to RSA 155:64-77 the Brookline Selectboard has designated that smoking inside all town owned buildings and within 25 feet of the entrance to any town building, including town vehicles and equipment, is totally prohibited.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

VIII. SEPARATION FROM EMPLOYMENT

VOLUNTARY TERMINATION

Should you decide to resign from your employment with the Town, we ask that you notify your Supervisor or Department Head at least two (2) weeks in advance of your departure date.

Upon voluntary termination, an employee's final paycheck will be comprised of the following:

- Regular pay
- Balance of earned compensation time
- Balance of vacation time on a prorated* basis for the current year (so long as the employee has been employed for at least 6 months and has given at least two weeks' notice and has actively worked the two-week notice period).
- Balance of sick time on a prorated* basis at a rate of one half (1/2) of the employee's normal hourly rate of pay

*Prorated calculation based on the whole number of months worked in the current year.

For full-time employees, the final check will include the applicable deduction of the employee's portion of health insurance premium for the period of coverage provided by the Town.

INVOLUNTARY TERMINATION

Upon the involuntary termination of an employee, no payments shall be made for unused sick time, vacation time, or personal time. In the event that the involuntary termination is a layoff, such pay shall be made as if the termination were voluntary.

EXIT INTERVIEWS

In most instances, employees who terminate their employment will be asked to participate in an exit interview with a Selectboard member or the Selectboard's designee. The purpose of the exit interview is to:

- Understand the reason for the employee's departure
- Listen to suggestions the outgoing employee may have to make the Town more effective
- Listen to suggestions the outgoing employee may have to enable the Town to attract and retain employees.

LAYOFF AND RECALL

A Department Head, with the approval of the Selectboard, may lay off an employee because of a material change in duties, or organization, or shortage of work or funds.

Other general layoffs may occur, usually due to budget considerations, in which a large segment of the work force may be affected.

The Department Head must notify the Selectboard of the intended action at least fifteen (15) calendar days before the effective date and provide a statement describing whether or not the employee's performance met the requirements contained in this policy and the job description for that employee.

Whenever it becomes necessary in the sole opinion of the Selectboard to reduce the work force through layoffs, the Board will endeavor to provide affected employees with at least ten (10) working days' notice.

In each grade of position, employees shall be laid off according to employment status in the following order:

- Temporary
- Part-time regular
- Full-time regular

The Town will be relieved from all obligations to pay and provide all insurance to laid-off employees except as required by law.

With respect to layoff and recall, continuous service will be applicable providing the employee is capable of performing the work in a satisfactory manner.

Employees shall be recalled in the reverse order in which they were laid off.

Employees who are eligible for recall shall be sent a recall notice by certified or registered mail and the employee must notify the Department Head within three (3) business days after receiving the notice of recall of his/her intention to return to work. The Town shall be deemed to have fulfilled its obligations by mailing the recall notice by registered or certified mail, return receipt requested, to the mailing address provided by the employee, it being the obligation and responsibility of the employee to provide the Department Head with their latest mailing address. In any event, the employee must return to work within two (2) weeks of the date specified.