

PERSONNEL POLICIES
OF
THE TOWN OF HUNTINGTON
ECONOMIC DEVELOPMENT CORPORATION

1. INTRODUCTION

The EDC is committed to fair, clearly stated and supportive relationships between the organization and its staff. The personnel policies of the EDC have been established in order to provide a guide to the personnel practices of the EDC, and to ensure consistency of personnel decisions. It is the intention of the EDC to administer the personnel programs in a manner which complies with the letter and spirit of all applicable federal, state and local regulations. This document is designed to provide guidance to staff at the EDC. It is not a part of any contract between the EDC and its employees. It is only a set of informal guidelines for personnel practices. Notwithstanding the provisions of the personnel policies, all employees are "at will employees," which means that they may be terminated at any time with or without cause without subjecting the EDC to a claim for breach of an employment contract.

Employee Classification

All employees are classified as either regular or temporary. Regular employees are employees hired without a specific termination date. Temporary employees are employees whose position at the time of hire is for a short-term period. Terms of employment will depend on the EDC's needs, and in no case will a temporary position be construed as being a contract for a definite time.

Employees also are classified as either exempt or non-exempt according to provisions of the Fair Labor Standards Act.

Regular Full-time Employees are those employees who work 40 hours per week and are eligible for all fringe benefits.

Regular Part-time Employees are those employees working at least 20 hours but less than 40 hours per week. Part-time salaried employees are eligible for all fringe benefits and earn sick leave and vacation at a rate proportionate to the hours they work. Regular part-time employees that work less than 20 hours per week are not eligible for fringe benefits.

Temporary Employees are those employees who are paid hourly under Letter of Agreement for a specified period of time. Temporary employees are not eligible for benefits.

2. AFFIRMATIVE ACTION

The policy and intent of the EDC is to provide equal employment opportunity for all persons regardless of race, color, religion, national origin, marital status, political affiliation, affectional orientation or gender identity, status with regard to public assistance, disability, sex, or age.

The EDC intends to respond affirmatively in its employment practices. Affirmative action applies to all aspects of employment practices including, but not limited to, recruiting, hiring, placement, promotion, demotion, transfer, training, compensation, benefits, layoff, recall, and termination. The EDC seeks to do business with organizations that encourage equal employment opportunity.

3. RECRUITMENT PROCEDURES

The EDC intends to recruit, hire, and place applicants on the basis of the applicant's relative knowledge, skills, and abilities. The decision to employ an applicant will be based solely on the individual's qualification for the particular position along with other requisite job skills. Minimum qualifications shall be specified in the job description.

When a new position is established, the Executive Director will prepare a job announcement identifying the position's responsibilities and overall relationship to the EDC for posting or circulation within the EDC and for public notification. Posted positions will be open for a minimum application period of 15 days.

4. COMPENSATION

Persons employed by the EDC in a part-time or full-time capacity, except those persons in non-exempt positions, will receive a salary negotiated at the time of recruitment that will not be based upon an hourly wage. At the time of hire, new employees will receive a letter of hire, a job description, salary and benefits detail and a copy of the personnel policies. The magnitude of the work assignments and the full scope of responsibility for the position will be fully discussed at time of hire. In setting compensation, the EDC may consider, among other things, external labor market rates, equitable relationship with other jobs within the organization and the organization's ability to pay. Each employee may be eligible for a salary review at the beginning of each fiscal year. The Board of Directors will determine the Executive Director's salary (if any).

5. WORK SCHEDULE

The EDC will establish a 40 hour weekly work schedule, and whenever possible will accommodate each individual's personal commitments and the needs of the organization.

6. HOLIDAY SCHEDULE

Official holidays are as follows:

- New Year's Day - January 1
- Martin Luther King Holiday - January
- Memorial Day - May
- Independence Day - July 4
- Labor Day - First Monday in September
- Thanksgiving Day - Fourth Thursday in November
- Day after Thanksgiving Day - Fourth Friday in November
- Christmas Eve - December 24
- Christmas Day - December 25

When New Year's Day, Independence Day, or Christmas Day falls on a Sunday, the following day shall be considered the official holiday. When these holidays fall on a Saturday, the preceding Friday shall be considered the official holiday.

7. PARENTING LEAVE

The EDC desires to assist new parents in balancing the demands of working and caring for children. The EDC will provide up to 8 weeks of unpaid family leave to any employee for the birth or adoption of a child. Leave must be initiated within six weeks of the birth or adoption of the child, unless otherwise approved by the Executive Director. The use of the 8 weeks shall be at the discretion of the employee and shall be discussed with the Executive Director as to its impact on ongoing work responsibilities and other employees. Although a maximum of 8 weeks is available, an employee may utilize accumulated sick leave as well as annual leave to enable either partial payment for or extension of the basic 8 week period. Special circumstances shall be reviewed by the Executive Director. Insurance benefits will continue to be in force during this leave period, but all premiums and expenses for benefits will be paid by the employee. Accrual of leave benefits and seniority cease during an approved leave. Upon completion of leave, the employee will be allowed to return to the same or a substantially similar position at the same salary as the employee earned prior to the leave.

8. ANNUAL LEAVE (Vacation Time)

The EDC will provide to each full-time staff employee ___ hours or ___ working days paid annual leave based upon one year's full time employment with the EDC. Accrual of annual leave will commence upon the date of employment for each employee and will be based, on an annual basis, upon each individual's anniversary date with the EDC. Annual leave will increase with the number of years employed by the EDC as follows:

0-3 years = ___ days
4 years = ___ days
5 years = ___ days
6 years = ___ days
7 years = ___ days
8 years = ___ days

Employees may use their annual leave as earned if absence from assignment does not unduly provide an impediment for completion of an assigned task or prevent other staff from completion of their work assignments. The Executive Director must approve scheduled absences and the employee should request such leave as soon as possible, with a minimum of two weeks in advance.

It is the policy of the EDC to encourage each employee to utilize allotted annual leave during each individual's employment year. A maximum of ___ days, or ___ hours, will be allowed to be carried over from one year to the next. All other accrued annual leave will be forfeited on the employee's anniversary date. The interchange or exchange of annual leave and sick leave is not allowed.

Special Leave

Special leaves of absence without pay may be granted an employee at the discretion of the Executive Director or, in the case of the Executive Director, the Board of Directors.

9. SICK LEAVE

The EDC will provide up to ___ working days each employment year to each staff person to be utilized for purposes of addressing health needs. Compensation will be based upon the employee's salary rate at the time sick leave is taken. Sick leave may be utilized at the discretion of the employee and is granted for sickness of the individual employee, his or her spouse/partner, children, or other immediate family members. Sick leave can also be used for health needs, e.g. dental or medical appointments.

Each staff person of the EDC should notify the office each day he or she will be absent from work due to illness, if at all possible.

Sick leave may be accumulated up to a maximum of ___ days, and may be carried over from one employment year to the next. At no time will compensation for any unused sick leave be made to an employee who is leaving employment.

Sick leave will be pro-rated for regular part-time employees. If requested by the Executive Director, the employee will provide documentation from his or her treating physician explaining their absence.

10. JURY DUTY

The EDC will pay an employee his or her normal pay for up to two weeks of jury duty.

11. MILITARY LEAVE

Employees absent on their annual two-week reserve or National Guard duty shall be considered on an excused leave of absence and may elect one of the following options related to their pay:

- The employee may take his or her vacation and retain his or her military pay.
- The employee may surrender his or her military pay to the EDC, receive his or her regular salary and take his or her vacation at a later date.
- The employee may take unpaid leave and retain his or her military pay.

An employee called up to active duty is allowed an unpaid leave of absence to meet her/his military responsibilities.

Upon honorable discharge from active duty, the employee will be allowed ninety days to apply for reinstatement to his or her former job. The employee will be reinstated to the same job formerly held, with the same duties, same level of pay, benefits and seniority had he or she not been on active military duty. Employee benefits will not accumulate during the leave. The employee will be given a Consolidated Omnibus Budget Reconciliation Act notice for election to continue insurances during the leave.

12. HARASSMENT POLICY

It is the EDC's belief that the employees of the EDC are the primary means by which the goals and objectives of the EDC will be met. To that end, the rights of all employees must be respected. All employees of the EDC must understand its position on harassment. By definition, harassment is any unwanted attention or action prohibited by law by someone in the workplace that creates an intimidating, hostile, or offensive work environment, including sexual harassment. The procedure for reporting and dealing with this very sensitive issue is as follows:

- If a person's behavior makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behavior is inappropriate and that the employee would like it stopped.

- If the employee is not comfortable discussing the issue with the person, or if the person fails to respect an employee's request, the employee should report the incident to his or her supervisor. If, for whatever reason, the employee does not feel that the supervisor is a suitable person to whom to report the incident, the employee should contact the Executive Director or, if appropriate, the Board Chair or another member of the Board of Directors.

In all instances, a prompt, thorough and fair investigation will take place, giving careful consideration to protect the rights and dignity of all people involved. The EDC will take those steps it feels necessary to resolve the problem, which may include verbal or written reprimand, suspension or termination.

No retaliation or any kind will occur because an employee has in good faith reported an incident of suspected harassment. The supervisor, or other person to whom the complaint was made, will work to establish mutually agreed upon safeguards against retaliation while attempting to mediate any sexual harassment complaint.

13. “WHISTLEBLOWER” POLICY

It is the intent of the EDC to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this “Whistleblower” Policy is to support the organization's goal of legal compliance. The support of all employees is necessary to achieving compliance with various laws and regulations. An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the EDC and provides the EDC with a reasonable opportunity to investigate and correct the alleged unlawful activity. The protection described below is only available to employees that comply with this requirement.

The EDC will not retaliate against an employee who, in good faith, has made a protest or raised a complaint against some practice of the EDC, or of another individual or entity with whom the EDC had a business relationship, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy.

The EDC will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy, or practice of the EDC that the employee reasonably believes is in violation of a law, or a rule, or regulation mandated pursuant to law or is in violation of a clear mandate or public policy concerning health, safety, welfare, or protection of the environment.

14. BENEFITS

The EDC is committed to providing a flexible and cost-effective medical care, disability income, life insurance and retirement program for all its employees. The EDC reserves the right, in its discretion, however, to change the nature of the benefits offered to employees, or to change insurance carriers, deductibles, premiums, or other features of

any benefit. In addition, EDC may decide to discontinue one or more benefits. Covered employees will be notified of such changes or discontinuations as soon as practicable.

15. PERFORMANCE REVIEWS

Each performance review should be a positive and interactive process whereby both the EDC and the individual being reviewed receive information about his or her success in meeting the responsibilities of the job, and the EDC can learn about its strengths and weaknesses as an employer of that employee. In general, the goal of the EDC is to conduct a performance review of each new employee during the sixth months of employment, after the first year of service and annually thereafter.

16. EMPLOYMENT REFERENCES

When the EDC receives a request for information from another person or entity about an employee, either during employment or after the employee's employment has ended, it is the EDC policy to provide only the following:

- a. dates of employment; and
- b. last job title

In general, EDC policy is not to furnish any other information about work performance or employment, unless the employee specifically directs it to do so and signs a release prepared by the EDC which authorizes it to do so. If an employee does not authorize the EDC to furnish any additional information, it will advise the requesting person or entity that, absent a release, EDC's policy is to provide only the information set out in a-b above.

17. TERMINATION

Resignation

Any employee of the EDC may resign by submitting a letter of resignation to the Executive Director or, in the case of the Executive Director, the Board of Directors at least ten working days prior to the effective date of the resignation.

At the time of the effective date of the resignation, the employee shall be able to use any accrued annual leave or the employee shall be paid for all unused accrued annual leave. If the employee has used all annual leave due prior to resignation, all hours used in excess of those earned shall be deducted from the employee's final paycheck at the rate of salary paid at the time of resignation. No employee shall be compensated for any unused sick leave at the time of resignation.

Other Discharges

Discipline and/or discharge may result for many reasons, including, but not limited to, inappropriate behavior and/or unsatisfactory performance.

Inappropriate behavior is defined as including, but not limited to, misbehavior on the job, refusal to do work as reasonably expected, wrongful use of or taking of EDC property, conviction of a felony, and violation of any policies or practices of the EDC.

Unsatisfactory performance means failure of an employee to meet performance standards, to complete tasks in a timely, competent way, or to maintain an adequate attendance record. Uncooperative behavior or negative attitudes that affect the work or morale of others may result in termination. At the discretion of the Executive Director, any staff member facing termination for unsatisfactory performance may be given the option to resign as described in the above section under "Resignation."

Layoffs

The EDC attempts to hire highly qualified staff with broad capabilities. There may be occasions, however (due to program changes, loss of contract support, etc), when it may be necessary to initiate lay-offs. In such cases, it is the intent of the EDC to attempt to avoid abrupt, arbitrary, and unfair actions whenever possible.

18. WORK PRODUCTS AND FILES

All supplies, materials, and work products of an employee if purchased by the EDC shall remain the property of the EDC after resignation, discharge, or layoff of that employee. The employee may retain any personal files, but work files and other papers shall remain with the EDC.

Employee Acknowledgement

I acknowledge that I have read and understood the policies outlined in this copy of EDC'S Personnel Policy Guidelines. I understand that these policies provide only a general reference and are not a full statement of EDC's procedure nor are they a contract. I will update these policies as I am provided with new materials, and I will return my copy of the Personnel Policies to EDC upon termination of my employment.

Employee signature _____ Date _____