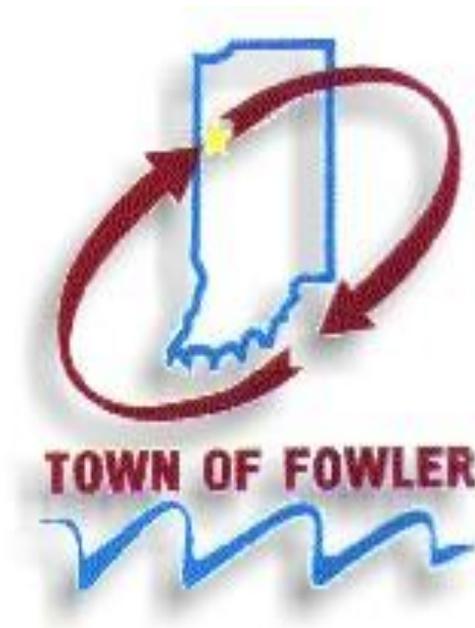


Town of Fowler

Employee Handbook



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EMPLOYMENT POLICY STATEMENTS

- **At Will Employment**

This employee handbook does not constitute a contract for employment between the Town of Fowler and its employees. Employees of the Town of Fowler are considered "at-will", and therefore, either the employee or the Town of Fowler may terminate the employment relationship at any time with or without cause or notice. No person has authority to enter into any agreement for employment for any specified period of time without prior Fowler Town Council approval. The Town of Fowler reserves the right to modify the provisions of this handbook at any time.

- **Equal Opportunity Employer**

It is a fundamental policy of the Town of Fowler not to discriminate on the basis of race, color, religion, sex, national origin, age, handicap or disability, veteran's status, or military status with respect to recruitment, hiring, training, promotion and other terms and conditions of employment.

It is the policy of the Town of Fowler to base employment decisions solely upon an individual's qualifications and abilities relating to the requirements of the position for which the individual is being considered. It is also the policy of the Town of Fowler to recruit, hire, and promote the best qualified persons for all jobs without regard to race, color, religion, sex, national origin, age, handicap or disability, or veteran's status.

It is the policy of the Town of Fowler to ensure that all personnel actions such as compensation, benefits, transfers, layoffs, town-sponsored training, promotions, terminations and disciplinary actions are applied equally.

- **Duration of Employment**

The Town of Fowler does not require employees to commit to employment for any specific duration, and the Town of Fowler does not commit to employees that their employment will last for any specific duration. Consequently, all employment by the town is considered at will. This means that the Town of Fowler may terminate your employment at any time for any lawful reason and likewise you are free to resign your employment at any time.

If your employment is terminated because of economic conditions, lost business or other circumstances beyond the Town of Fowler control, the Town of Fowler will provide you with a minimum of two weeks advance notice or severance pay.

The Town of Fowler requests that employees give a two-week notice of resignation.

Upon termination, you will be paid all earned wages by your next regularly scheduled payday. Within 30 days of termination of employment, you will be advised if unused vacation at your base rate and accrued unused sick time at your base rate will be paid. The Fowler Town Council must approve payment of the unused vacation or sick time.

EMPLOYEE RELATIONS

- **Policy Prohibiting Harassment**

It is the policy of the Town of Fowler to prohibit any form of sexual harassment. Improper interference with the ability of employees to perform their expected job duties will not be tolerated and should be reported to the appropriate supervisory personnel.

Under federal law and regulations, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute unlawful sexual harassment when either; (1) submission to such conduct is or becomes a term or condition of an individual's employment or is used as a basis for employment decisions relating in any way to that individual; (2) such conduct substantially interferes with an individual's work performance; or (3) such conduct creates an intimidating, hostile, or offensive working environment.

Other forms of unlawful harassment are also prohibited by this policy. Such harassment may include harassment based upon a person's race, national origin, religion, age or disability. Such forms of harassment may be reported pursuant to this policy.

Any employee found to have engaged in such conduct, or who condones such action, will be subject to appropriate disciplinary action up to and including termination of employment. An employee may also be subject to individual liability and penalties as a harasser.

- **Requests for Reasonable Accommodation
Based Upon a Physical or Mental Impairment**

If you require an accommodation due to a serious physical or mental impairment, please contact your supervisor. The Town of Fowler will work with you to help assess whether your impairment can be reasonably accommodated, taking into account the Town's business needs, resources, your job description, and other relevant factors.

The goal is try to identify a reasonable accommodation that will enable you to perform the essential functions of your job or that of an available, vacant position in which you qualify without imposing an undue hardship on the Town of Fowler. Therefore, the Town of Fowler may ask for additional, supporting medical information or documentation from your health care provider in order to assess an accommodation request.

Based Upon Sincerely Held Religious Beliefs

If you require an accommodation for a sincerely held religious practice, please contact your supervisor. The Town of Fowler will work with you to help assess whether your request can be reasonably accommodated, taking into account the Town of Fowler's business needs, resources, your job description, and the other relevant factors. If the request imposes an undue hardship on the Town of Fowler, the request for accommodation may not be provided.

Cooperation

Regardless of whether your accommodation request is based upon an impairment or religious practice, you have an obligation to assist the Town of Fowler in assessing the reasonableness of your request. Failure to provide requested information or documents requested by the Town of Fowler in order to assess your request may lead to your request for an accommodation being delayed or denied.

- **Complaint Procedure**

If you experience any job-related harassment or have a related complaint, you should promptly report the matter to your supervisor or your Town of Fowler Council Liaison if the situation warrants. The Town of Fowler will undertake an investigation ensuring confidentiality to the greatest possible extent.

The Town of Fowler expressly prohibits any form of retaliatory action against any employee availing themselves of the benefits of this procedure. Retaliation is a violation of this policy and may result in discipline, up to and including termination. No employee will be discriminated against, or discharged, because of a good faith bringing or assisting in the investigation of sexual or other unlawful harassment.

- **Open Door Policy**

Misunderstandings or conflicts can arise in any organization. If you have a question or a complaint or are bothered by a job-related situation, you should first speak with your immediate department head. This is usually the best way to seek resolution of problems and is a matter of professional courtesy.

Should your concern not be satisfactorily addressed or be one that you would rather not discuss with your immediate supervisor or within your own department, you should contact your department liaison. They will advise and counsel you on a wide range of issues, and are responsible for investigating all grievances brought to the Town of Fowler's attention.

- **Personnel Information and Confidentiality**

The Town of Fowler recognizes and respects the information contained in employee records. Certain information about you as a member of the organization is essential for the clerk's office that affect payroll. Your family status, home address and telephone number must be correct and current. Be sure to tell the clerk treasurer's office whenever this information changes.

In response to valid requests to verify employment, for business references, or for credit purposes, the company will release employment status, i.e., active or inactive, job title, and dates of employment. Additional information regarding employment will be released upon written authorization from the employee. Additional information may also be released pursuant to subpoena or other legal obligation.

You may, in the course of your work, have access to information about the Town of Fowler or other employees which is confidential. This information is not to be revealed to anyone **OUTSIDE OF YOUR IMMEDIATE DEPARTMENT**, other than in the normal course of conducting your duties and responsibilities. Disclosure of such information is prohibited and could result in disciplinary action, up to and including termination of employment.

- **Promotions/Career Advancement**

When evaluating you for promotion, a number of factors including job performance, job related qualifications, educational background, flexibility, and experience with the town and our needs are considered.

- **Training and Assistance**

The Town of Fowler provides employees with job training and orientation suited to each job. Your supervisor will evaluate your job performance and provide feedback, if warranted. If you feel that you do not have the skills or training needed to perform your required duties, inform your supervisor immediately.

The Town of Fowler occasionally conducts programs designed to provide new skills or enhance existing skills. These programs may be provided for management, and for individuals who consistently demonstrate a leadership capacity in the workplace and express an interest in career advancement. Inform your supervisor if you are interested in learning new skills or want to enhance existing skills; your supervisor will be able to discuss qualifications for, and the availability of skill/knowledge enhancement training for your job.

- **Employment of Relatives**

The Town of Fowler recognizes that both positive and negative consequences exist when hiring members of the same family. It is our philosophy that the hiring of family members should not be an automatic “yes” or “no” situation but rather a decision guided by a number of job-related factors and circumstances. Factors that will be considered include: whether there will be direct reporting to a family member; working in the same department; reporting to the same supervisor; uniqueness of and/or the Town of Fowler’s need for the individuals skills; and meeting the job requirements.

To ensure that these and other important factors are considered, any supervisor or manager who wishes to hire a person related to a current employee, must obtain the written approval of the Fowler Town Council prior to a job offer being discussed or made with that individual.

The Town of Fowler strictly prohibits the employment of immediate family members (including spouses, siblings, parents, children, in-laws) whenever they would be reporting directly to another immediate family member. If the familial relationship is established through marriage after employment, the town will attempt to find a comparable alternative position for the affected employees. If no alternative position is available, the Fowler Town Council will ask the employees to decide among themselves which one will resign. If the employees can’t decide, then the Fowler Town Council will choose for them.

- **Full-Time New Hires**

Any new employee will be considered as a probationary employee for sixty (60) calendar days, unless otherwise established by your supervisor. After completion of the probationary period, upon recommendation of superintendent, liaison and council, said employee will be eligible for any town benefits provided.

The Workplace

- **Safety & Security**

It is important to follow all safety and security measures prescribed by the Town of Fowler. You are required to immediately notify your supervisor of any injuries that occur on the job. If your supervisor is unavailable at the time of the injury, you must contact the clerk-treasurer’s office. You should be aware of all emergency exits and the location of any emergency equipment in your office and who will be in charge in case of a fire or other disaster.

- **Work Area**

A neat and orderly work area makes for a more pleasant, productive, and safe place to work. You are expected to keep your surroundings clean and presentable as a courtesy to fellow employees and customers who may personally visit the facility.

- **Substance Abuse and Drug Free Workplace**

All employees are required to report to work free of alcohol, drugs, or the misuse of any medication. The Town of Fowler expects all of its employees to adhere to this policy to better the overall safety, health, productivity and welfare of our workforce and the citizens that we serve. Employees are expected to cooperate in the Town of Fowler's efforts to maintain a drug-free/alcohol-free workplace. Employees are also expected to cooperate in any investigation of any alleged violation of this policy. Any employee who violates this policy is subject to disciplinary action, up to and including termination.

1. **Statement of Policy:** Employees who are under the influence of drugs or alcohol in the workplace pose a safety risk to everyone around them. Such impaired employees are prone to accidents and tend to be absent from work more often. They also tend to be less reliable and less productive than unimpaired employees. Simply put, substance abuse interferes with a safe and productive workplace. The Town of Fowler wants to protect employees, citizens, suppliers and the public from accident, injury or property damage by avoiding incidents caused by employees who are unable to safely perform assigned duties because of problems associated with substance abuse.
2. **Drug and Alcohol Testing:** Effective immediately, as a condition of employment, all employees are subject to drug and alcohol testing under the following circumstances:
 - a) **Reasonable Cause:** An employee must submit to testing upon reasonable suspicion that he/she is under the influence of drugs or alcohol during the workday. Such testing will be done at the Town of Fowler's designated fully accredited testing facility for an assessment of the employee's "ability to work."
 - b) **Post-Accident:** Accidents occurring during any work activity shall be promptly reported to your superintendent and/or member of the Fowler Town Council. If an employee is involved in a reportable accident (resulting in serious damage to the Town of Fowler's property or other's property, injury to the employee or others, requiring medical treatment, or other incidents giving rise to reasonable suspicion that an employee is under the influence of drugs or alcohol, he/she will be asked to submit to drug and alcohol testing as soon as possible but no later than thirty-two (32) hours after the accident. Any employee who, because of serious injury, cannot voluntarily submit to testing will be regarded as having consented to appropriate testing to determine whether there were any drugs or alcohol in his/her system at the time of the accident. The selection of the specific tests will be at the sole discretion of the Town of Fowler's designated fully accredited testing facility.
3. **Reporting Use of Prescription Drugs:** It is expected that, when taking over-the-counter or prescribed medicine, employees will establish safe levels that will not alter their physical or mental ability to safely perform the job. To the extent that the use or influence of any legally obtained drug may impair performance, employees who use or are under the influence of such a drug while performing work for the Town of Fowler are in violation of this policy. It is the employee's responsibility, if he/she believes that the use of a legally obtained drug fall within this prohibition to immediately notify their superintendent of the concerns. An employee shall report the concern prior to starting work or as soon as the condition becomes known. The superintendent will then determine whether the employee may continue to work, take a leave of absence, or other appropriate action.

4. Prohibited Conduct: The following conduct is prohibited:
 - a) Use, possession, distribution or sale of alcohol, illegal drugs, drug paraphernalia or the unauthorized use, abuse, possession, distribution or sale of prescription drugs on the Town of Fowler grounds or adjacent property, in the Town of Fowler's supplied vehicles, while at any business associate or citizens of the Town of Fowler or anywhere during the workday, including breaks and lunch, with the limited exception of the use of alcohol at a Town of Fowler sponsored or sanctioned special event.
 - b) Being impaired during the workday, including breaks and lunch, as a result of using, on the job or off the job, alcohol, an illegal drug, a controlled substance or abuse of prescription drugs.
 - c) Storing in a locker, desk or other places on the Town of Fowler's property or grounds, including an employee's personal vehicle, any illegal drug, drug paraphernalia, or alcohol, as well as controlled substance whose use is unauthorized.
 - d) Refusing to provide a urine, blood or breath sample for testing when required. Such refusal will be treated as a positive result.
5. Consequences of Policy Violations. Employees found to be in violation of this policy are subject to discipline, up to and including discharge.
6. Recognition and Treatment. Early recognition and treatment of drug and/or alcohol abuse is important for successful rehabilitation. The Town of Fowler encourages the earliest possible diagnosis and treatment for substance abuse. Employees are urged to seek treatment voluntarily for substance abuse problems. The decision to seek diagnosis and accept treatment is the individual employee's responsibility, not the responsibility of the Town of Fowler. An Employee's decision to seek diagnosis and treatment will not be used as a basis for disciplinary action as long as the employee voluntarily comes forward before being detected or selected for testing. If an employee voluntarily comes forward, he/she will be considered for a personal leave of absence to attend a recognized program of counseling for treatment.

- **Inspection of Company Facilities and Vehicles**

To safeguard the workplace and employees, and to assure efficiency and maximize productivity, your superintendent or Fowler Town Council member reserves the right, in its sole discretion and without notice to employees, to inspect, monitor or otherwise enter or search any Town of Fowler vehicle, and office, desk, file, locker, closet or any other enclosed or open area in the Town of Fowler's facilities and town jobsites and to monitor or inspect any items found within such locations.

The Town of Fowler accepts no responsibility for personal property that may be in Town of Fowler vehicles, brought to or stored in town facilities, and such property may be inspected or monitored in the ordinary course of conducting business. Accordingly, you should not keep or maintain any personal property or information in Town of Fowler vehicles or Town of Fowler facilities that you expect to be kept private and confidential. All Town of Fowler offices, desk, paper files, electronic/computer files, closets, vehicles and so forth, are the property of the Town of Fowler and the town reserves the right to inspect these and any packages, parcels, handbags, briefcases, or other possessions or articles carried to and from the Town of Fowler facilities and town job sites with supervisor present. All police vehicles, storage areas, safes, files (computer and paper) or any area where evidence or weapons may be stored are exempt from inspection unless approved in advance by the Chief of Police and he/she must be present during the inspection.

- **Personal Use Town of Fowler Property, Buildings or Equipment During Work Hours**

During your scheduled shift with the Town of Fowler, it is prohibited to be performing maintenance or upkeep on any item not owned by the Town of Fowler. Abuse of this policy may lead to disciplinary action, up to and including termination.

- **Workplace Violence**

Making threats, engaging in threatening behavior and acts of violence against other employees, visitors, guests, or other individuals by anyone on Town of Fowler property are violations of town policy.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on property owned by the Town of Fowler may be removed from the premises. Appropriate remedial actions may be taken, which may include an investigation of the incident and possible disciplinary action. Possible disciplinary actions may include, but are not limited to, suspension or termination of employment, and/or seeking the arrest, prosecution, and/or a temporary restraining order against the person or persons involved.

- **Image/Dress Code**

The properly groomed and attired employee helps to create a favorable image for the Town of Fowler. You are expected to groom and dress in a manner that is normally acceptable at your job site and for your position. Uniforms will be provided at the expense of the Town of Fowler for the Sewer, Street, Water and Police departments. If you report to work improperly dressed or groomed, your superintendent, at his or her discretion, may instruct you to return home to change clothes or may take other appropriate action.

TIMEKEEPING & PAY

- **Employee Types**

1. Hourly – Employee who is compensated for the number of hours worked.
2. Part Time – Employee whose workweek averages less than 34 hours or is considered seasonal or temporary.
3. Full Time – Administrative Employees who have been hired to work an average of at least 35 hours for a continuous period of time. Water, Sewer, Motor Vehicle Highway and Police employees who have been hired to work an average of at least 40 hours for a continuous period of time.
4. Salary – Salary employees normally work an amount of time equaling or exceeding 40 hours in a standard payroll workweek and receive the same salary regardless of the number hours worked in the workweek. Salary employees are generally exempt from the federal overtime pay requirements.
5. Temporary – A temporary employee may work either a full or part-time schedule but is hired for a specific project, department or for a finite period of time and do not receive any benefits. Their pay will be based on an hourly rate.
6. Seasonal Part Time – a seasonal part-time employee works in a job for a specified amount of time (normally in the spring/summer) and is not eligible for Town of Fowler benefits. Seasonal Part Time employee may work no more than 34 hours per week, unless approved by your immediate supervisor. This includes but is not limited to; Pool Manager, Life Guards and Park Maintenance. Their pay will be based on an hourly rate.

- **Workweeks and Shifts**

Workweeks are widely different and are determined by job assignment, citizen issues and the needs of the Town of Fowler. New employees will be aware of their expected work schedule prior to assignment. The typical work day varies per department. At the discretion of your supervisor, the hours and days worked may be modified to accommodate Town of Fowler needs. Seasonal employee hours will be at the direction of the supervisor.

- **Timekeeping**

To receive compensation for time worked on the normal town payday schedule, employees must clock in and out using a Town of Fowler issued timecard. Employees are not permitted to complete a timecard for one another. A timecard must be presented weekly by all Town of Fowler employees, including but not limited to, supervisors, full-time, part time, temporary and salaried employees. There is no exception to this rule and this rule applies to all departments within the Town of Fowler except elected officials. Department supervisors/superintendents must review and sign all of their employee's timecards prior to submitting them for payment. Failure to submit a timecard signed by your supervisor/superintendent will result in a delay of payment.

- **Meal and Rest Periods**

See your supervisor/superintendent to find out if your job assignment includes scheduled break/lunch periods

1. Lunch and break periods may not be accrued for overtime or personal time.
2. The scheduled workday may not be altered by not taking designated breaks and lunches unless pre-approved by your supervisor.

- **Working Overtime**

It is not our policy to require overtime, but occasionally this cannot be avoided. In such instances, an employee may be asked to work after their regularly scheduled shift.

Sewer, Water and Street overtime is defined as hours worked in excess of 8 hours per day based on a Monday through Friday work week. Time worked on a Saturday, Sunday or holiday is automatic overtime.

1. Overtime wage is one and one-half (1½) times an employee's regular rate.
2. Fifteen minute call outs will be paid at one-half (½) hour overtime rate.
3. Employees are only allowed to work overtime if so requested, or approved by a supervisor.

Police and Clerk employees are eligible for overtime pay after they have accumulated more than forty (40) hours in a given pay period.

4. Overtime wage is one and one-half (1½) times an employee's regular rate.
5. Fifteen minute call outs will be paid at one-half (½) hour overtime rate.
6. Employees are only allowed to work overtime if so requested, or approved by a supervisor.

- **Drive Time**

Drive time is paid when an employee is required to drive from one job related location/site to another during a normally scheduled shift. During this period if an employee stops for lunch or other personal business they must deduct this time from their drive time as this is considered non town related business and will not be paid. Drive time to a seminar or other educational training for the town is not paid.

- **Raises**

The Fowler Town Council will set the Salary Ordinance yearly. Raises are determined by the supervisor/superintendent according to job performance. Employees are not guaranteed the same raise as other employees in the same classification. Job reviews may or may not be given by your superintendent/supervisor.

- **Pay**

1. Pay periods begin **Thursday** and end the following **Wednesday**.
2. Pay will be distributed to the employee no later than the following Friday, unless it is a holiday. The deadline for pay will be the first business day following the holiday.
3. All timecards will be approved and signed by the superintendent/supervisor prior to payment.
4. Employees are required to have their pay direct deposited through secure ACH deposit into their checking or savings account. The appropriate forms will need to be completed prior to the first pay. The employee will receive a pay stub/report with each pay. Any bank is approved for deposit at no charge to the employee.
5. It is the employee's responsibility to monitor your check stub to verify that the hours and deductions are correct. If any errors are detected, you are to report them to the clerk-treasurer's office immediately. Corrections will be made appropriately.

EMPLOYEE CONDUCT

- **Performance/Job Requirements and Evaluations**

We work closely with all employees to help them perform to the best of their abilities. The frequency and method of performance evaluation varies, depending on your position. Your supervisor/superintendent will be able to discuss the means by which your job performance will be evaluated.

- **Discipline/Termination**

As an employee, it is important for you to know what personal conduct is expected of you while on the job. In most instances, your own good judgment will tell you what the right thing to do is.

If your performance does not meet position requirements, you may be subject to disciplinary action, up to and including termination, with or without notice. Violations of any Town of Fowler policy may subject you to disciplinary action, up to and including immediate termination. All decisions regarding disciplinary action will be at the sole discretion of your supervisor/superintendent and/or The Fowler Town Council. The Town of Fowler reserves the right to implement discipline in accordance with the seriousness of the violation.

The following is a non-exhaustive list of examples of conduct prohibited by the Town of Fowler's policy:

1. Theft, fraud, embezzlement or other acts of dishonesty.
2. Any harassment of another employee or non-employee (verbal, physical, or visual), including sexual harassment such as offensive gestures, unwelcome advances, jokes, touching, or comments of a sexual nature made to or about another employee, vendor or customer.
3. Obtaining employment or promotion on the basis of false or misleading information.
4. Soliciting or accepting gifts (money, services or merchandise) in connection with Town of Fowler business.
5. Reporting for work under the influence of alcohol or any illegal substance; or possession, sale or distribution of alcohol or any illegal substance while on Town of

- Fowler premises; or abusing such items while representing the Town of Fowler or conducting Town of Fowler business.
6. Engaging in unauthorized employment elsewhere while on paid leave related to illness, or while on an extended leave of absence.
 7. Committing or assisting anyone whom you know or suspect to be involved in any crime or engaging in any conduct which rises to the level of a crime.
 8. Falsifying town documents or records, including misuse of timekeeping records, falsely inputting payment data and repeatedly failing to use timecards as directed.
 9. Insubordination, meaning refusing to follow legitimate instructions of a superior related to performance of one's job.
 10. Disrupting the work environment.
 11. Excessive absenteeism and tardiness or unacceptable patterns of absenteeism.
 12. Job abandonment, meaning the failure to report to work without properly notifying one's immediate supervisor, or leaving a job assignment prior to completion of your responsibilities.
 13. Unauthorized use of the town supplies, vehicles, information, equipment, funds or computer codes/passwords.
 14. Knowing mishandling a customer's or potential customer's account. This includes improper discriminatory practices.
 15. Refusing to repay documented overpayment of any compensation.
 16. Unlawful or unauthorized possession of firearms or weapons while on Town of Fowler premises or while on Town of Fowler business.
 17. Threatening the personal safety of fellow employees, customers or vendors.
 18. Working overtime without the approval of a supervisor/superintendent.
 19. Failing to meet job responsibilities, job budget or quality requirements.
 20. Suspension for more than six (6) months or irretrievable driver's license.

- **Conflicts of Interest**

A conflict of interest occurs when the employee's loyalties or actions are split between the interest of the Town of Fowler and those of a supplier. To avoid any possible conflicts of interest, it is your responsibility to immediately report any offers of gifts, loans, misuse of Town of Fowler funds, kickbacks, rebates or refunds that come to your knowledge through your position as an employee of the Town of Fowler. Employees unsure as to whether a certain relationship or activity constitutes a conflict of interest should discuss the matter with their immediate supervisor for clarification.

Employees must fully disclose any conflicts to your supervisor in writing. Failure to adhere to this guideline may result in discipline up to and including termination.

- **Use of Town of Fowler or Citizen Property**

The security of Town of Fowler property is of vital importance. Town of Fowler property includes not only tangible property, like vehicles, desks, cell phones and computers, but also intangible property such as proprietary and confidential information. All employees share responsibility to ensure that proper security is maintained at all times. Employees may not use Town of Fowler property, funds, information or equipment unless authorized to do so.

Proprietary information includes all information relating in any manner to the business of the Town of Fowler and its affiliates, consultants, customers, clients and business associates produced or obtained by Town of Fowler employees during the course of their work. This manual, for example, contains proprietary information. All proprietary information that is not known generally to the public or the industry, or is known only through improper means, is confidential information. Customer lists, customer files, personnel files, computer records, financial and marketing data, compensation information, process descriptions, research plans, formulas, electronic codes, computer programs, and trade secrets are examples of confidential information.

Given the nature of the Town of Fowler's business, protecting proprietary and confidential information is of vital concern. This information is one of the Town of Fowler's most important assets. It enhances the Town of Fowler's opportunities for future growth, and indirectly adds to the job security of all employees.

Employees must not use or disclose any proprietary or confidential information that they produce or obtain during employment with the Town of Fowler, except to the extent such use or disclosure is required by their jobs. This obligation remains even after an individual's employment relationship with the Town of Fowler ends.

On termination of employment, whether voluntary or involuntary, all Town of Fowler documents, computer records and other tangible Town of Fowler property in the employee's possession or control must be returned to the Town of Fowler.

- **Use of Town Issued Cell Phone**

Dependent upon your job, you may be issued a Town of Fowler owned cell phone. The primary use of this phone is to be for Town of Fowler related business. While it is understood that this phone may be used for personal needs as well, it is the employee's responsibility to keep this to a minimum. If for some reason you exceed your allotted number of minutes and it can be proven that the overage was not due to Town of Fowler related issues, you will be required to reimburse the Town of Fowler for the overage. Full Time police officers will receive a monthly stipend of \$40.00 that will be issued the first pay period of each month through payroll. It is each officer's responsibility to maintain this phone at all times. If service is discontinued for any reason the monthly stipend will immediately cease. Stipend amount will end immediately upon termination of employment. This stipend was approved in the November 7, 2011 meeting minutes and will include the months of November and December 2011. The Building Commissioner will also be allowed a monthly stipend of \$40.00 that will be paid the first pay of the following month of service.

- **Use of Town owned Vehicles and Property**

Dependent upon your job, you may be required to operate and/or maintain town owned equipment and property including, but not limited to, vehicles and other motorized items. It is your responsibility to maintain a mileage/maintenance log for each item utilized. Mileage must be noted any time a vehicle or motorized item is filled up with fuel and any maintenance performed noted. If a vehicle is being utilized to attend a seminar or being used outside of normal daily requirements mileage to and from must be noted. The use of town vehicles and property is limited to Town of Fowler employees and outside individuals are not permitted to be utilizing items owned by the Town Fowler. In addition, individuals not employed by the Town of Fowler are not permitted to ride in town owned vehicles. If for any reason a non employee must ride in or operate a town owned vehicle a Waiver of Responsibility must be completed and submitted to the Fowler Town Council **PRIOR** to the event for approval.

- **Relationships with Other Employees**

The Town of Fowler seeks to foster and maintain a productive and healthy working environment. This can only be accomplished through the cooperation of our employees. Employees should treat each other with mutual respect. If you or any other employee is treated with disrespect, it should be reported to your supervisor or the Fowler Town Council.

TIME OFF BENEFITS/ABSENCES

- **Family Care and Medical Leave**

1. The FMLA requires the Town of Fowler to grant eligible employees unpaid time off from work for certain medical and family purposes as defined by the FMLA. An eligible employee is one who has been employed by the Town of Fowler at least 12 months and worked a minimum of 1,250 hours of service during the 12 months prior to the leave of absence.
2. An FMLA absence of up to 12 weeks within a 12 month period may be taken for the following reasons:
 - a) An employee's own serious health condition that renders the employee unable to perform his or her job. A "serious health condition" is one which requires inpatient care at a hospital or a residential medical care facility or is a condition which requires continuing care by a licensed health care provider.
 - b) To care for a parent, spouse or child with a serious health condition. "Child" includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental physical disability.
 - c) A newborn child or newly-placed adopted or foster child.
3. Because of any "qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.
4. An FMLA leave of up to 26 weeks within a single 12 month period may be taken by an eligible employee who is the spouse, parent, child, or next of kin of a covered service member who recovering from a serious illness or injury sustained while in the line of duty on active duty.
 - a) "Next of kin", with respect to a covered service member, means the nearest blood relative of that individual.
 - b) "Covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness.
 - c) The term "serious injury or illness", in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.
 - d) Twenty-six workweeks is the maximum amount of FMLA leave in a single twelve month period and cannot be combined with an additional twelve weeks for other FMLA reasons.
5. Spouses who are both employed by the Town of Fowler are jointly entitled to a combined leave total of 12 weeks rather than 12 weeks each for the birth of a child or upon the placement of a child with the employee for adoption or foster care.

6. The Town of Fowler will require an application for leave based on the serious health condition of the employee or the employee's family member to be accompanied by a medical certification statement completed by a health care provider. The certification must state the date on which the health condition commenced. The probable duration of the condition, and the appropriate medical facts regarding the condition. The certification must specify if the leave is to care for a family member, along with an estimate of the amount of time the employee will need. If the employee has a serious health condition, the certification must state whether or not the employee can perform the essential functions of their job. The certification must be timely returned to the Town of Fowler within 15 days after notice that the certification is required.
7. In order to determine the amount of FMLA leave an employee is entitled, the Town of Fowler uses a rolling 12 month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the Town of Fowler will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.
8. Any absence of three or more days for a reason covered under FMLA will normally be designated as FMLA Time, retroactive to the first day of the absence.
9. Where the need for FMLA leave is foreseeable, as for planned medical treatments, the Town of Fowler should be notified thirty days in advance or as soon as the employee knows that he or she will miss work. Where the need for FMLA is unforeseeable, the Town of Fowler should be notified as soon as practicable. Failure to comply with any of the notice or medical certification requirements of this policy may result in delay or forfeiture of FMLA rights.
10. FMLA time off is unpaid.
 - a) Employees will be required to exhaust all applicable time-off benefits available while on FMLA leave.
 - b) The use of paid time-off benefits while on FMLA leave does not extend the FMLA entitlement, but merely provides a way for the employee to receive pay while on FMLA covered leave when the employee has paid-time off benefits available.
11. If a serious medical condition requires an employee to take FMLA time intermittently or to work on a reduced schedule to care for him/herself, a parent, a spouse, or a child, such leave may be requested. A Medical Certification form is required stating the necessity for this type of absence.
12. Should an intermittent leave or reduced work schedule become necessary, the Town of Fowler may require you to transfer temporarily to another job (with equivalent pay and benefits) or to a part-time position for the duration of the leave, which better accommodates this type of scheduling and the Town of Fowler's operational needs.
13. The Town of Fowler, at its discretion, may require other medical opinions, as well as medical certifications prior to or during any absence. The Town of Fowler may also require an employee undergo fitness-for-duty examination prior to an employee's return from leave.
14. Any employee covered by the Town of Fowler's insurance plans who is currently paying for any portion of insurance coverage must continue to make such insurance payments during any period of unpaid leave of absence; failure to make such payments may result in termination of the employee's insurance coverage.

15. In the event that the employee elects not to return to work upon completion of an approved FMLA leave, in some instances, the Town of Fowler may recover from the employee the cost of any payments made by the Town of Fowler to maintain the employee's health coverage.
16. In the event that all 12-weeks (in a 12 month period) are exhausted, your employment with the Town of Fowler may be terminated.

- **Personal Leave of Absence**

In special cases where it becomes necessary for an employee to take a leave of absence that is not covered by family care and medical leave or other leave entitlements, the employee may request a personal leave of absence. Requests for personal leave are not automatically approved. Personal leaves of absence must be approved by your immediate supervisor and the Fowler Town Council. If the leave is granted, the employee will be required to use all applicable time-off benefits during the requested period of leave. If all applicable time-off benefits are exhausted during the leave, the remainder of the leave may be unpaid.

- **Military Leaves of Absence**

Employees who are members of any branch of the military (including Army, Navy, Marine Corps, Air Force, Coast Guard, Reserves, and the National Guard) or state organized militia are eligible for military leave for active duty for training, inactive duty training, full-time National Guard duty, or absence to determine the employee's fitness to serve in the Armed Forces.

Employees must provide advance written or verbal notice to his or her immediate supervisor that the employee will be leaving the job for military service or training. Notice may also be provided by an appropriate officer of the uniformed service in which military service is performed. Employees will be granted leave as required to fulfill their military obligations. In general, military leave shall be limited to a cumulative period of five (5) years, which may be extended as required by law.

Employees on leave for military service are eligible for continued coverage for themselves and their dependents under the Town of Fowler health plan for up to 18 months. This continuation coverage will be discontinued if the employee fails to apply for or return to employment. The employee must pay the premiums for this coverage if the employee chooses to continue coverage under the Town of Fowler group health plan while on military leave.

If the employee is in military service for less than 31 days, the employee is only required to pay the same employee share of the premium that he or she paid as an active employee. If the employee is in military service for more than 31 days, the employee is only required to pay the same employee share of the premium that he or she paid as an active employee. If the employee is in military service for more than 31 days, the employee must pay 102 percent of the full premium under the plan, the same premium the employee would pay for COBRA coverage.

An employee who is absent for military service is entitled to those benefits, not based on seniority, which are provided to other Town of Fowler employees on leave of absence with similar seniority, status and pay.

Employees must pay the employee cost of benefits provided while the employee is on military leave to the same extent that other employees on furlough or leave of absence are required to pay. Employees who fail to pay the employee cost do not have to be provided with benefits.

The Town of Fowler will restore an employee who returns from military leave to the position the employee would have attained if continuously employed or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; provided the employee receives a satisfactory discharge and returns to or reapplies for work within the time period required by law.

For periods of military leave of less than 31 days, the employee must report for work at the beginning of the first full regularly scheduled shift on the first full calendar day following the employee's completion of military service and expiration of time for safe transportation back to his or her residence plus eight hours.

If the period of military service is more than 30 days but less than 181 days, the employee must submit an application for reemployment no later than 14 days following completion of military service.

If the period of military service was for more than 180 days, the employee must submit an application for reemployment not later than 90 days after the completion of military service.

All of the above limits must be extended by a period of up to two years if an employee is hospitalized or convalescing from an illness or injury incurred in, or aggravated during, the performance of military services.

An employee is entitled to the seniority and other benefits determined by seniority that the employee would have attained had he or she remained continuously employed upon reemployment.

- **Workers' Compensation Leave of Absence**

Workers' Compensation Insurance protects you in the event of injury or illness resulting directly from work. When a claim is approved, this insurance generally covers most medical bills and provides a statutory benefit payment. Any benefit a full-time employee received from Workers' Compensation Insurance must be forfeited to the Town of Fowler, as you will receive your normal hourly rate of pay based on a 40 hour week for each week that you are on approved Workers' Compensation Leave of Absence. Part-time employees will receive the statutory benefit payment that is approved by the Workers' Compensation Insurance. You must notify your supervisor and the Clerk-Treasurer's office immediately if you are injured on the job. If you are injured during a time when your supervisor is not available or the clerk-Treasurer's office is closed, you must make the effort to contact your supervisor or the clerk-treasurer at home. Accident reports must be completed within 24 hours of the injury. Failure to submit an accident report within the time allotted may result in the claim being denied.

- **Insurance Coverage While on Leave**

Any employee covered by the Town of Fowler insurance plans who is currently paying for any insurance coverage may be required to continue to make such insurance payments during any leave of absence under this policy. Failure to make such payments may result in termination of the employee's coverage. In the event that the employee elects not to return to work upon completion of an approved leave of absence, in some instances the Town of Fowler may recover from the employee the cost of payments made to maintain the employee's health coverage during the leave.

FULL-TIME EMPLOYEE GENERAL BENEFITS

- **Health Insurance Benefit**

The Town of Fowler will offer health insurance to employees at the expense of the Town of Fowler. Coverage for Spouse and Children will have 50% of the premium paid by the Town of Fowler and 50% of the premium paid by the employee. Health insurance coverage will be offered after a period of sixty (60) days employment, unless otherwise stated by your supervisor/superintendent or Fowler Town Council. The Fowler Town Council will review insurance costs and have the right to change the coverage and cost on a yearly basis.

- **Dental Insurance Benefit**

Dental insurance is available to each employee but 100% of the expense is the employee's responsibility. The amount will be deducted each week from the employee's paycheck and the Town of Fowler will pay the provider monthly.

- **Vision Insurance Benefit**

Vision insurance is available to each employee but 100% of the expense is the employee's responsibility. The amount will be deducted each week from the employee's paycheck and the Town of Fowler will pay the provider monthly.

- **Life Insurance Benefit**

The Town of Fowler will offer \$25,000 worth of Life Insurance to employees at the expense of the Town of Fowler. This amount is subject to change based on insurance negotiations and may change without notice. Additional life insurance may be available from the Town of Fowler provider but will be at the expense of the employee through payroll deduction.

- **Deferred Compensation**

Deferred compensation will be deducted voluntarily from the employee's payroll check and paid directly to PEBSCO (Public Employees Benefit Services Corporation) each payroll period. The Town of Fowler will contribute 3% of the salary or gross pay for a normal work week for the employee's position and make the deposit each payroll period. The Town of Fowler's portion will be set each year and budgeted accordingly.

- **Longevity Pay (Ordinance 2001-4)**

All full time personnel will earn \$100 for each completed year of employment with the Town of Fowler. Payment will be made in the month of December. A limit on the maximum amount received will be \$2000 for twenty years or more. Elected officials are not entitled to longevity pay by law.

FULL TIME VACATION

Scheduled Time Off for Rest & Relaxation

- **Eligible Employees**

Only full time employees are eligible or as approved by your supervisor or the Fowler Town Council.

- **Compensation**

Time off is paid.

- **Documentation Required**

All vacation requests or changes to an approved schedule must be made in writing to your immediate supervisor. Requests are not all approved; see your supervisor for criteria used to approve or deny requests.

- **For Full Time Employees, Vacation will be Disbursed as follows:**

After 60 days of continuous full time employment, full time employees may use 40 hours of vacation per year. (1 through 2 years of service unless otherwise determined by the Fowler Town Council or supervisor.)

After 2 years of continuous full time employment, full time employees may use 80 hours of vacation per year. (2 through 9 years of service.)

After 10 years of continuous full time employment, full time employees may use 120 hours of vacation per year. (10 through 14 years of service.)

After 15 or more years of continuous full time employment, employees may use 160 hours of vacation per year. (This includes 15 years through retirement.)

Vacation is earned on your anniversary date and is based on the fact that a year of continuous service has been provided unless otherwise approved by your superintendent/supervisor or the Fowler Town Council. If for any reason you are required to take an un-paid leave of absence (FMLA or council approved unpaid leave of absence) that is greater than two weeks, you will be required to work that many days past your next anniversary date before paid vacation time is earned. Your anniversary date will not change for future vacation time calculation. You can request up to one week additional time off unpaid with the approval of your supervisor AND the town council if it is determined that it won't disrupt the town's business.

FULL TIME – SICK LEAVE

Sick pay may be used for a personal illness, an emergency, a disability, or for protected family care or medical leave. Eligible employees may also use sick leave to attend to an illness of a child, parent, spouse, or domestic partner of the employee.

- **Eligible Employees**

New employees with at least 60 days of continuous service or as approved by your supervisor or Fowler Town Council, will receive six days of personal time immediately.

- **Compensation**

Time off is paid.

- **Documentation Required**

The Town of Fowler retains the right to request verification from a licensed health care provider for all absences due to illness or disability. If such verification is requested, sick pay will be withheld if a satisfactory verification is not provided by the employee.

- **Notice Required**

If it becomes necessary for an employee to miss work, employees are required to notify their supervisor as soon as possible, but no later than the start of the employee's shift.

Where the need for sick leave is foreseeable, as for planned medical treatments, the Town of Fowler should be notified 30 days in advance or as soon as the employee knows that he or she will miss work. An employee or an immediate family member must report their absence.

- **For Full Time Employees**

Sick leave will be disbursed as follows:

After one year of continuous employment through retirement, employees may use 6 sick days.

Sick days are accrued up to 45 days. 360 hours for an 8 hour day and 450 hours for a 10 hour day.

FULL TIME – PERSONAL DAYS

Two days will be allotted each year to be used in 2 hour increments [2,4,6...]. These are intended for taking care of personal business during the work day.

FULL TIME – HOLIDAYS

The town observes the following holidays:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. ½ day for Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Nation, Town or County Election
10. Thanksgiving Day
11. The day after Thanksgiving Day
12. Christmas Day

The holidays are observed by all full-time employees and departments. At the discretion of the Clerk Treasurer, Fowler Town Hall may be closed additional days or alternate days than those listed above. Fowler Town Hall closing in no way effects the other departments observed holiday. Holiday pay will not be received by other departments as a result of The Fowler Town Hall being closed.

- **Eligible Employees**

Active full time employees.

- **Pay and Time Off Provisions**

Time off on a holiday is not guaranteed; employees may be required to work on a holiday.

You must have performed work on the scheduled day prior to the holiday and the scheduled day after the holiday unless a vacation day has been previously scheduled and approved.

Holiday pay is regular rate times the number of hours normally scheduled to work on the day the holiday falls.

Pay for hours worked on a holiday is time and a half. The employee will also be paid additionally for the holiday.

FULL TIME - BEREAVEMENT

Time off due to the death of an immediate family member.

- **Eligible Employees**

Full time employees with 60 days of continuous employment as approved by the superintendent and the council.

- **Full Time Compensation**

Time off is paid

- **Special Provision**

Bereavement days must be used in succession; one bereavement day must include the day of funeral.

- **Bereavement Allowances**

Up to three days off with pay, as approved by your supervisor and/or Fowler Town Council, for funeral arrangements and attendance for immediate family. If additional time off is necessary, it is recommended that the employee utilize any other benefit time that they have remaining. If an employee does not wish to utilize other benefit time, then the request for additional time must be approved by your immediate supervisor and the Fowler Town Council. This request may be granted with or without pay.

- **Bereavement Allowed for**

Spouse, parents, children, brother, sister, grandparents, spouse's parents or other relatives residing with the employee.

- **Death of Others**

There may be situations when the death of more distant relatives or close personal friends would necessitate being absent from work. Under these circumstances, a reasonable absence without pay is permitted, upon approval by your superintendent, supervisor and/or Fowler Town Council, as long as the normal operation of services for the Town of Fowler is not disrupted.

FULL TIME – TIME OFF FOR JURY OR WITNESS DUTY

- **Eligible Employees**

Full time employees with 60 days of continuous employment.

- **Full Time Compensation**

Paid time off is limited to 5 days each year. The jury duty reimbursement you receive must be forfeited to the Town of Fowler as you will receive your normal hourly rate for up to 5 days.

- **Salaried Employees Provision**

A salaried employee will not have his or her salary deducted for time spent in jury duty, unless the employee performs no work during the work week and the employee has used up all applicable paid benefits

- **Documentation Required**

Courtroom Summons and Statement of Earnings

- **Notice Required**

Within 12 hours of receiving summons.

- **Jury Duty Provisions**

Employee must report for work if excused early from jury duty.

Time off for jury duty does not negatively affect an employee's attendance record.

UNUSED TIME OFF VACATION AND PERSONAL BENEFIT

Unused vacation and personal benefit cannot be accrued into the following year without the approval of your immediate supervisor AND the Fowler Town Council.

ABSENTEEISM

The Town of Fowler places a high value on attendance. We expect and need employees to be at work on time on their scheduled workdays. Regular attendance and punctuality are important because they affect an employee's productivity and ability to meet goals, standards, and deadlines. Absent employees adversely affect the Town of Fowler's morale since co-workers must absorb the absent employee's workload in addition to their own. Consequently, the level of service we provide to our citizen's is diminished. Our policy is to address and correct attendance patterns that are counterproductive and disruptive, while tolerating normal patterns of absences caused by occasional illness, emergencies, etc.

Any employee absent for 3 consecutive days without notifying his or her supervisor/superintendent will be considered to have voluntarily resigned.

ABSENTEEISM POLICY

Employees who have suspicious patterns of absences and excessive incidents and absences may be subject to corrective action or termination.

1. Examples of a suspicious pattern of absenteeism would be frequently using sick leave benefit on Mondays, repeatedly failing to report absences prior to shift start time, or missing a day of work during the first week of employment.
2. For full time employees, "excessive" means monthly average of absent hours is equal to or greater than eight.
3. Fowler part time employees, "excessive" means monthly average of absent hours is equal to or greater than the total weekly hours scheduled divided by the total number of weekdays scheduled.

Ordinances Repealed

In the event the provisions of this Employee Handbook are in conflict with any existing Town Ordinance, the provisions contained herein shall control. Upon passage of this Ordinance, the following ordinances are repealed in their entirety:

- Ordinance 2004-1
- Ordinance 2000-4

If any Changes Made

If any changes to policies or procedures listed in this handbook are motioned and approved by the Fowler Town Council at a later date, all employees will receive a revised copy of said polices or procedure changes.

I, _____, received a copy of the Town of Fowler Handbook on _____. I understand that it is my responsibility to read the employee handbook and direct any questions to my immediate supervisor, Fowler Town Council Member or to the clerk treasurer.

Signature

Witness Signature

SMOKE FREE WORKPLACE

To protect and enhance our indoor air quality and to contribute to the health and well-being of all employees, the Town of Fowler shall be entirely smoke free effective July 1, 2013. Additionally, effective July 1, 2013, the use of all tobacco products, including chewing tobacco, is banned from the Town of Fowler workplace, except as designated in this policy.

Smoking is prohibited in all of the enclosed areas within the Town of Fowler worksites, without exception. This includes common work areas, the manufacturing facilities, classrooms, conference and meeting rooms, private offices, hallways, the lunchrooms, stairs, restrooms; employer owned or leased vehicles (including mowers, tractors and all other equipment), and all other enclosed facilities.

The only designated smoking area for The Town of Fowler is outdoors, eight foot from any building entrance. No one may smoke along any path way or walk way leading to or from the designated smoking area, nor may employees smoke at the picnic tables nor outdoors in any of the grassy areas or parking lots. Smoking urns will be provided.

Additionally, employees may smoke in their personal vehicles, but the smoke and tobacco products must be completely contained within the vehicle. It is not acceptable that either smoking or non-smoking employees are subjected to smoke that they must walk through to reach their vehicle or any other destination on the Town of Fowler premises.

While the Town of Fowler makes these areas available to smokers, it in no way has any legal responsibility to do so. Employees who choose to use these smoking areas do so at their own risk. No additional breaks are allowed to any employee who smokes. Finally, smokers and users of tobacco products must dispose of the remains in the proper containers. This helps to keep a neat and clean environment for all employees and our visiting partners and customers.

Failure to comply with all of the components of this policy will result in disciplinary action that can lead up to and include [employment termination](#).

I acknowledge receipt of and understand the Town of Fowler Smoke Free Workplace Policy. The policy is effective until further notice.

Employee Signature

Employee Name (Please Print)

Date

