

Town of Lincklaen Employee Policy

Before an employee is hired by the town, they must read the entire employee policy. The policy is to be read while at the Town Garage and the employee is to notify the Highway Superintendent once the reading is completed.

Employee Job Description:

It is the responsibility of the highway department and its employees to ensure the smooth running and safe operation of all the town roads. Highway employees **MUST** understand employment requires all employees to perform **ANY TASKS NECESSARY**, including but not limited to operating heavy equipment and large trucks (plow and salt trucks, backhoe, tractor etc.), Highway employees will perform road maintenance including but not limited to flagging, picking up litter, clearing debris and trees, digging ditches, mowing, maintain signage, patch potholes, clean and install culverts, repair and improve existing roads, and other heavy physical labor activities that could involve, standing, bending, crawling and heavy lifting. Highway employees will perform preventive maintenance tasks and appropriate repairs on all equipment; will need to operate power tools and maintain a clean and organized building and yard.

Hiring Policy:

Employees must not be related to current personnel of the Lincklaen Town Highway Department unless prior approval is obtained from the Lincklaen Town Board.

All employees, except for seasonal and part-time (*less than 35 hours per week*) laborers, will be required to hold a valid CDL class B driver's license and will be required to have at least basic skills to operate heavy equipment (loader, grader, etc.) no later than two (2) months from the date of employment. Until an employee holds a valid CDL class B license, they will be paid the town's laborer rates. Any part-time or seasonal laborer who holds a valid CDL Class B license will be paid \$1 more than the town's current laborer rate.

A Mechanical Equipment Operator (M.E.O.) employee **MUST** maintain a valid CDL class B license the **entire time** they are employed by the Town of Lincklaen. Failure to maintain a valid CDL class B license may result in the employee's job being terminated at the discretion of the Town Board and/or Highway Superintendent.

BEFORE an employee begins working for the Town of Lincklaen they must hand in all the required paperwork and necessary documents to be copied by the clerk **and** must pass a drug test.

Payroll/Benefits:

Working hours: Normal working day – (5) 8-hour days = 40-hour week; 6:00 am – 2:30 pm (*1/2-hour lunch*)
Summer working day – (4) 10-hour days = 40-hour week; 6:00 am – 4:30 pm (*1/2-hour lunch*) (approx. May 1 to October 1, to be determined by the Highway Superintendent)

**** All employees must be flexible to meet workload needs such as summer paving, winter plowing and sanding. This may include holidays and/or weekends as needed. From October 1 – March 31 all employees are on call 24 hours.**

Employees who work on a non-working day for less than 4 hours will be paid for a total of four (4) hours of work.

All employees must write in the total number of hours worked on their timecard or punch in for each day worked in a week and **initial these hours**. When at all possible, employees must ring in and out for their ½ hour lunch break. This ½ hour lunch break is required by law under the rules of the NYS Labor Department. **Employees should not ring in for their workday more than 15 minutes prior to their scheduled work shift.** The highway Payroll Certification sheets must be agreed upon by both the Highway Superintendent and the Town Bookkeeper before the Town Supervisor will process and distribute paychecks.

Employees are eligible to earn up to a \$0.50 pay raise every six (6) months based on completion of a **satisfactory** 6-month performance review by the Highway Superintendent. ***All raises are based on merit/performance and are at the discretion of the Highway Superintendent and the town board.*** No raises over \$0.50 will be given without prior approval of the Lincklaen Town Board. **All Raises will pause at the Town of Lincklaen's current wage cap.**

Lunch Breaks – An employee has an option to voluntarily waive his or her daily lunch break in exchange for a lunch period at the end of the workday. A waiver form **MUST** be signed by the employee and Highway Superintendent and kept on file before any lunch breaks are waived.

Vacation Time – Vacation time should be scheduled as early in the calendar year as possible and should not be scheduled during normal/expected times of heavy workloads. **All vacation time must be used during the calendar year and will not be rolled to the next year.**

Part-time employees – no vacation time accrued.

Full-time employees – After one (1) year completed service: 5 days.
After two (2) years completed service: 10 days.
After five (5) years completed service: 15 days.

Employees will be paid for any unused vacation time due to: retirement, termination, or *resignation (10 days' notice must be given for resignation)*

Sick Time - Sick time will be earned at eight (8) hours per quarter year (3-month period), up to a maximum of 120 hours. Sick time can continue to be rolled forward to the next year; however, no more than 120 hours may be accumulated. Sick time is to be used for personal illness only and is not intended for any other purpose. A doctor's certificate may be required. Sick time **MUST** be used in minimum units of four (4) hours. Employees who retire, resign, or are terminated will **NOT** be paid for any unused accumulated sick time.

Over time/Comp time – All employees will be paid time and a half (1 ½) each hour worked in a week totaling more than forty (40) hours. Employees asked to work on a scheduled holiday will be paid double (2x) time.

Any employee who has worked overtime (time and a half) has the option to elect to take that time and a half as equivalent comp time. This must be noted on the employees' timecard that they elect to take overtime hours as comp time. Employees may accrue up to eighty (80) hours of comp time and comp time must be taken in four (4) hour whole units. While comp time may be accrued, no more than eighty (80) hours of comp time may be rolled to the following year at any time. **Comp time will NOT count toward regular weekly worked hours as to create overtime.**

Holidays – **Six (6)** scheduled paid holidays: New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day. When a holiday falls on a non-workday, the preceding Friday or following Monday shall be observed as the holiday at the discretion of the Highway Superintendent.

Four (4) floating holidays are available *after six (6) months of employment* with **prior approval** of the Highway Superintendent and must be used in units of at least four (4) hours.

If an employee is required to work on a paid holiday, the employee will be paid the paid holiday, (see the above six scheduled holidays) plus double time for the hours he works on that day.

Safety Shoes:

All employees are entitled to one (1) pair of **steel toe safety shoes** per year up to a value of \$125. All employees are also eligible for a \$200 per year **safety clothing** (*jeans, safety color shirts, safety color sweatshirts, safety color hoodies, safety color jackets and safety/work gloves*) allowance. The employee must submit itemized receipts for the above expenses to the Town Clerk for reimbursement.

Health Insurance:

Health Insurance is not offered by the town. **Before being hired**, all employees **must show proof of active insurance**. All current employees must show proof of personal insurance coverage at the beginning of **each year** to remain employed by the Town of Lincklaen. Failure to do so will result in immediate suspension until proof can be procured within a reasonable amount of time or employment will be terminated.

Disability Insurance: Employee disability insurance is paid fully by the Town of Lincklaen.

NY State Retirement System (NYSLRS): All full-time employees will automatically be enrolled into the NYSLRS. Part-time employees have the option of enrolling in NYSLRS. If they wish to enroll, they must notify the town clerk immediately upon being hired.

Bereavement Policy: Employees are given three (3) days paid bereavement for immediate family (spouses, children) and two (2) days paid bereavement for other family members (father, mother, siblings, grandparents)

Jury Duty: Employees will be paid the difference between jury duty and their regular pay rate. Employees must report back to work.

Drug Policy: The Town of Lincklaen, as required by Federal Regulations, requires random drug testing for all employees. Any employee who fails their drug test **MUST** follow the ***Return-To-Duty Procedure*** (Point 5.0 in Drug Policy) within ten (10) days of the failed test or their job will be terminated. The **payment** for the return-to-duty drug test; for the required number of post-return-to-duty drug tests as well as the evaluation by a Substance Abuse Professional is the **sole responsibility of the employee**. Failure to pay for the tests and evaluation will result in job termination. *If an employee requires a list of Substance Abuse Professionals, he/she must request a list from the Highway Superintendent or Town Clerk.* For more information see separate drug policy.

Retirement/Longevity Policy:

10-19 years of service = 2 weeks’ pay based on 40-hour week

20-29 years of service = 3 weeks’ pay based on 40-hour week

30+ years of service = 4 weeks' pay based on 40-hour week

All retiring employees seeking the above longevity benefit **MUST** inform the Town with a written notice of their expected retirement date by October 1st in the year **prior** to their planned retirement. Employees who do not give written notice as above will not be eligible to receive the longevity benefit.

General Rules:

The following are strictly prohibited and will result in disciplinary action, which may include termination.

1. Possession or use of alcohol or drugs at work other than those necessary and prescribed by a physician.
2. Stealing or intentionally destroying Town property.
3. Fighting or other acts of violence.
4. Sleeping on the job.
5. Gambling on the job.
6. Unauthorized possession of a weapon.
7. Refusal to perform assigned tasks or acts of insubordination to a Superior.
8. Use of threatening or abusive language, harassment, or intimidation of other employees.
9. Safety shoes **MUST** be always worn during working hours as well as all other safety equipment.
10. Any employee leaving Town employment must sign a release before receiving final pay out.
11. Smoking in ANY town building, within 100 feet of town/public buildings, or motor vehicles/equipment
12. Failure to comply with any of the town's policies or laws.

The above list is not inclusive and other instances of misconduct will be reviewed on a case-by-case basis.

This employee policy does not create any contract, expressed or implied.

The Town of Lincklaen reserves the right to revise or rescind any policy at any time.

The Town of Lincklaen reserves the right to interpret the information presented.