

# **Employee Handbook For The Town of Yemassee**



**Adopted on August 9, 2022**

# TOWN OF YEMASSEE

## Employee Handbook

Adopted on August 9, 2022

### **DISCLAIMER**

ALL EMPLOYEES OF THE TOWN ARE EMPLOYED AT-WILL AND MAY QUIT OR BE TERMINATED AT ANY TIME AND FOR ANY OR NO REASON. NOTHING IN ANY OF THE TOWN'S RULES, POLICIES, HANDBOOKS, PROCEDURES OR OTHER DOCUMENTS RELATING TO EMPLOYMENT CREATES ANY EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. THIS HANDBOOK REPLACES ANY PREVIOUSLY ISSUED POLICIES, PRACTICES AND UNDERSTANDINGS, WRITTEN OR ORAL, GOVERNING EMPLOYMENT. NOTHING CONTRARY TO OR INCONSISTENT WITH THE LIMITATIONS IN THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT UNLESS: 1) THE TERMS ARE IN WRITING; 2) THE DOCUMENT IS LABELED "CONTRACT"; 3) THE DOCUMENT STATES THE TERM OF EMPLOYMENT; AND 4) THE DOCUMENT IS SIGNED BY THE TOWN CLERK OR APPROVED BY VOTE OF COUNCIL.

ACKNOWLEDGEMENT: I acknowledge receipt of the Town of Yemassee's Employee Handbook. I understand this Handbook replaces and supersedes all previously issued handbooks, policies, and practices and that it is not a contract of employment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

# **General Policies**

## **Equal Employment Opportunity**

The Town provides equal opportunity to all applicants for employment and administers hiring, conditions and privileges of employment, compensation, training, promotions, transfer, and discipline without discrimination because of race, color, religion, gender, gender identification, sexual orientation, pregnancy, childbirth, or related medical conditions (including but not limited to lactation) disability, genetic information, age, or national origin. The Town also prohibits retaliation against employees who have reported discrimination in good faith. Any employee who believes that he has been discriminated against in violation of this policy should report the matter to the Town Clerk.

## **Affirmative Action Policy**

The Town continues its efforts and commitment to fully utilize and treat equally minority groups, women, veterans, and disabled employees at all levels and in all segments of the workforce through an affirmative action policy and plan. The goals of this affirmative action policy and plan are to eliminate institutional barriers in employment that tend to perpetuate the status quo and to eliminate the effects of any past discrimination.

## **Anti-Harassment**

Various laws and regulations generally prohibit employment decisions from being made on the basis of race, gender, gender identification, sexual orientation, religion, national origin, color, age, genetic information, disability, or similar distinctions. In addition, it is our desire to provide a working environment in which employees are free from discomfort or pressure resulting from jokes, ridicule, slurs, threats, and harassment either relating to such distinctions or simply resulting from a lack of consideration for a fellow human being.

The Town does not tolerate harassment of any kind and forbids retaliation against anyone who has reported harassment in good faith.

## **Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

- Submission to the conduct is an explicit or implicit term or condition of employment; or
- Submission to or rejection of the conduct is used as the basis for an employment decision; or

- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented kidding or teasing, practical jokes, jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, "put-downs" or condescending or derisive comments or terms based on gender, and physical conduct, such as patting, pinching, or brushing against another person. This policy prohibits such conduct regardless of the gender of the perpetrator or victim.

Disputes sometimes arise as to whether conduct was "welcome" or "unwelcome." Conduct that would violate this policy *if* it were unwelcome violates the policy if anyone complains of it. However, not all conduct prohibited by this policy constitutes a violation of the law.

### **Americans with Disabilities Act (ADA)**

The Town of Yemassee is committed to equal opportunity in all aspects of employment for qualified individuals with a disability. It is the policy of the Town to provide reasonable accommodations in employment to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the operations of the Town's business or would change the essential functions of the position. Retaliation against an individual with a disability for utilizing this policy is prohibited.

Employees are expected to notify the Human Resources if they need an accommodation so that an appropriate resolution can be determined. Normally, the disclosure of a disability or request for accommodation will result in an interactive process between the Town and the employee to determine what, if any, reasonable accommodation might best enable the employee to perform the essential functions of his/her job. What accommodation, if any, will be determined on a case-by-case basis. If it is not possible to accommodate an employee in his/her current position, then the Town may resort to determining if there are other positions available and to be filled for which the employee can perform the essential functions of the job, with or without accommodation.

### **Complaint Procedure and Investigation**

If you believe these policies have been violated, you should report the incident(s). You may do this by reporting to your supervisor or to a higher level in your "chain of command." Complaints against the Town Clerk should be made to the mayor. To avoid misunderstandings, complaints made should be reported in writing summarizing the allegations and listing any witnesses to the allegations. Supervisors and managers who receive complaints should coordinate with the Town Clerk. If the complaint is against the Town Clerk, coordination should be with the mayor.

Allegations will be investigated, and the investigatory process may vary from case to case. The investigation is conducted as confidentially as possible consistent with the effective handling of the complaint and the goals of this policy. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one or merely a potential witness. Persons who are interviewed should not discuss the matter with co-workers, friends, or management.

## **Employment Policies**

### **Hiring/Recruiting**

The Town endeavors to hire the most suitable candidate for open positions and encourages current employees to apply for positions for which they are qualified. The Town may also solicit and consider applications from external applicants.

### **Nepotism/Employment of Relatives**

People in the same immediate family may not be employed or continue to be employed if one directly or indirectly supervises another or interacts with another in the handling of money or compensation. For purposes of this policy, immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, son-in-law, and daughter-in-law. The immediate family is also considered to include stepparents, stepchildren, stepbrothers, and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy. Members of the immediate family of elected officials of the Town are not eligible for Town employment.

Situations not specifically addressed in this policy that, in the Town's opinion, create a conflict of interest or give the appearance of a conflict of interest and other nepotism issues will be handled at the Town's discretion.

### **Outside Employment**

The Town expects an employee's work for the Town to take precedence over any outside employment engaged in by an employee. Police Department employees must get prior written approval from the Police Chief before engaging in other employment. Other employees are expected to notify their Department Head. Should the Town, in its sole discretion, determine that the outside employment interferes with or is otherwise incompatible with employment for the Town, the employee may be asked to choose between the jobs.

Employees may not engage in any private business or activity while on Town work time or at Town workplaces. Employees may not use Town equipment or resources to engage in private business or activities.

### **Conflict of Interest**

Town employees are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they, their family or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family or business associates have an economic interest and in which they must act on behalf of the Town. The supervisor must send the notification to the Town Clerk for review. If the Town determines a conflict, a potential conflict, or appearance of conflict of interest exists, the matter will be reassigned to another employee. If the matter cannot be reassigned, the employee must divest himself or his family from the interest.

### **Gifts and Gratuities**

No employee may directly or indirectly solicit, accept, or receive a gift when it could be inferred that the gift was intended to influence him in the performance of his official duties or was intended as a reward for an official act on his part. A gift is defined as any benefit, favor, service, privilege, or thing of value that could be interpreted as influencing an employee's impartiality. A gift includes, but is not limited, to meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by Town suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees.

A determination as to whether this policy has been violated is in the Town's sole discretion.

### **Political Activity**

Employees may fully and freely associate themselves in organizations of their own choosing, except those organizations whose purpose is the violent overthrow of the government of the United States, the State of South Carolina or any of its political subdivisions.

In certain circumstances involving real or potential conflicts, employees who run for public office may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, his employment will terminate upon his election to a partisan public office.

For purposes of this policy, an employee is considered a “candidate for public office” as soon as he begins actively campaigning for nomination or election, or when he files for candidacy, whichever comes sooner.

### **Workplace Privacy/Computer and Internet Use**

The workplace is intended to be a place of work. An important part of work is communications and recordkeeping. No employee is at work 24 hours a day, seven days a week, and there are times when management needs access to communications or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on Town property are not entitled to a guarantee of privacy.

Management may search Town property and documents in Town-owned vehicles, employee desks, lockers, file cabinets, electronic devices, etc.

Electronic media raise similar issues. The Town provides electronic and telephonic communication and, when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the Town. Similarly, any electronic files created on or software downloaded on, a Town computer or mobile device belong to the Town. Unauthorized programs and files may not be used or installed on Town computers or mobile devices without the written permission of the Town. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the Town. Employees may not destroy or delete files from Town computers or mobile devices except pursuant to the Town’s record retention policy.

The Town reserves the right to review voice mail, electronic mail, computer and mobile device files, text messaging, and other electronic information generated by or stored in the Town’s electronic systems. The Town also reserves the right to report the finding of such reviews to appropriate agencies. The Town consents to the reasonable personal use of its computers and mobile devices. Although the Town consents to the “reasonable” use of its computers and mobile devices for personal business, what is “reasonable” is determined in the sole discretion of the Town. The only sure way to avoid violating the Town’s policy on personal computer and mobile device use is to not use the Town’s computers for **any** personal purpose.

The following use is absolutely forbidden:

To access any material the Town considers to be pornographic; to transmit or knowingly accept receipt of any communication that is pornographic, obscene, or in the Town’s opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability, or some similar distinction

To conduct business for outside employment or a side-business

To purchase any goods or services, even if charged to the employee's personal credit card.

To solicit others for non-work-related reasons, Town employees may not use personal electronic equipment (including but not limited to personal laptop computers, mobile devices, and cellular phones) on Town property or at Town work sites to engage in conduct that would be prohibited if using Town equipment.

Social networking, personal websites, and blogs have become common methods of self-expression. The Town consents to reasonable limited access to social media sites during working hours or using Town equipment. What is "reasonable" is determined in the sole discretion of the Town. The only sure way to avoid violating the Town's policy on personal social media site access is to not access such sites at all during working hours or using Town equipment.

### **Code of Conduct**

Employees must be committed to one's work and commitment to the Town of Yemassee as its primary employer.

Employees must not divulge any Town confidential information.

Employees must put forth honest effort in the performance of their duties and overall, as a Town employee.

Employees must act impartially and not give preferential treatment to any private organization or individual.

Employees must protect and conserve Town property and shall not use it for other than Town authorized activities.

Employees must disclose waste, fraud, abuse, and corruption.

Employees must adhere to all State and Federal employment laws.

Employees must make an effort to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to policy.

Employees must be courteous at all times and transcend excellent customer service.

## **Wages, Pay and Hours of Work**

### **Employment Status**

All offers of employment at the Town of Yemassee are contingent upon clear results of a thorough background check and drug screening. Background checks and drug screening will be conducted on all final candidates and on all employees as deemed necessary.

Background checks will include:

E-Verify - validates the applicant's Social Security number, date of birth and address.

Prior Employment Verification - confirms applicant's employment with the listed companies, including dates of employment, position held and additional information available pertaining to performance rating, reason for departure and eligibility for rehire. This verification will be run on the past two employers or the previous five years, whichever comes first.

Personal and Professional References - calls will be placed to individuals listed as references by the applicant.

Educational Verification - confirms the applicant's claimed educational institution, including the years attended and the degree/diploma received.

Criminal History - includes review of criminal convictions and probation. The following factors will be considered for applicants with a criminal history:

The nature of the crime and its relationship to the position.

The time since the conviction.

The number (if more than one) of convictions.

Whether hiring, transferring, or promoting the applicant would pose an unreasonable risk to the business, its employees or its customers and vendors.

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

Motor Vehicle Records - provides a report on an individual's driving history in the state requested. This search will be run when driving is an essential requirement of the position. Current employee driving history will be updated at least annually but may be conducted at any time deemed necessary.

Credit History - confirms candidate's credit history. This search will be run for positions that involve management of the Town of Yemassee funds and/or handling of cash or credit cards.

**Regular full-time** employees are those who fill a full-time position with the Town. Employees in this status are normally scheduled to work at least 30 hours per week. However, the Town does not guarantee any minimum number of hours of work per week. Regular full-time employees are generally eligible for fringe benefits.

**Regular part-time** employees are those who fill a part-time position with the Town. Employees in this status are normally scheduled to work less than 30 hours per week but may be called upon

to work above their normally scheduled hours of work when workloads require. Regular part-time employees are generally not eligible for fringe benefits.

**Temporary employees** are those hired for a limited period of time or until completion of a particular project or projects. Such employees may work part-time or full-time hours depending on the needs of the Town. Temporary employees are generally not eligible for fringe benefits.

### **Probationary Period**

All new employees, including former employees who have been rehired, must complete a six-month probationary period. This period is a continuation of the selection process and is a time in which the new employee should demonstrate that he is suited for his job. This period is not a guarantee of employment for six months. If the department head concludes at any time that an employee is not suited for his position, the employee may be terminated or may continue in an extended introductory period if deemed appropriate by the employee's department head.

The probationary period ends successfully when the department head, not sooner than six months after the employee was hired, evaluates the new employee in writing and authorizes his classification as a "regular" employee.

All newly promoted employees must complete a probationary period of three months. This period is a continuation of the selection process and is a time in which the newly promoted employee should demonstrate that he is suited for the promotion. It is not a guarantee of employment for three months. If the department head concludes at any time during the probationary period that the newly promoted employee is not suited for his new position, the employee will be removed from that position. If there is a vacancy in his former position that is to be filled, he may be returned to it. If there is no such vacancy, he may be considered for the filling of other vacancies for which he is qualified. If no other position is found for him, the employee may be terminated. This action does not prohibit an employee from applying for future vacancies with the Town.

### **Overtime**

Non-exempt employees receive overtime premiums at 1.5 times their regular hourly rate. Non-law enforcement personnel earn the premium for hours worked in excess of 40 hours in a workweek. Law enforcement personnel receive overtime premiums after 84 hours in a two-week period (36 hours in the short week and 48 hours in the long week).

Employees must accurately record all hours worked and must have worked all hours recorded. Employees may not work "off the clock," and employees may not work overtime without the permission of their supervisor except in cases of emergency. If an employee is instructed not to record all work hours, he must immediately report such instruction to the Town Clerk.

Employees who are exempt from overtime receive a salary that compensates them for all hours worked in the workweek. Such employees do not receive overtime pay or compensatory time off. However, the Town Clerk may, in his sole discretion, grant additional paid time off to exempt employees who have worked unusual amounts of time in excess of the normal schedule, but no exempt employee has a right to such additional paid time off.

Exempt employees, because of his/her positional duties, responsibilities, and level of decision-making authority, is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA). Exempt employees are expected to work whatever hours are necessary to accomplish the goals and deliverables of the position. A non-exempt employee because of the type of duties performed, the usual level of decision-making authority, and the method of compensation, is entitled to overtime. Non-exempt employees must account for hours and fractional hours worked and are compensated for all hours worked and receive overtime for all hours worked over 40 in one work week. Non-exempt law enforcement officers receive overtime for all hours worked over 84 in two work weeks.

### **Payment of Wages**

Most employees are paid weekly on Wednesdays by direct deposit. Council members and a few part-time employees are paid monthly on the 15<sup>th</sup> by direct deposit. Employees should examine their pay records immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported within 14 days.

The Town deducts from employees' gross pay taxes and withholding required by taxing authorities. The Town may also deduct from employees' pay the employees' share of any premiums or plan contributions for insurance, retirement and similar plans that are elected by the employee. The Town may make other deductions as required by law or court order. The Town does not make unauthorized deductions and will reimburse employees if such deductions are made inadvertently.

Cash, debts owed the Town, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, Town identification cards and other items belonging to the Town that are advanced or issued to an employee but not repaid or returned by him at the time of his termination are considered advances of wages, the value of which may be deducted from the employee's pay.

### **Performance Evaluations**

The Town may periodically conduct oral or written evaluations of employees' performance. Employees must sign written evaluations. The employee's signature does not necessarily indicate agreement with the contents of the evaluation, only that he has been made aware of it. Employees may attach comments to their evaluations. While favorable performance evaluations

may be a factor in determining wage increases, no employee is entitled to a wage increase because he receives a favorable evaluation.

### **Inclement Weather**

Employees whose departments are closed due to inclement weather are paid their regular straight time earnings if scheduled to work the day of the closure. Employees whose departments are not closed due to inclement weather or whose jobs require they report are expected to report to work. Those who fail to report are considered unexcused and may not use paid leave to make up their work hours.

## **Benefits**

The Town currently offers a competitive benefits package. The terms of the Town's benefits plans are subject to change, and the Town is not responsible for any changes in or elimination of benefits or benefit plans. Please see the Human Resource Technician or the Town Clerk for specific information on the Town's benefit plans.

### **Holidays**

The Town observes the following holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Monday after the Yemassee Shrimp Festival
- Veteran's Day
- Thanksgiving Day and the Day After Thanksgiving
- Christmas Day and the Day After Christmas

Holidays that fall on Saturday are generally observed the preceding Friday. Holidays that fall on Sunday are generally observed the following Monday. Council may declare additional days as holidays.

Employees who are scheduled to work on a holiday receive an additional eight hours of pay.

Employees must work the day before and after a holiday or be on approved leave in order to be paid for a holiday.

## **Annual and Sick Leave**

Regular full-time employees accrue annual leave and sick leave on their employment anniversary. At the end of their first year of employment they will earn 40 hours of annual and sick leave. At the end of their second year of employment and before their fifth anniversary, they will earn 80 hours of annual and sick leave. After their fifth anniversary, they will earn 120 hours of annual and 80 hours of sick leave.

The maximum number of annual leave hours that can be accumulated is 80. The maximum number of sick leave hours that can be accumulated is 120. Employees who have reached the maximum will not accrue further annual or sick leave until their balances falls below the maximum.

Employees desiring to take annual leave should give their supervisors at least two weeks advance notice. Annual leaves will be scheduled as much as practical in accordance with employee requests. The Town's workload demands, however, are paramount.

When more employees request particular days off than can be accommodated, supervisors will make annual leave assignments considering the date the requests were made, special needs for particular annual leave dates, and the employees' lengths of service.

Sick leave is paid when an employee is excused from work due to his own non-occupational disability. Employees may be required to submit a physician's statement of disability before being eligible for sick leave payment, including when absent for prolonged periods of time or if the employee has been counseled for excessive use of sick leave. In some circumstances, employees may be required to provide certification from their physician that they are able return to work. Abuse of leave or failure to call in as required may result in denial of paid sick leave.

Accrued, unused annual and sick leave will be paid for at termination only if the employee is terminated or resigns for non-disciplinary reasons. Employees who resign must give and properly work a two-week notice of resignation to receive accrued, unused annual leave. The Town Clerk may waive the notice.

## **Military Leave**

Employees are entitled to leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of these laws change from time to time and for that reason no effort is made to set forth the law in this policy.

Employees on military leave receive paid leave for up to 15 days per military fiscal year for training or call-up. In addition, if an employee is called upon to serve during an emergency the

employee receives paid leave for not exceeding thirty additional days.

### **Jury Duty**

A full-time employee will be paid for wages lost from scheduled straight time work due to jury service up to a maximum of 80 hours per calendar year.

To qualify for this payment, an employee called for jury service must

Give his supervisor notice of such service within two workdays of the time the employee is called for such service,

Report for work when released by the court on any day of jury service,

Submit a written statement from the court indicating the days of jury service and the time released each day, and

Report to your supervisor any compensation received.

### **Bereavement Leave**

A full-time employee will be paid for time lost from straight time scheduled work up to 8 hours due to attendance at the funeral of a member of his immediate family, which is defined as spouse, parent, child, grandparent, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law and sister-in-law. The immediate family will be considered to include stepparents, stepchildren, and stepbrothers and stepsisters only when the employee and the deceased had lived together regularly in the same household at or prior to the time of death. The Town may require proof of relationship and attendance at the funeral.

Employees may be excused from work to attend the funerals of other family members and, upon request, may be paid for such absences from accrued annual leave balances.

### **Physical Disability and Personal Leave**

An employee may request a leave of absence for up to twelve weeks when unable to work because of sickness, pregnancy, or injury on or off the job. Such an employee may also apply for leave of absence for personal reasons. Personal leaves are granted only in the discretion of the Town Clerk.

Employees are requested to apply for leaves of absence as far in advance of need as is possible, but an employee may be placed on leave status without application when the circumstances warrant such action.

After the employee has exhausted his annual and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits.

Employees on leave of absence may not engage in other employment.

Employees desiring to return to work from an unpaid leave of absence should notify the Town Clerk in writing at least ten days prior to their desired return date. If the Town finds that the employee is fit to resume his duties, the employee may be returned to his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, he may be continued on leave of absence status until he is returned to active-duty status or his leave of absence expires, whichever occurs sooner. Any employee who has not been reinstated within six months following the commencement of a leave of absence is subject to termination if no reasonable accommodation can be made. Termination does not affect the employee's eligibility to be considered for hire as a new employee at some future time. Further, employees with circumstances that warrant special consideration should bring those circumstances to the attention of the Town Clerk.

### **Health Insurance**

Full time employees and legal dependents are eligible for health insurance. The benefits plan is designed to provide a supplemental package of programs which contribute to the physical, mental health and wellbeing of the employee and their dependents. Health benefits offered are medical, dental and vision insurance.

### **Retirement**

All regular full-time and regular part-time employees of the Town of Yemassee are required to participate in the South Carolina State Retirement System (SCRS) which offers and maintains programs designed to provide for the employee's retirement years. A portion of the cost of such participations shall be borne by the Town of Yemassee. The remaining cost shall be borne by the employee through mandatory payroll deductions. These costs are determined by an agreement with the South Carolina Retirement System. Police personnel shall participate in the South Carolina Police Officers Retirement System (PORS) and costs are determined by an agreement.

### **COBRA**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) give employee and their qualified beneficiaries, the opportunity to continue health insurance coverage under the Town of Yemassee's health plan when a "qualifying event" would normally result in a loss of eligibility. Under COBRA, the employee or qualified beneficiary pays the full cost (100%) of

coverage at the Town of Yemassee's group rates plus and administrative fee established by the Town's Insurance provider.

### **Employee Assistance Program (EAP)**

The EAP is a confidential counseling, assessment and referral program designed to help you manage your life. Just as health insurance is designed to address your physical wellbeing, your EAP is designed to address your emotional and mental health, as well as manage you work/life issues to achieve a healthy balance. EAP also provides legal and financial consultation services, assistance with elder care, childcare, adoption, and education. All calls made to the EAP are kept private and confidential.

### **Additional Payroll Deductions**

The Town may offer additional programs to employees that could be payroll deducted. The cost of participating in such programs shall be the responsibility of the employee. Such programs may include life insurance, disability insurances, savings plans, retirement plans, and dependent care plans.

### **Retirees**

Regular employees retiring with at least 28 years of service and Police personnel with at least 25 years of service with the SC Retirement System may be kept on the Town's group Health, Dental and Vision Insurance Plan after retirement at the employee's expense until the employee or their covered dependent is eligible for Medicare.

### **Workers' Compensation**

Town employees are covered by workers' compensation for on-the-job injuries. Benefits are governed by state law and not set by the Town. Employees must report immediately **any** on-the-job injury, regardless of severity, to their supervisor.

### **Incentive Stipend**

A full-time regular employee of the Town of Yemassee will be paid \$1,000 if they currently reside within the town limits and have had residence within the town limits for at least six (6) of the past twelve (12) months (six (6) month requirement will be waived for new employees). Payments will be made in December of each year.

## **Discipline**

Employees are subject to disciplinary action up to and including discharge when the employee's supervisor and/or the Town Clerk determines that such action is necessary for the good of the Town.

Employees must sign disciplinary notices, counseling memoranda, performance appraisals and similar documents. The employee's signature indicates only that the employee is aware of the action taken and does **not** indicate that the employee agrees with such action.

An employee who refuses to sign such a document will be relieved of all duty until the document is signed. If the document has not been signed and returned by the end of the employee's next scheduled workday, the Town will consider the employee to have resigned.

### **Conduct Warranting Disciplinary Action**

It is not possible to list all acts and omissions that may result in disciplinary action. The disciplinary action that is appropriate for any misconduct is at the sole discretion of the Town. The following are merely examples of some of the more obvious types of misconduct that may result in disciplinary action, up to and including discharge:

Conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude or offense that affects the Town's reputation or that reasonably could create concern on the part of fellow employees or the community. Employees who are arrested may be relieved of duty (with or without pay) pending the Town's determination on continued employment

Incompetence

Unauthorized absence or tardiness or a pattern of absenteeism or tardiness

Insubordination, including disrespect for authority, or other conduct that tends to undermine authority

Failure or refusal to carry out instructions

Unauthorized possession or removal, misappropriation, misuse, destruction, theft or conversion of Town property or the property of others

Violation of safety rules; neglect; engaging in unsafe practices

Interference with the work of others

Threatening, coercing, or intimidating fellow employees, including "joking" treats

Dishonesty

Failure to provide information; falsifying Town records; providing falsified records to the Town for any purpose

Failure to report personal injury or property damage

Neglect or carelessness

Introduction, possession, or use of illegal or unauthorized prescription drugs or intoxicating beverages on Town property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; off-the-job illegal use or possession of drugs

Unsatisfactory performance

Violation of Town policies

Lack of good judgment

Conduct unbecoming a Town officer or employee or any conduct which affects the employee's reputation, or which reasonably could create concern on the part of citizens or fellow employees  
Any other reason that, in the Town's sole determination, warrants discipline

### **Drug Free Workplace Policy**

All employees of the Town are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using, illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, meth, etc.). Further, this prohibition applies to the misuse, abuse or any unlawful use or possession of otherwise legal drugs. These prohibitions apply to use at any time, both on the job and off the job. Town employees are, of course, permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

Similarly, employees are prohibited from reporting to work, using or being anywhere on Town property while under the influence of alcohol, illegal drugs or improperly used controlled substances. For purposes of this policy, "under the influence" means having any detectable amount of any such substance in the employee's system. Employees who are informed by their healthcare provider or pharmacist that a drug they are using may impair their ability to safely perform work must report that to their supervisors. The Town Clerk will determine whether an employee may continue to work.

As used in this policy, "illegal drugs and substances" includes substances that are designed to mimic the effects of illegal drugs, but that due to differences in chemical composition may not be classified as Schedule I drugs or otherwise be expressly illegal. Examples include K2, or spice, which are synthetic cannabinoids. Cannabidiol (CBD) products raise special concerns because, in certain forms they are legal for use, but they are unregulated and little research has been done to standardize dosing, study outcomes, or regulate production. CBD and hemp products, by law, may not contain more than .3% THC (tetrahydrocannabinol), the psycho-active compound in marijuana. However, it is possible for some of these products to contain more than the legal limit. Therefore, it is possible for employees using CBD or hemp products to test positive for marijuana because of their use. It is not possible to determine whether a positive test for marijuana was a result of using CBD or hemp products, or from using marijuana. **Therefore, the**

**Town will consider any confirmed positive test for marijuana to be conclusive for employment purposes – even if an employee claims to have used CBD or hemp, and even if the employee has a prescription or other physician’s order for its use.** Employees should also be aware that, while marijuana is increasingly be legalized for medical or recreational use in other states, it remains illegal in South Carolina and under federal law. **Employees who use recreational or “medical” marijuana in states where it is legal remain subject to discipline, up to and including discharge, under Town policy.**

### **Notice to Employer, State and Federal Grantor/Contracting Agencies and Law Enforcement Authorities**

As a condition of employment, employees agree to notify the Town within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession or use of illegal drugs and prescription drugs not prescribed for the individual employee’s use. As required by the state and federal drug free workplace acts, the Town will notify within ten days all state and federal grantors/contracting agencies of such employee convictions. “Conviction” means a finding of guilt, imposition of a sentence, a plea of no contest or a plea of guilty.

The Town will notify law enforcement authorities whenever illegal substances are found in the workplace.

### **Substance Abuse Testing**

The Town may test employees for drug or alcohol use in violation of the Drug Free Workplace Policy at any time. A negative screening for illegal drugs and substances is a condition of employment.

## **Amendments**

Any section or provision of this handbook can be amended or changed at any time by the Town Clerk with or without notice.