

TOWN OF STARKSBORO  
PERSONNEL POLICY

**INTRODUCTION**

The Town of Starksboro seeks to meet the needs of town residents as expressed and determined through the annual Town Meeting and the actions of the Selectboard throughout the year.

Town employees, volunteers and elected officials are part of a team that works to meet these public needs.

The town seeks to develop and foster a work environment in which employees, volunteers and elected officials recognize their vital role in the functioning of the town and have personal satisfaction and appropriate monetary compensation for their efforts on behalf of the town.

These policies and rules are intended to provide clear statements of personnel policies, definitions of the responsibilities and rights of employees and rules which guide performance.

Employees, volunteers and elected officials are urged to ask their supervisor or the Selectboard if there is no supervisor, about any policies/rules which are unclear.

**SECTION I: TITLE AND AUTHORITY**

This document shall be known and cited as the "Personnel Policy" and is hereby adopted under the authority of 24 V.S.A., Chapter 33, Subchapter 11, Sections 1121 and 1122 (as amended).

Employment with the Town of Starksboro is not for any definite period or succession of periods, and may be terminated either by the employee or by the Town at any time without notice, except as provided by this policy or as state statute requires. Wages or salary and any accrued and unused vacation allowable under this policy shall be due to the employee only to the day and hour of termination.

This policy and the provisions contained herein do not constitute a contract of employment in whole or in part. The Town reserves the right to add, amend or delete any benefit, provision or policy stated herein at any time, except as otherwise committed to by formal contract agreements.

**SECTION II: PERSONS COVERED**

This policy shall be applicable to all persons employed by the Town of Starksboro. Elected officers are individuals who are elected by the voters and are not subject to provisions related to discipline and discharge, except as provided by state law, but are subject to other sections of this policy. This policy does not apply to employees of the school district, public library, persons employed in a professional capacity to make special land studies, investigations and/or inquiries. This policy also does not apply to volunteers or other positions to which no compensation is attached, unless otherwise stated.

Starksboro makes extensive use of independently elected officers to administer the business of the town. Once elected, some of these officers function more like employees than independent officers –

TOWN OF STARKSBORO  
PERSONNEL POLICY

they work full time for the town, receive benefits such as health insurance, paid vacation and sick leave and have their salaries set by the Selectboard. Other elected officers function more like volunteers – their service is primarily civic in nature and is done without any expectation of significant remuneration from the town, and any compensation received is nominal and more in the form of a stipend than a wage.

It is the intent of this document to establish uniform policies for all town personnel, which preserve the independence of elected officials, while ensuring orderly and consistent administration of benefits and responsibilities among all who work in a professional capacity on behalf of the town.

**SECTION III: ADMINISTRATION**

This policy shall be administered by the Selectboard. The Selectboard may appoint the Town Clerk, Town Treasurer or other elected official(s) to act as the Selectboard’s delegate in the administration of this policy. Amendments to these rules and regulations shall be by resolution of the Selectboard.

**SECTION IV: EMPLOYMENT PROCEDURES**

**A. RECRUITMENT**

1. Qualified applicants residing in the community shall be given preference in filling vacancies in the Town. Applications for positions may be solicited from persons outside the Town of Starksboro at the option of the Selectboard/Town Clerk. Applicants will be required to complete a Town Application Form.
2. As part of the pre-employment procedure, former supervisors, employers, and references provided by applicants shall be checked. Reference checks made by personal or telephone contact shall be documented and completed prior to an offer of employment. Any information obtained during reference checks shall be included in the application file and will be handled as privileged and confidential information.
3. All full-time positions shall be posted and/or advertised in a local newspaper stating position, title, approximate salary or hourly wage and application date deadline as well as any other pertinent information.
4. When an emergency hiring situation is declared by the Selectboard, any or all of the application requirements may be waived to ensure provision of continuous services to the Town.
5. It is the policy of the Town of Starksboro to maintain and promote equal opportunity. The Town will select candidates for employment on the basis of the candidates’ qualifications for the job and treat them fairly with respect to compensation and opportunity for advancement, consistent with paragraph 1 above.

TOWN OF STARKSBORO  
PERSONNEL POLICY

B. SELECTION

All appointments to position in the service of the Town of Starksboro shall be made according to merit and fitness. Education, experience, aptitude, knowledge, skills, character, physical fitness (where necessary for the essential functions of the position), personality, or any other qualifications deemed necessary for the satisfactory performance of the duties of the position to be filled shall be considered with emphasis on each requirement as may be deemed necessary by the Selectboard or appointed advisory committee.

C. APPOINTMENTS

1. Type of Appointments
  - a. Full-Time: A full-time employee works on a continuing basis (indefinite term). Full-time employees are subject to all provisions and receive all benefits and rights as provided by this policy.
  - b. Permanent Part-Time: Permanent part-time employees are employees who work less than the normal work week as defined in the employee's job description, and work on a continuing basis (indefinite term). Permanent part-time employees working a minimum of 75% of a normal work week are subject to all provisions of this policy and receive prorated benefits as defined in the benefits section of this policy. Permanent part-time employees working a minimum of 50% of a normal work week are not eligible for medical insurance, but are subject to all provisions of this policy and receive other benefits on a prorated basis.
  - c. Temporary/Seasonal Part-Time: Temporary and/or seasonal part-time employees work for a specific period of time, on a specific project or to fill a position of an employee on leave. These employees are subject to the provisions of this policy but do not receive any benefits contained herein.
2. Probationary Period - The Town of Starksboro does not have a specific probationary period for town employees. Employees are reminded that employment is "at will" and is not for any definite period or succession of periods of time. Employment may be terminated either by the employee or by the Town at any time with or without notice. All employees are encouraged to provide the Town with at least two weeks notice prior to separation.
3. Physical Examination - All new employees may be required to have a physical examination at the expense of the town after an offer of employment has been made. Appointment to a position may be conditioned on positive results of the examination. The specific criteria will be determined by the Selectboard based on the specific requirements of the job.
4. Proof of Citizenship - All town employees must provide the Selectboard/Town Treasurer with proof of citizenship or legal immigration status in conformance with federal law. An I-9 form must be completed prior to employment. Failure to provide such proof shall result in non-hiring or immediate dismissal.

TOWN OF STARKSBORO  
PERSONNEL POLICY

5. Background Investigation – All new employees may be subject to a background investigation at the expense of the town after an offer of employment has been made. Appointment to a position may be conditioned on positive results of the investigation. This investigation may include, but not be limited to, a criminal records check and may require that the employee be fingerprinted.

D. PROMOTIONS

Vacancies in positions above the lowest rank in any department in the Town shall be filled as far as practical by the promotion of existing employees. Promotion in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation.

The department head, or the Selectboard where no department head exists, shall advise employees within the department of the existence of vacancies to which they are qualified to be promoted. Such notice will be posted in the Town Office for a period of five (5) days prior to advertising in the local media except in emergency hiring situations.

E. EVALUATIONS

1. Frequency - All employees of the Town of Starksboro shall be evaluated a minimum of once a year. Such evaluations will be in writing and signed by both the employee and the department head following a conference during which the evaluation is discussed. The signature of the employee does not indicate that he or she agrees with the evaluation, only that the evaluation has been shown and discussed.
2. Timing and Responsibility – Evaluations should be completed by the first week of November for all town employees. The Department Head is responsible for completing evaluations for all employees in his/her department. The Selectboard is responsible for all other evaluations.
3. Record Retention - The signed, written evaluation will then be placed in the employee's personnel file and a copy provided to the employee. The employee may, at any time during business hours, view his/her file in the presence of the Town Clerk, Town Treasurer or a member of the Selectboard.
4. Unsatisfactory Evaluations - Any annual evaluation with a rating of less than satisfactory will result in a performance improvement plan. During the time of the improvement plan there will be no reduction in pay or loss of benefits. Failure to make adequate improvement while on an improvement plan may result in suspension without pay or termination.

F. GRIEVANCE, DISCIPLINE AND DISCHARGE

1. General Policy - The Town of Starksboro seeks to provide necessary services to its citizens and has a responsibility to perform those services in the most effective and efficient manner possible.

TOWN OF STARKSBORO  
PERSONNEL POLICY

The same is required of town employees. All employees will be fairly and consistently subject to the disciplinary and discharge procedures, given the facts of the individual case.

If you have any problems or questions of a work-related nature, you are encouraged to discuss them with your supervisor. It is always best to discuss problems with your supervisor as soon as possible. Unresolved problems only result in continued employee dissatisfaction and a breakdown in working relationships.

If you and your supervisor are unable to solve a problem, you may request an appointment to discuss the matter with the Selectboard. The Selectboard will listen to you and determine what course of action is in the best interest of the Town.

2. Employment at will - The Town of Starksboro, as does the State of Vermont, follows the policy of "employment at will". This means that as an employee of the Town, you are not covered by an individual employment contract or a union contract and that you or the Town may dissolve the employment relationship at any time with or without cause.
3. Disciplinary procedure - In some cases, certain behavior\* may result in immediate dismissal. Although the town is under no obligation to do so, we will attempt to resolve any difference or difficulties that may arise. When appropriate, the following disciplinary procedure will be followed:
  - a) Your supervisor will discuss with you the work that is not being accomplished, or behavior inappropriate to the job. You and your supervisor will agree on a date and time to meet a second time to assess the situation and any changes made. Your supervisor will summarize the incident and the expectation for resolution or required changes in writing and provide you with a copy for your records. The original will be included in your personnel file. At this point, you will be considered to be on an improvement plan.
  - b) At the second meeting as arranged above, you and your supervisor will review any changes or improvements made. If no improvement, or inadequate improvement, has been made by this time, you will be allowed one more opportunity for positive change within a shorter time span.
  - c) At a third meeting with your supervisor, a decision will be made as to whether or not you can meet the expectations of the job and retain your position with the Town of Starksboro.

The final decision is at the sole discretion of the supervisor and Selectboard.

\*Reasons for immediate dismissal may include but are not limited to:

Insubordination

Use of or being under the influence of drugs/alcohol on duty

TOWN OF STARKSBORO  
PERSONNEL POLICY

Dishonesty  
Recklessness on the job  
Inappropriate attitude/language toward job/townspople  
Failure to complete designated work assignment  
Fighting on duty  
Falsification of information on application form or any other town records  
Convictions of offenses against the law which would affect performance  
Violation of Town rules resulting in personal or property damage  
Excessive absenteeism  
Disregard of safety requirements  
Willful damage to Town property

4. Appeal procedure:
- a) Appeals from dismissal, demotion, or suspension shall be made by an employee in writing to the Selectboard within five (5) working days of such dismissal, demotion or suspension.
  - b) If a hearing is requested, the Selectboard shall hold a hearing as requested by the employee within thirty (30) days of receipt of the employee's written request for a hearing.
  - c) At the hearing, the employee, at his/her discretion, may be present, present testimony, be represented by counsel, examine the evidence against him/her and/or cross-examine witnesses.
  - d) The Selectboard shall make its decision and inform the employee (appellant) within seven (7) days following the hearing.
  - e) If the action of the Selectboard is in favor of the employee, he or she shall be restored to his or her original position, with full pay for the period since dismissal or suspension. The Selectboard may also reduce the disciplinary action to suspension without pay or a reprimand.
  - f) The decision of the Selectboard shall be final.

G. RESIGNATION

An employee who resigns his or her employment with the Town shall be deemed to be terminated in good standing if he or she gives reasonable notice to the Selectboard of his/her intention to resign and if other circumstances of the termination of employment are such as to justify good standing. In general, reasonable notice shall be considered to be two weeks. In the event an employee resigns without reasonable notice, the Selectboard may reduce the amount due to the employee for unpaid vacation by an amount equivalent to up to two weeks.

**SECTION V: CONDUCT OF EMPLOYEES**

A. GENERAL OBLIGATION

Every employee shall fulfill to the best of his/her ability the duties and responsibilities of his/her position. Employees shall not use their positions to secure special privileges or exemptions for the employee or others. Employees shall not use Town property or equipment

TOWN OF STARKSBORO  
PERSONNEL POLICY

without authorization from the Selectboard for the employee's private use or for any use other than that which serves the public interest.

B. HOURS OF SERVICE

The number of hours expected to be worked each week are included in the employee job descriptions. With the approval of the Selectboard, each Department Head shall determine the number of hours per day and the days per week of actual attendance on duty for employees in positions under his/her responsibility.

C. ATTENDANCE

Employees of the Town of Starksboro shall not be absent from duty without permission. Any absence from duty (including the absence of a single day or part thereof) shall be investigated by the Department Head and shall be reported to the Selectboard for action. Any such absence may be cause for disciplinary action by the Department Head. Any employee who has an unauthorized absence from work shall forfeit all compensation for the period of the absence. Department Heads shall have reasonable discretion to excuse an employee in his/her department from reporting or being present for duty with proper cause.

D. POLITICAL ACTIVITY

An employee shall not use his or her official authority for the purpose of interfering with or affecting the nominations for election of any candidate for public office in the Town of Starksboro. This rule is not to be construed to prevent a town employee from becoming or continuing to be a member of any political party or organization or from attending political meetings or signing petitions.

E. RECEIPT OF GIFTS

No person in the service of the Town of Starksboro shall either directly or indirectly give, render, pay or receive any service or other valuable thing for or on account of or in connection with any appointment, proposed appointment, promotion or proposed promotion.

F. CONTRACTS

No elected or appointed office or employee of the Town of Starksboro shall be beneficially interested directly or indirectly in any contract with the Town, regardless of amount; or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded by non-interested parties based on review of available options. Advertising for bids by publication shall be considered the preferred method of determining awards. This section does not apply in the event of an emergency where immediate action is considered more important to the Town than the receipt of formal bids.

G. SEXUAL HARASSMENT

It is against the policies of the town and illegal under state and federal law for any individual, male or female, to sexually harass another individual in the workplace. The town is committed to providing a workplace free from this unlawful conduct. All employees, elected officials and volunteers are responsible for assuring that the workplace is free from sexual harassment. The Town's Sexual Harassment Policy is included as Addendum A to this policy and is incorporated herein by reference.

TOWN OF STARKSBORO  
PERSONNEL POLICY

**SECTION VI: BENEFITS**

A. MEDICAL INSURANCE

1. Employees who are regularly scheduled to work at least 75% of a standard work week based on their job description will be eligible for medical insurance. The town's contribution to the cost of medical insurance will be prorated for any employee who works less than full time. Medical insurance may be for a single, two-person or family plan at the employee's option. An elected official is only eligible for medical insurance if he or she regularly works at least 75% of a standard work week based on a letter of understanding from the Selectboard for his/her position.
2. The medical insurance plan offered by the Town will be determined by the Selectboard and may change at any time based on the Selectboard's consideration of plan cost compared to benefits provided.
3. Eligible employees may enroll in the medical insurance plan after completion of sixty (60) days service. Application to enroll in the plan must be made through the Town Treasurer or Town Clerk.

B. RETIREMENT CONTRIBUTION

1. Employees who have earned a minimum of \$5,000 during the past two (2) fiscal years and can reasonable be expected to earn \$5,000 during the current year are eligible to participate in the Simple IRA agreement provided by the Town.
2. The initial setup fee for establishing the IRA will be paid by the Town. The employee is responsible for all other fees related to the plan.
3. For each eligible employee, the Town shall contribute 2% of his/her pay to the employee's Simple IRA. This contribution shall be made whether or not the employee makes a matching contribution.

C. HOLIDAYS

1. Employees who are regularly scheduled to work at least 50% of a standard work week based on their job description shall receive the following holidays with pay. Employees who work less than full time shall receive pro-rated holiday benefits. An elected official is only eligible for holiday pay if he or she regularly works at least 50% of a standard work week based on a letter of understanding from the Selectboard for his/her position.
2. The following shall be official holidays with pay for eligible town employees:
  - New Year's Day (January 1)
  - Martin Luther King Jr.'s Birthday (as designated in January)
  - President's Day (as designated in February)
  - Memorial Day (May)

TOWN OF STARKSBORO  
PERSONNEL POLICY

Independence Day (July 4)  
Bennington Battle Day (August 6)  
Labor Day (September)  
Columbus Day (October)  
Veteran's Day (November)  
Day before Thanksgiving (November)  
Thanksgiving Day (November)  
Christmas Day (December)

3. Municipal offices will be closed on the aforementioned days with essential services maintained as necessary (for example, snow plowing). Holidays taken by municipal employees and eligible elected officials not on the above list shall be charged to vacation time. Holidays that occur during a vacation period shall not be charged to vacation time.
4. Non-exempt personnel who work to provide essential services on a holiday shall be compensated at double their regular rate of pay for regular hours worked for all holidays. The employee may take the holiday at a later date. If the employee works on Christmas or Thanksgiving, the employee may either take the holiday at a later date or receive compensation at his/her regular rate of pay for the holiday.

The Road Foreman position is an exempt position. However, the Selectboard considers holidays to be important family time. It is the intent of the Selectboard that the Road Foreman be eligible for holiday pay in accordance with this policy.

As necessary, the Selectboard or their delegate shall designate which services are essential for each holiday.

D. VACATION

1. Employees who are regularly scheduled to work at least 50% of a standard work week based on their job description shall receive the following vacation with pay. Employees who work less than full time shall receive pro-rated vacation benefits.

During first year	-	One-half (1/2) Day per Month
After one (1) year	-	Two (2) Weeks
After five (5) years	-	Three (3) Weeks
After ten (10) years	-	Four (4) Weeks
2. Vacation is earned during the year on a prorated basis. After one year of service, employees may take vacation for that year only in advance. (For example, an employee does not have to work his/her entire second year to be able to take two weeks vacation.)
3. An elected official is only eligible for vacation pay if he or she regularly works at least 50% of a standard work week based on a letter of understanding from the Selectboard for his/her position. The amount of vacation allowed for eligible elected officials shall be specified in the letter of understanding.

TOWN OF STARKSBORO  
PERSONNEL POLICY

4. All employees and eligible elected officials are encouraged to take their vacation leave annually. A maximum of up to one week of accrued vacation time may be carried over to the following year (on a fiscal year basis). Should the leave time not be taken during the following fiscal year it shall be forfeited.
5. Vacations shall be taken at the discretion of the department head and must be approved in advance.
6. Upon termination an employee may be paid for accrued vacation time not to exceed fifteen (15) days. This accrued vacation time may be reduced by the Selectboard if sufficient notice of termination of employment is not provided by the employee. Sufficient notice is considered to be a minimum of two weeks. In the event an employee resigns "owing" vacation time, the employee's final check will be adjusted to reflect unearned vacation time taken by the employee.

E. SICK LEAVE

1. Employees who are regularly scheduled to work at least 50% of a standard work week based on their job description shall be eligible to receive paid sick leave. Employees who work less than full time shall receive pro-rated holiday benefits. An elected official is only eligible for paid sick leave if he or she regularly works at least 50% of a standard work week based on a letter of understanding from the Selectboard for his/her position.
2. Employees and eligible elected officials who work full time shall accrue one-half (0.5) day of sick leave per full calendar month worked. Sick leave shall be paid at the employee's regular rate of pay. An exempt employee or salaried elected official shall continue to receive his/her regular salary until all accumulated sick leave has been used, after which time the employee will no longer be paid. (Also refer to the section of this policy that covers FMLA.)
3. Unused sick leave may accumulate from year to year, but shall not exceed a maximum of sixty (60) days. Employees who have accumulated more than sixty (60) days of sick leave at the time this policy is adopted may retain accumulated sick leave, but may not continue to accrue additional sick leave. Once accrued sick leave falls below the sixty day maximum, it may not be rebuilt above that point.
4. Sick leave days shall only be paid to employees for work days absent because of illness or injury to themselves or their close relatives or household members, and shall equal eight (8) hours pay at the employee's regular straight time rate of pay. (A "close relative" includes a spouse, civil union partner, parent, grandparent, child, grandchild, sibling, aunt, uncle, niece, nephew, parent-in-law, brother/sister-in-law, stepparent, stepchild, and any person living in the employee's household.) A certificate from a licensed physician may be required for an employee to be compensated for more than three (3) consecutive sick leave days.

TOWN OF STARKSBORO  
PERSONNEL POLICY

5. Sick leave taken shall first be applied to the current year's earned sick time, then to previously accrued sick time.
6. Employees who have accrued the maximum number of sick days shall receive an attendance bonus equivalent to \$10 per sick day forfeited at the end of the Town's fiscal year. Previously banked sick days may not be forfeited to receive this bonus.
7. No compensation shall be granted for any unused portion of sick leave remaining in the event of termination of employment voluntarily or involuntarily, or upon retirement.

F. BEREAVEMENT LEAVE

Full time personnel may be granted up the three (3) days leave with pay for a death of a close relative. Permanent part time personnel who work a minimum of 50% shall receive prorated leave.

G. FAMILY AND MEDICAL LEAVE ACT

The Town of Starksboro shall comply with the requirements of the Family and Medical Leave Act, 29 U.S.C. Section 2601 et seq. (FMLA), and the Vermont Parental and Family Leave Act, 21 V.S.A. Section 470 et seq., if applicable.

Any leave taken in accordance with this policy shall run concurrently with other leave, such as Workers Compensation, if applicable.

H. MILITARY AND CIVIC LEAVE

1. The Town shall comply with the requirements of the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. Section 4303 et seq., and 21 V.S.A. Section 491 et seq. Personnel who take military leave subject to the provisions of these laws shall be granted leave without pay.
2. Should any full time employee be called for Jury Duty within any state or federal judicial court, the Town shall pay to the employee the difference between the employee's actual regular pay and that received from the court.

H. LEAVES OF ABSENCE WITHOUT PAY

In the event other leave is not available or adequate to allow for personal circumstances, employees are encouraged to discuss the situation with their department head or the selectboard. A leave of absence without pay may be granted based on individual circumstances. All requests for leaves of absence without pay shall be submitted in writing to the appropriate Department Head and state the purpose for which the leave is requested. The Department Head will make a recommendation to the Selectboard and the Selectboard shall decide whether to approve or disapprove the request.

This paragraph is meant to apply to extended leaves of absence only. A Department Head may, at his/her discretion, dismiss employees early based on work requirements or other circumstances. Any time not worked shall be considered time without pay or vacation time at the employee's option.

TOWN OF STARKSBORO  
PERSONNEL POLICY

**SECTION VII: PAY PLAN**

A. FAIR LABOR STANDARDS ACT

1. In accordance with the Fair Labor Standards Act (FLSA), as amended, it shall be the policy of the Town of Starksboro to pay one and one-half (1 ½) times the hourly rate of pay to all non-exempt employees for required work performed in excess of forty (40) hours during a given weekly pay period. The time worked is calculated based on actual hours worked not including vacation, holidays, sick leave or other paid leave time. (See Section VI Paragraph C Item 4 regarding holiday pay for non-exempt employees.) Elected officials and salaried employees are exempt from the requirements of FLSA.
2. An hourly (non-exempt) employee shall be paid for the actual number of hours worked during each weekly pay period. Salaried employees shall be paid at an annual rate divided by the number of pay periods received per year. An employee absent without leave may forfeit pay at the discretion of his/her Department Head. When absent due to authorized sick, vacation or holiday leave, hourly employees shall be paid at the regular rate. After a minimum of one year's service, an employee who leaves the service of the Town in good standing shall be paid for unused vacation time, not to exceed a total of fifteen (15) days.
3. The provisions of this policy shall prevail except in cases where contrary contractual agreement(s) exist between the employee and the Selectboard.

**SECTION VIII: WORKPLACE HEALTH AND SAFETY**

A. VERMONT OCCUPATIONAL SAFETY HAZARDS ACT (VOSHA)

1. In the interest of the safety and well-being of town workers, all employees shall acquaint themselves with the rules and regulations of the Vermont Occupational Safety Hazards Act (VOSHA). All Department Heads shall be responsible for enforcing safety rules as required by VOSHA and/or adopted by the Town.
2. All employees shall conduct themselves in a safe manner at all times in accordance with these regulations and shall not violate the VOSHA regulations. Any defective, unsafe equipment or practice shall immediately be brought to the attention of the Department Head, Town Clerk or Selectboard and the use of such unsafe equipment or practice shall cease immediately. Failure to follow safe practices or use personal safety equipment may be cause for immediate dismissal.

B. SMOKING POLICY

In accordance with Vermont law, to accommodate smokers and those for whom cigarette smoking is a discomfort, smoking is not permitted in any public buildings. Smoking is permitted only out of doors and in designated smoking areas.

C. ALCOHOL/DRUG ABUSE

TOWN OF STARKSBORO  
PERSONNEL POLICY

1. Policy: Working under the influence of alcohol or regulated drugs may endanger the public, co-workers and the employee and result in poor or inaccurate job performance. Employees who experience alcohol or drug abuse problems are expected and encouraged to seek assistance in the treatment of their problems. Department Heads and the Selectboard shall work with any employees to find appropriate treatment. In accordance with other sections of this Personnel Policy, working under the influence of alcohol or drugs may be cause for termination.
  
2. Prohibition on Working Under the Influence: Employees shall not report to work or work under the influence of alcohol or a regulated drug. This prohibition is not meant to exclude drugs prescribed by a duly licensed physician or dentist; although the employee is encouraged to consider all possible drug side effects in determining whether his/her job may be performed safely while using the prescribed medication.
  
3. Disciplinary Action: An employee who reports for work under the influence of alcohol or regulated drugs, or who consumes or uses such substances while at work, shall be dismissed immediately.

**SECTION IX: OTHER LAWS**

This personnel policy shall control in the event of a conflict between its provisions and any other written or oral communications. Alternately, the provisions of this personnel policy shall be deemed superseded by any conflicting applicable federal or State law, Town ordinance or Charter provision.

**SECTION X: SEVERABILITY**

If any provision of this personnel policy is superseded by any conflicting applicable federal or State law, Town ordinance or Charter provision, or is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other provision of this personnel policy.

Date Adopted: \_\_\_\_\_

By: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_