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FOREWORD

Working for the Town is not just another job. You are performing a service to your community that enables it to function smoothly throughout the year. Each of us should remember at all times that we are indirectly employed by every citizen in Edisto Beach and should always treat our citizens in a courteous and friendly manner.

Should any portion of this policy be unclear to you, it is your responsibility to ask your immediate supervisor for clarification.

Effective: October 28 , 2019

EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

It is the policy of the Town to provide equal opportunity to all applicants for employment, and to administer hiring, conditions and privileges of employment, compensation, training, promotions, transfer, and discipline without discrimination because of race, color, religion, gender, disability, age, national origin or any other status protected by law. Any employee who believes that he/she has been discriminated against in violation of this policy should report the matter to their supervisor, the Town Administrator or Mayor.

WORK HOURS AND OVERTIME

Consistent and prompt work attendance is a primary work requirement and all employees are to observe their established hours of work. The Town's normal hours of business are from 8:00 A.M. to 4:30 P.M. However, some departments must operate outside the Town's normal hours of business, and schedules of employees of those departments may differ from the Town's normal hours. Each department is responsible for scheduling its employees to meet the needs of the Town. Employees may be required to work overtime.

All employees not exempt from the overtime provisions of the Fair Labor Standards Act, except for police officers and fire fighters, are paid overtime for all hours actually worked in excess of forty hours in a workweek. In certain circumstances, the Town may elect to grant compensatory time in lieu of paying overtime.

Due to scheduling differences, some employees may normally work less than forty hours in a workweek. Regardless of the number of hours that an employee normally works, overtime for non-exempt employees other than police and fire, is paid only for those hours actually worked in excess of forty hours. Holidays, sick leave, and annual leave are not considered time worked for the purposes of calculating overtime pay. If an employee is called in to work because of an emergency situation in a work week in which there is an official holiday, the holiday hours will be recognized as hours worked when calculating overtime. (See Holiday section.)

Police Officers are on an 86-hour, two week, pay period, and are paid overtime after they have actually worked 86 hours in a two-week period.

Firefighters are paid overtime after the first 106 hours on a two-week pay period.

Employees who are exempt from overtime do not accrue compensatory time off. The Town Administrator has authority to 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, and the Town does not pay exempt employees for compensatory time upon termination.

TIMEKEEPING

Nonexempt employees are required to accurately record the time they begin and end their workday. They should also record the beginning and ending time of any split shift or departure from work for lunch and personal reasons.

Tampering, altering or falsifying time records, working without recording the time or recording time on another employee's time record is prohibited.

Nonexempt employees must not begin work more than 5 minutes prior to their scheduled starting time nor continue working more than 5 minutes after their scheduled stop time without express, prior authorization from their supervisor. Except in emergencies, all overtime work must receive the supervisor's prior authorization.

It is the employee's responsibility to certify the accuracy of all time recorded. All hours worked must be recorded, and all hours recorded must have been worked. The supervisor will review and then initial the time record before submitting it for payroll processing. Any changes in an employee's work schedule must be preapproved by his/her immediate supervisor. If an employee is absent from work and leave time is available, either sick or vacation, the employee must use his/her available leave time to achieve the required full-time work week. If there is no available leave time, either sick or vacation to apply to time out of the office, then the employee may report actual hours worked, short of the full-time work week.

EMERGENCY OVERTIME FOR EXEMPT EMPLOYEES

Due to certain situations, including but not limited to emergency or disaster events or conditions, the Town may find it necessary to solicit the services of exempt employees in times where all other resources have been called upon, or where specialized training or expertise is required. In the event a State of Emergency is declared by the Mayor, Governor or President of the United States, exempt employees of the Town of Edisto Beach shall be paid for actual hours worked. The duration of such overtime authorization will be at the discretion and authorization of the Town Council. The Town Administrator, as authorized by the Town Council, has the authority to promulgate procedures to implement such emergency actions. The policy, because of its limiting nature, will be implemented in very extraordinary circumstances. The policy will be activated and enacted when driven by the nature of certain events (disaster/emergency) and is not limited to natural disasters. These circumstances may include incidences specific only to the Town of Edisto Beach.

PAYMENT OF WAGES

Employees are paid every other Friday afternoon at their work stations or via direct deposit into their banking account. Each paycheck includes earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

Employees should examine their paychecks/pay stubs 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 to payroll within 14 days.

The Town deducts from employees' gross pay taxes and withholding required by the taxing authorities. The Town may also deduct from employees' pay the employee's 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 of Edisto Beach, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, and other items belonging to the Town of Edisto Beach that were advanced or issued to any employee are considered advances of wages, the value of which may be deducted from the employee's final pay check(s) if not repaid or returned at the time of termination. By accepting or continuing employment the employee authorizes these deductions. Acknowledgement of Receipt/Authorization for Deductions, Appendix 2.

SMOKING

Smoking is not permitted in Town buildings and Town vehicles. Smoking is only allowed in designated areas.

ANTI-HARASSMENT POLICY

Various laws and regulations, generally prohibit employment decisions from being made on the basis of race, sex, religion, national origin, color, age, 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

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

- (1) Submission to the conduct is an explicit or implicit term or condition of employment, or
- (2) Submission to or rejection of the conduct is used as the basis for an employment decision, or
- (3) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidation, 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. Although most commonly the “perpetrator” of such conduct is male and the “victim” is female, 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 which would violate this policy if it were unwelcome violates the policy if anyone complains of it. However, not all conduct which is prohibited by this policy constitutes a violation of the law.

Complaint Procedure and Investigation

If you feel that this policy has been violated by anyone with whom you come in contact on the job, regardless of whether it is by a fellow worker, a supervisor, or a member of the public, you should immediately 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 Administrator should be made to the Mayor.

Supervisors and managers who receive complaints or become aware of harassment should immediately coordinate with the Mayor or Town Administrator.

Harassment 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. 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 at all with co-workers, friends, or management. This does not mean, however, that employees may not complain to civil rights agencies.

Employees may be asked to submit to a polygraph (lie detector) examination.

--IMPORTANT--

In order to avoid misunderstandings, complaints made to members of management or to the Mayor involve the completion of a complaint report, either by you or by the person to whom the complaint is made, which details the allegations and lists any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure. (Appendix 1)

These procedures have been established to enable you to get relief if you feel that you are the victim

of harassment. The reporting procedures which we have adopted are intended to establish a clear record of what has been reported.

DRESS

Employees are to dress in an appropriate professional manner for their assigned job. If a uniform is provided, it must be worn as a complete set. The clothing and overall appearance of all employees must be compatible with the job assignment and in good taste. Appropriate dress includes appropriate undergarments and proper attention to personal hygiene. Generally, office workers should avoid extreme fashion in dress; i.e., clothing should not be higher than 4" above the knee.

Those employees issued uniforms, safety shoes, and other appropriate garments are required to wear them. It is the responsibility of each department head to prescribe appropriate attire for unusual work activities and for periods of extreme climatic conditions. Facial hair must be maintained in a manner that will not interfere with the proper seal of any self contained breathing apparatus or respirator. Hair must be maintained at a length or style that will ensure that it does not become caught or tangled in equipment with which the employee might come in contact.

The Town does not accept responsibility for replacement of uniform items which have been damaged through neglect or through other than normal wear and tear, but requires the items to be replaced by the individual involved. Damage incurred while on Town Business to personal items may be replaced up to a value of \$250. Values exceeding this replacement cost may be appealed to the Council.

An employee's appearance reflects upon the reputation of the Town.

OUTSIDE EMPLOYMENT

The Town expects an employee's work for the Town will take precedence over any outside employment engaged in by an employee. Employees must get the prior written approval of their Department Head before engaging in other employment. 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 required 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 property while engaging in private business.

PROFESSIONAL ETHICS - CONFLICT OF INTEREST POLICY

A. 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 addition, supervisory employees may not join or support labor organizations that accept to membership subordinates of such supervisors.

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.

B. GIFTS AND GRATUITIES

No employee may directly or indirectly solicit, accept or receive a gift under circumstances in which 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.

C. 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 Administrator, or to Council for review. If the Town determines a potential conflict or appearance of conflict of interest exists, the matter will be reassigned to another employee

DEPARTMENTAL OPERATING AND PROCEDURE POLICIES

Department Heads may issue departmental operating procedure policies, provided such policies are not less restrictive than, nor in conflict with this policy. The Town must approve departmental policies. Current copies of all departmental policies are filed with the Town Administrative office.

VEHICLE USE POLICY

The Town assigns Town vehicles to certain positions for the benefit and convenience of the Town. The assignment of vehicles is within the sole discretion of the Town. The Town may withdraw

assignment at any time. SMOKING IN VEHICLES IS AN AUTOMATIC TERMINATION OF EMPLOYMENT.

The assignment of vehicles to positions and the use of such vehicles fall within the following three (3) categories:

CATEGORY I: Limited Use - Employees using a Town vehicle in this category are limited to travel to and from work and home of record with limited personal use. Personal use is limited to the employee's home of record town and must be within the Colleton, Charleston and North Charleston areas unless used for work related duties. Travel outside of the employee's home of record town is allowed only upon prior approval by the Department Head. Limited use is a privilege and can be discontinued at the discretion of the Town Council and will be reviewed annually. This category only applies to the police department.

CATEGORY II: Restricted - Employees in this category may drive a Town vehicle to and from work and home of record with not more than one intermediate stop (within reasonable limits) based on duty assignment Positions included in this section are: (a) exempt Department Heads; (b) non-emergency vehicles in the Fire Department such as Fire Inspector and Training Officer.

CATEGORY III: No Personal Use, Duty Use Only - Employees using a Town vehicle in this category may be allowed a stop for a meal or break with the approval of the Department Head. Otherwise, the vehicles must be parked when not in duty use at a location determined by the Department Head. The employee may not drive this vehicle home, unless otherwise determined by the Department Head on a day-to-day basis. This category includes all other positions that are assigned vehicle use not covered in any previous category.

Those employees who are assigned vehicles shall be further guided by the following conditions:

- ✓ Only Town employees are allowed to drive Town vehicles. Town volunteers, Board or Commission members, may be considered as employees on a case-by-case basis regarding this policy.
- ✓ The operator of a Town vehicle must have in his possession a current and valid South Carolina Driver's License appropriate for the size and type of vehicle operated. The employee's supervisor or Department Head may request to see the license at any time.
- ✓ Seat Belts must be used when operating a Town vehicle.
- ✓ All traffic rules and regulations must be strictly obeyed. All Town vehicles will be operated within the limits of the law at all times. Operators are responsible for fines or damages resulting from their own negligence.
- ✓ Employees operating Town vehicles should take the shortest route to and from all jobs; utilize the most practical size vehicle to accomplish the work; and plan assignments in order to eliminate all unnecessary trips.

- ✓ Town vehicles must be kept clean at all times.
- ✓ Never leave the keys in an unattended vehicle.
- ✓ Always use emergency brakes when parked.
- ✓ Employees assigned Town vehicles are responsible for compliance with routine vehicle maintenance schedules. Any employee operating a Town vehicle must ensure that it is in proper operating condition at all times. Any malfunctions must be reported immediately to the immediate supervisor who shall have the responsibility and authority to remove from service any vehicle deemed unsafe or inoperable. Employees must report accidents to their supervisor and, when occurring on public rights of way, report to the applicable police jurisdiction.

The Town of Edisto Beach annually requests a Driver's History check on all employees allowed to operate Town owned vehicles. The Town pays all required fees.

Employees who operate Town vehicles must report within 24 hours to their immediate supervisor if they lose their license or are charged with any moving violation either on or off the job.

TRAVEL AND SUBSISTENCE

All employees and Council Members of the Town of Edisto Beach are expected to show proper regard for economy in incurring travel and related expenses. The spouse of family members may accompany an employee on an official trip, if their presence does not detract from the performance of duty, but no expenses attributed to them will be borne by the Town. Travel should be evaluated to limit travel where one person can attend and share knowledge with others not in attendance.

Attendance at seminars, conferences, conventions, Town sponsored or supported trips and other training is offered as a means of improving one's job performance and professional development.

Department Heads must approve in advance of all travel for employees within their department. Travel of Department Heads must be approved in advance by the Administrator or, in his/her absence, the Mayor. The request for travel should include all anticipated costs and benefit to the Town. The approval authority is to use reasonable judgment and be fiscally responsible when approving the travel request. A travel request form must be completed in advance for all overnight out of town travel.

Employees and Council Members are to complete an "Expense Reimbursement Form" within five days following the return date when requesting reimbursement for mileage, subsistence, or other expenses. (Council Members are subject to Section 2-31 of the Code of Ordinances for reimbursement. Reimbursement does not include dry cleaning or laundry services, toiletries, cable movies, alcoholic beverages or any other miscellaneous personal expenses. Valet parking may be

utilized but the employee or Council Member is responsible for the difference between regular parking and valet parking. Proper itemized receipts for all monies expended must be attached to a copy of credit card purchases. Failure to submit the itemized information per required procedure may result in denied reimbursement/payment and considered a personal debt that may be deducted from wages within 30 days.

In some circumstances, with the approval of the Town Administrator, funds may be advanced to an employee to cover anticipated meal expenses. In all cases, the unexpended funds must be returned along with the Expense Reimbursement Form.

Town vehicles assigned to departments and pool cars are to be utilized whenever available upon approval of the Department Head. Upon proper authorization, employees utilizing private vehicles will be reimbursed mileage expense based on a rate indexed to the previous fiscal year's IRS allowance for mileage.

Mileage is only paid for travel authorized for official business

Departure for one-day business related trips within the state will normally commence the same day and will not involve overnight travel. Exceptions may be approved in advance by the Town Administrator.

Employees are expected to depart as soon as practical after the conclusion of their official business, except that no employee is expected to depart when such departure will result in travel after 11:00 p.m.

The following schedule establishes the maximum amount of subsistence for meals (including tips) which may be reimbursed.

I. Subsistence for Meals and Time Schedule

Allowance for breakfast	\$10.00
Allowance for lunch	\$15.00
Allowance for dinner	\$25.00

Maximum daily allowance \$50.00.

Breakfast allowance shall apply if departure is prior to 8 a.m.

Lunch allowance shall apply from 11:00 a.m. to 2:00 p.m.

Dinner allowance shall apply after 5:00 p.m.

(Alcoholic beverages may not be included in any meal allowance and are never reimbursed.)

Generally, lunch will not be reimbursed unless overnight travel is involved.

Additional meal expenses that are pre-determined by a scheduled business meeting may be

paid as a per diem in full if not covered in a registration fee.

All requests for reimbursement require a receipt for each expense; however, the Department Head may authorize a reimbursable expenditure without a receipt with a signed affidavit from the employee stating the itemized expenses are true and correct. The Town Administrator will review these exceptions.

Reimbursement forms for payment pertaining to entertainment of persons involved in Town projects or activities will list the people entertained, the type of entertainment and the specific purpose of the event. See *Appendix 5*.

SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of the Town and all employees. The Town expects employees to do everything within their control to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are expected to obey safety rules and to exercise caution in all their work activities. Employees must use required safety equipment and must abide by standard safety precautions. Employees must immediately report any unsafe condition to their supervisor. All employees are expected to correct unsafe conditions as promptly as possible.

All accidents regardless of damage or injury must be reported to the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers compensation procedures.

EMPLOYMENT CATEGORIES

THESE CLASSIFICATIONS DO NOT GUARANTEE EMPLOYMENT FOR ANY SPECIFIED PERIOD OF TIME. ACCORDINGLY, THE RIGHT TO TERMINATE THE EMPLOYMENT RELATIONSHIP AT WILL, AT ANY TIME, IS RETAINED BY BOTH THE EMPLOYEE AND THE TOWN.

Each employee is designated as either nonexempt or exempt from certain provisions of the federal wage and hour laws. Nonexempt employees are entitled to overtime pay or compensatory time off under the specific provisions of federal laws. Exempt employees are not entitled to overtime or compensatory time off.

In addition to the above categories, each employee will belong to one of the following employment categories:

REGULAR FULL-TIME (over 30 hours) employees are those who have successfully completed the six-month introductory period or any extension thereof, are not temporary employees, are normally expected to work no less than the department's regularly scheduled work hours, and are

eligible for all Town benefits subject to the terms and conditions, and limitations of each benefit program.

PART-TIME employees are those who have successfully completed the six-month introductory period, are not temporary employees, and are normally scheduled to work fewer hours per week than the department's regularly scheduled work hours. Such employees are not eligible for holiday compensation, except employees hired prior to February 2009 and only if the holiday falls on a normally scheduled work day. Eligibility for other Town benefits such as retirement and insurance coverage will vary based on specific eligibility requirements for each benefit as outlined in various plan documents furnished to employees.

TEMPORARY employees are employed for the purpose of providing supplemental manpower for special projects or to fill in for regular full-time employees who are unable to work, generally in situations where the employment is not expected to continue for more than six months. Temporary employees are not eligible for Town benefits, other than those required by law, such as workers compensation.

INTRODUCTORY employees are those who are hired for regular full-time or part time-positions, but who have not yet completed the introductory period and any extension thereof. Introductory employees are eligible for Town benefits in accordance with the full-time or part-time nature of their position and subject to the terms, conditions and limitations of each benefit program, except that introductory employees may accrue but not use vacation leave during the introductory period.

RECRUITMENT

It is the policy of the Town to fill each position with the person it deems best suited for the position, at the sole discretion of the Town. Position vacancies may be posted in either the local newspaper or other electronic media avenues. Newspaper advertisements may include publication in Saturday and Sunday papers as well as one other weekday edition. In the Town's discretion, vacancies for the same positions that occur within 6 months of each may not be re-advertised. Advertisements are coordinated through the Town Administrator who will assist the Department Heads with the advertisement. Temporary appointments may be made to fill these vacancies as necessary.

The final selection for positions is made by the respective Department Head with the approval of the Town Administrator. Department Heads are selected by the Mayor and Town Council with the advice of the Town Administrator. The Department Committee, as selected by Council, may screen applicants for a Department Head position or delegate the authority to screen applicants to the Town Administrator.

A job description and other reasonable minimum standards may be established by the Town Administrator.

INTRODUCTORY PERIOD

The first six months of employment for a new or rehired employee is considered an introductory period, which provides the employee opportunity to evaluate the job, and affords the Town opportunity to further evaluate the employee's suitability for the position. This period is considered an extension of the application process. During this period, the employee may decide that the position is not suited to him/her, and resign without notice. Likewise, the Town may decide an employee is not well suited for a position and, upon recommendation of the Department Head, terminate the employee without notice. SUCCESSFULLY COMPLETING THE INTRODUCTORY PERIOD DOES NOT ALTER THE AT WILL NATURE OF EMPLOYMENT WITH THE TOWN OF EDISTO BEACH. EMPLOYEES MAY RESIGN OR BE TERMINATED AT ANY TIME, WITH OR WITHOUT NOTICE OR CAUSE.

Any introductory employee who is absent for more than three consecutive days during the introductory period is automatically terminated, but is eligible for rehire. Any approved absences will automatically extend the introductory period by the length of the absence.

During the introductory period, new employees are eligible for Town benefits subject to the terms and conditions, and limitations of each benefit program.

Annual and sick leave are accrued during the introductory period, but annual leave may not be used until satisfactory completion of the introductory period. Introductory employees are eligible for holiday compensation.

The introductory period ends when at the end of the six-month period or extension thereof, the employee is notified that the introductory status is no longer in effect, as evidenced by a written performance evaluation, and that employment status is being changed to regular full-time or part-time. In the event the Town does not notify the employee at the conclusion of the initial six months, the employee is to request a written employment status notification within 15 days of the six-month employment anniversary. Until written notification of regular status is received, employment status continues to be introductory. However, as noted in the introduction of this manual, successful conclusion of the introductory period does not constitute any agreement or contract of continued employment.

All newly promoted employees must complete an introductory period of three months. This period is a continuation of the selection process and is a time in which the newly promoted employee demonstrates that he/she is well-suited for the promotion.

If the department head concludes in any time during the introductory period that the newly promoted employee is not suited for his/her new position, the employee will be removed from that position. If there is a vacancy in his/her former position which is to be filled, he/she may be returned to it. If there is no such vacancy, he/she may be considered for the filling of other vacancies for which he/she is qualified. The pay scale will be adjusted commensurate with the final assignment of the employee. 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.

EMPLOYMENT TERMINATION

Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION - Employment termination initiated by an employee who chooses to leave the Town voluntarily. For employees to resign in good standing, they must give a two-week written notice to the employee's supervisor (such notice may be waived by the Town) and properly work at least two (2) weeks. Failure to do so will result in the loss of any accrued benefits such as vacation or holiday pay.

DISMISSALS - Dismissals are discharges or separations made for such reasons as delinquency, misconduct, inefficiency, or inability to perform the work of the position satisfactorily, or because the Town, in its discretion, has simply decided to terminate the at-will employment of an employee. A Department Head must review all proposed dismissals with the Town Administrator, but may relieve the employee of duty subject to the review. All involuntary terminations are subject to approval by the Administrator.

MEDICAL TERMINATION - Employment termination initiated by the employee or by the Town when an employee is unable, for health reasons, to continue to work.

RETIREMENT - Voluntary retirement from active employment status initiated by the employee. Employees desiring to retire should notify their supervisor as far in advance as possible. One year's notice is preferred.

LOSS OF JOB REQUIREMENT – Employees whose jobs require certification or licensure are responsible for maintaining required certifications and licenses. Employees must immediately report the loss of any license or certification.

The Town schedules exit interviews for terminating employees. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, return of equipment, etc. Suggestions, complaints, and questions can also be voiced.

NEUTRAL REFERENCE

Only the Town Administrator or Human Resources staff will be authorized to provide job references or employment-related information regarding current or former employees. Such inquiries must immediately be directed to one of these individuals. Violation of this policy may result in disciplinary action up to and including termination.

The Town's general policy is to verify only neutral references in response to inquiries by prospective employers seeking information about current or former employees. This means the Town normally will verify to prospective employers only the following information: the beginning and ending dates of employment, position(s) held and with written authorization, confirmation of a former employee's

compensation rate or range at termination.

Special Note: This policy is not intended to prohibit Town employees who are listed as personal references on an application form from responding to inquiries from prospective employers, provided the Town employee who is asked to provide the reference did not/does not supervise, directly or indirectly, the current or former Town employee who is the subject of the reference.

DISCIPLINARY ACTION

As is the case with all organizations, instances arise when an employee must be disciplined. The discipline that may be imposed includes but is not limited to oral reprimand, written warning, probation, reduction of leave balances, suspension without pay, demotion, and discharge. In addition, the Town may procedurally suspend an employee pending investigation to determine if disciplinary action is appropriate. If the Town determines an unpaid suspension is appropriate discipline, exempt employees will be suspended in full-day increments; non-exempt employees will be suspended in partial or full-day increments. In addition, the Town may impose a combination of disciplinary measures. **The discipline imposed in any particular situation is at the sole discretion of the Town. Nothing in any of the Town's policies or by virtue of any past practice of the Town requires the Town to follow any particular course of discipline.** Supervisors and department heads must submit terminations to the Town Administrator for review.

Employees must sign counseling memoranda, policy statements, performance evaluations, and other similar documents. The employee's signature does not necessarily indicate agreement with the contents of the document, only that he has been notified of the contents of the document. Employees may attach their comments to the document. If an employee refuses to sign the document he will be relieved of duty without pay. If he does not sign the document by 5:00 p.m. at the end of his next scheduled workday, he will be presumed to have resigned.

It is not possible to list all acts and omissions which may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct is at the sole discretion of the Town. The following are merely examples of some of the more obvious types of misconduct which may result in disciplinary action, up to and including discharge. **THE TOWN RESERVES THE RIGHT TO TREAT EACH EMPLOYEE INDIVIDUALLY WITHOUT REGARD FOR THE WAY IT HAS TREATED OTHER EMPLOYEES AND WITHOUT REGARD TO THE WAY IT HAS HANDLED SIMILAR SITUATIONS.**

1. Failure or refusal to follow oral or written instructions.
2. Inefficiency or lack of application in the performance of duties; incompetence.
3. Careless, negligent or improper use of Town property or equipment.
4. Thoughtless conduct which endangers others or results in property damage.
5. Failure to maintain satisfactory or harmonious working relationships with public or fellow employees.
6. Unauthorized absence or tardiness or a pattern of absenteeism or tardiness.

7. Neglect or carelessness.
8. Engaging in non-work activities while on duty.
9. Creating or contributing to unsanitary conditions.
10. Engaging in horseplay; threatening, coercing or intimidating fellow employees, including “joking” threats.
11. 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 intoxicants; off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is “under the influence” if he/she has any detectable amount of such substance in his/her system.
12. 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 which affects the Town’s reputation or which reasonably could create concern on the part of fellow employees or the community. Employees who are arrested may be relieved of duty pending the Town’s determination on continued employment.
13. Violation of safety rules; neglect or unsafe practices.
14. Sleeping or giving the appearance of sleeping while on duty.
15. Gambling on Town property.
16. Failure to report personal injury or property damage.
17. Improper use of sick leave.
18. Failure to provide information, falsification of records, or misrepresentation of material information for any purpose.
19. Unauthorized or improper use or disclosure of records, documents or information.
20. Unauthorized possession or removal, misappropriation, misuse, destruction, theft or conversion of Town property or the property of others.
21. Damage or destruction to equipment or property belonging to the Town or fellow workers.
22. Insubordination, including disrespect for authority.
23. Dishonesty.
24. An employee found guilty of being the aggressor in a fight on Town property or while on duty.
25. Lack of good judgment.
26. Possession of firearms on Town property unless authorized by the Town.
27. Violation of any Town policy.
28. Any other reason that in the Town’s sole determination warrants discipline.

OFFICIAL HOLIDAYS

The following are observed as official paid holidays for all full-time, non-temporary employees of the Town of Edisto Beach. Generally, these holidays are recognized State holidays. During gubernatorial and Presidential election years, Town Hall will be closed on Election Day. A maximum of 15 holidays will be observed annually except gubernatorial and Presidential election years will add 1 extra day.

New Year's Day
Martin Luther King, Jr.'s Birthday
President's Day
Good Friday
National Memorial Day
Independence Day (July 4th)
Labor Day
Columbus Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day
Day after Christmas
*one "floating" holiday to be approved by Town Administrator

For each paid holiday, each regular full-time employee receives a holiday allowance equal to 8 hours. If an employee works a holiday, the employee will be paid for hours worked and will be paid for 8 hours paid holiday.

A holiday falling on Saturday is observed on Friday; a holiday falling on Sunday is observed on Monday.

If an employee is called in to work because of an emergency situation in a work week in which there is an official holiday, the holiday hours will be recognized as hours worked when calculating overtime. The department head with the approval of the Administrator may authorize over time in these emergency situations.

In order to receive holiday pay, employees must work the scheduled workdays immediately before and after a holiday, or have an excused absence.

An employee already on approved sick leave or on annual leave when a holiday occurs receives holiday pay, and that day is not charged against his annual leave or sick leave.

ANNUAL LEAVE POLICY

I. RATE OF ACCRUAL

All employees assigned to regular positions who have completed at least six months of satisfactory service accrue annual leave time according to the following schedule:

Accrual Rates - Hours per Month

<u>2 Weeks Annual Leave</u>	<u>3 Weeks Annual Leave</u>	<u>4 Weeks Annual Leave</u>	<u>Department Shifts</u>
8.83 hrs	13.25 hrs	17.67 hrs	24 hrs
7.17 hrs	10.75 hrs	14.33 hrs	12 hrs
6.67 hrs	10.00 hrs	13.33 hrs	8 hrs

- A. Full-time employees with less than five (5) years of continuous service receive credit for the maximum (equivalent) of one-week annual leave at the satisfactory completion of their six (6) month introductory period. Thereafter, the employee accrues annual leave monthly based on the above schedule for the maximum (equivalent) earnings of two weeks annually.
- B. Full-time employees with at least five (5) years, but less than ten (10) years of continuous service accrue annual leave monthly based on the above schedule for the maximum (equivalent) earnings of three weeks annually.
- C. Full-time employees with ten (10) or more years of continuous service accrue leave monthly based on the above schedule with the maximum (equivalent) accrual of four weeks annually.
- D. No part-time employee, temporary or seasonal employee shall accrue annual leave.
- E. Employees on full-time leave without pay for more than ten (10) consecutive workdays do not accrue annual leave while in leave status.
- F. An employee that changes his/her work schedule from one shift to another, different, distinct shift or to another department affecting his/her work schedule, may carry over his/her annual leave; however, a conversion will be applied to reflect accrued hours for the new department schedule. This conversion affects the employee an equivalent number of weeks of leave under his/her new work schedule as he/she accumulated under his/her previous work schedule.

II. USE OF ANNUAL LEAVE

- A. Annual Leave may not be used or charged in units of less than one day unless approved by the Town Administrator.
- B. No more than two (2) consecutive leave weeks can be taken at any one time, without permission.
- C. All annual leave time must be approved in advance by the employee's department head in writing and submitted to the Financial/Budget Analyst. Whenever possible, an employee wishing to take more than one day of annual leave time should request approval at least one week in advance.
- D. If possible, employees should be allowed to take paid annual leave at times most convenient to them. However, in order to insure continued smooth operation and maintain a high level of quality in the delivery of services to the citizens of Edisto Beach, the Town reserves the right to limit the number of employees that may be

absent from a given department or unit at any one time. When there is a conflict in the annual leave choices of two or more employees who cannot be spared at the same time, the Town will determine whose request takes priority.

- E. When a paid holiday is observed by the Town during the period an employee is on paid annual leave, the employee receives only his/her regular holiday pay and that day is not charged against the employee's annual leave earnings.
- F. The Town Administrator may make exceptions to D & E above, in his/her discretion.

III. CARRY-OVER AND PAYOUT OF ANNUAL LEAVE EARNINGS

Maximum One (1) Week Annual Leave Carry Over

<u>Dept. Schedule</u>	<u>Max. Carry Over</u>
24 hr. Shift	53 hrs.
12 hr. Shift	43 hrs.
8 hr. Shift	40 hrs.

- A. While an employee's additional accrued leave during a given calendar year may cause the total accumulated leave to exceed the maximum allowed carry over during that year, the employee may only carry over at the end of that year a maximum annual leave balance no greater than his/her annual leave balance as of December 31, 1998, or the above schedule, whichever is greater. It is the employee's responsibility to schedule leave time in accordance with the policies defined herein so as to avoid loss of leave time due to excess accumulation.
- B. An employee is allowed to cash out one (1) week of accrued annual leave per calendar year during the months of November through December.
- C. Accrued, unused annual 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 notice may be waived by the Administrator or Town Council.

SICK LEAVE POLICY

I. RATE OF ACCRUAL

<u>Employee's Work Schedule in hours per day</u>	<u>Sick Leave Earned per month in hours</u>
24 hr. Shift	11.91 hours
12 hr. Shift	8.6 hours
8 hr. Shift	8 hours

All regular full-time employees accrue credits for paid sick leave at an accrual rate listed above per month. Employees who are on leave without pay do not accrue sick leave credits.

Regular part time employees working a minimum of twenty (20) hours per week accrue credits for paid sick leave at the rate of 1/2 the accrual rate. Regular part-time employees working thirty-six hours or more accrue paid sick leave at the rate of full time employees.

An employee who changes his/her work schedule from one shift to another, different, distinct shift or to another department affecting his work schedule, may carry over his/her sick leave; however, a conversion will be applied to reflect accrued hours for the new department schedule.

II. USE OF SICK LEAVE

- A. Sick leave is charged in units of whole hours.
- B. Sick leave may be paid when an employee is unable to work due to personal illness or injury, or when the employee's presence may endanger the health of fellow workers.
- C. Sick leave may be taken for personal medical and dental appointments.
- D. Sick leave may be used to cover absences made necessary by illness in an employee's immediate family, up to a maximum of 5 days per year. Immediate family for this policy includes dependent children, spouse, legal guardianships or parents. Use of sick leave for family residing outside the household requires Department Head and Town Administrator prior approval and cannot exceed 40 hours per year.
- E. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee shall receive only his/her regular pay and that day shall not be charged against his/her sick leave earnings.
- F. Use of sick leave immediately before or after a holiday must be documented by a doctor's excuse or Department Head approval.
- G. Sick leave may not be used as a substitute for annual leave or to "layout from work". In addition, sick leave may not be used during the 2 week notice period at the time of a voluntary resignation.

III. PAYMENT OF SICK LEAVE

- A. In order to be eligible for sick leave with pay an employee must:
 - 1. Report to his/her supervisor thirty (30) minutes prior to the scheduled starting time and state the reason for the absence. An employee who fails to so notify his/her supervisor may not be paid for the day(s) taken prior to notification.
 - 2. If the absence extends beyond one day, keep his/her supervisor advised as to his/her condition and anticipated date of return.
 - 3. Submit a statement from the attending physicians as to the nature and duration of the illness, if requested by immediate supervisor or Town Administrator.
- B. The maximum unused sick leave which may be carried over from one calendar year

to the next is:

<u>Employees Work Schedule in hours per day</u>	<u>Sick Leave Earned in hours</u>
24 hr. Shift	1,464 hours
12 hr. Shift	1,118 hours
8 hr. Shift	1,040 hours

- C. No employee may be reimbursed for unused accrued sick leave at termination.

PHYSICAL DISABILITY AND PERSONAL LEAVE

1. An employee who has completed his initial introductory (and any extension thereof) may request a leave of absence for up to 90 days 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 at the discretion of the Administrator upon recommendation by the employee's department head. Employees still in their introductory periods who are absent for more than five consecutive scheduled workdays because of any physical disability are generally terminated, but are eligible for rehire. The circumstances of any employee situation will be evaluated prior to any decision to terminate their employment due to their inability to work.
2. 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.
3. Physical disability leave begins on the first day of absence.
4. After the employee has exhausted his/her annual and/or sick leave, as a general rule, an employee on leave of absence is not entitled to wages or fringe benefits and does not accrue fringe benefits. Certain exceptions may be established by law.
5. Employees on leave of absence may not engage in other employment.
6. Employees desiring to return to work from an unpaid leave of absence should notify the Administrator in writing at least ten (10) days prior to their desired date of return. If the Town finds that the employee is fit to resume his/her duties, the employee may be recalled to his/her former job if a vacancy exists which is to be filled. If no such vacancy exists, the employee may be recalled to any job in which there is a vacancy which is to be filled and for which he/she is qualified. The pay scale will be commensurate with the final assignment of the employee. If no such vacancy exists at the time the employee desires to return to work, the employee's leave of absence may be continued. Any employee who has not been reinstated within 12 weeks following the commencement of a leave of absence will generally be terminated. The circumstances of any employee situation will be evaluated prior to any decision to terminate their employment due to their inability to work. This action does not affect

the employee's eligibility to be considered for hire as a new employee at some future time.

BEREAVEMENT

In case of death in an employee's immediate family, an employee will be paid for up to three consecutive days of time actually lost from straight time scheduled work with the authorization of the department head. This is based on an 8 hour day or 24 hours of bereavement leave. Time will not be charged against the employee's sick or annual leave credits. For purposes of this policy, immediate family is defined as parent, child, spouse, brother, sister, grandparent, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandson or granddaughter.

The immediate family will be considered to include step-parents, step-children, and step-brothers and step-sisters only when the employee and the deceased have lived together regularly in the same household at or prior to the time of death. The Town may require proof of attendance at the funeral.

The Town Administrator may approve exceptions to this definition of immediate family members. The Town Administrator may approve one day of leave with pay for other than immediate family members.

HIRING OF RELATIVES: NEPOTISM

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 and sister-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.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees may be asked to give up his position. If the employees cannot choose which of them it will be, the employee having the lower budgeted annual compensation may be removed. The removed employee may be considered for other positions within the Town for which he is qualified.

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, will be handled at the Town's discretion.

HAZARDOUS WEATHER AND OTHER EMERGENCY CONDITIONS

DECLARED CANCELLATION OF WORK DUE TO HAZARDOUS WEATHER OR OTHER EMERGENCY CONDITIONS:

1. The Town Council has the sole authority to excuse employees of the Town from reporting to work during hazardous weather or other emergency conditions.
2. Full-time employees whose work is canceled due to hazardous weather or other emergency conditions are compensated for the number of hours normally scheduled to be worked and at their regular rate of pay authorized as Administrative leave. Administrative Leave with pay is not considered hours worked for the purpose of calculating overtime pay.
3. Because the Town provides emergency and protective services to citizens, some departments must remain staffed and cannot have all employees excused from work following a declaration of hazardous weather or emergency conditions by Council.
4. It is the responsibility of each department head to identify those employees whose presence is essential during hazardous weather or other emergency conditions and notify them of their respective responsibilities.
5. Employees who have been designated to report to work during hazardous weather or emergency conditions should come prepared to stay for an extended period of time (i.e., more than [1] day) at the appointed work site if necessary.
6. Employees who may already be at work during hazardous weather or emergency conditions may be required to stay at the work site until other staff can be called in to provide relief.
7. Employees are required to provide supervisors with current telephone information so they may be contacted during hazardous weather or emergency conditions.
8. Exempt employees who work overtime during a declared emergency may be paid overtime rather than compensation time.
9. Non-exempt employees who are called to work, including official holidays, during a declared emergency will be issued administrative leave for each hour worked, up to 8 hours per day, in addition to receiving pay for all hours worked, including any applicable overtime.
10. Any employee not available to return to work after the declared emergency has been lifted may use any applicable accrued leave or leave without pay for all hours missed between re-opening and their return.

NON-DECLARED HAZARDOUS WEATHER CONDITIONS:

1. In the absence of a declaration by the Town Council of hazardous weather or emergency conditions, all employees are expected to be at work during their normal schedule unless they receive prior approval from their supervisors for leave.

2. An employee who fails to report for work, arrives late or leaves early due to poor weather conditions, is not paid for the time off work unless the supervisor approves use of accrued annual leave or permits the employee to make up the time lost from work during the same pay period.
3. If unable to report to work due to weather conditions, employees are required to notify their supervisor within thirty (30) minutes of the start of the work shift unless there are extenuating circumstances.

WORKPLACE PRIVACY/COMPUTER 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. 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 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:

- 1) 1. 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
2. to conduct business for outside employment or a side-business
3. to purchase any goods or services, even if charged to the employee's personal credit card.
4. 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.

Important Notice: The Town has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been “deleted” and the employee cannot retrieve it, this does not mean that the Town cannot do so. It is also possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection.

ELECTRONIC EQUIPMENT ACCEPTABLE USE POLICY

OVERVIEW

The Town’s intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to the Town of Edisto Beach’s established culture of openness, trust and integrity. Information Technology is committed to protecting the Town of Edisto Beach's employees, partners and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, cellular telephones, tablet devices, PDAs, and FTP, are the property of the Town of Edisto Beach. These systems are to be used for business purposes in serving the interests of the Town, and of our citizens and customers in the course of normal operations.

Effective security is a team effort involving the participation and support of every Town of Edisto Beach employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

PURPOSE

The purpose of this policy is to outline the acceptable use of computer equipment at the Town of Edisto Beach. These rules are in place to protect the employee and the Town of Edisto Beach. Inappropriate use exposes the Town of Edisto Beach to risks including virus attacks, compromise of network systems and services, and legal issues.

SCOPE

This policy applies to employees, contractors, consultants, temporaries, and other workers at the Town of Edisto Beach, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by the Town of Edisto Beach.

POLICY

General Use and Ownership

- a. While the Town of Edisto Beach desires to provide a reasonable level of privacy, users should be aware that the data they create on the Town's systems remains the property of the Town of Edisto Beach. Because of the need to protect the Town of Edisto Beach's network, management cannot guarantee the confidentiality of information stored on any network device belonging to the Town of Edisto Beach.
- b. Employees are responsible for exercising good judgment regarding the reasonableness of personal use.
- c. For security and network maintenance purposes, authorized individuals within the Town of Edisto Beach may monitor equipment, systems and network traffic at any time, per Policy.
- d. The Town of Edisto Beach reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.
- e. Town data stored or received on a personally owned device is suspect to search if requested due to either a FOIA or discovery request. It is recommended that the employees do not use their personal computing devices in the normal course of work.

Security and Proprietary Information

- a. The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or not confidential. Examples of confidential information include but are not limited to: citizens' private data (Social Security numbers, account numbers, etc.) and customer lists, . Employees should take all necessary steps to prevent unauthorized access to this information.
- b. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. User level passwords should be changed every 45 days.
- c. All PCs, laptops and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by logging-off. when the host will be unattended.
- d.
- e. Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with the following guidelines;
 - 1. Laptops should not be left unattended in public
 - 2. Laptops should be locked when not in use
 - 3. Laptops should not be stowed in direct sunlight
 - 4. Due care should be exercised to keep laptops out of the elements
- f. Postings by employees to newsgroups or social networking sites should be in accordance with the Town's Social networking policy.
- g. All hosts (computers, PDA's tablets or other mobile devices) used by the employee that are connected to the Town of Edisto Beach Internet/Intranet/Extranet, whether owned by the employee or the Town of Edisto Beach, shall be continually executing approved virus-scanning software with a current virus database unless overridden by departmental or group policy.
- h. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.

Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).

Under no circumstances is an employee of the Town of Edisto Beach authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing the Town of Edisto Beach-owned resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

The following activities are strictly prohibited, with no exceptions:

- a. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by the Town of Edisto Beach.
- b. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which the Town of Edisto Beach or the end user does not have an active license is strictly prohibited.
- c. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
- d. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- e. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
- f. Using a Town of Edisto Beach computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- g. Making fraudulent offers of products, items, or services originating from any Town of Edisto Beach account.
- h. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- i. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- j. Port scanning or security scanning is expressly prohibited unless prior notification to Information Technology is made.
- k. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
- l. Circumventing user authentication or security of any host, network or account.

- m. Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
- n. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- o. Providing information about, or lists of, the Town of Edisto Beach employees to parties outside the Town of Edisto Beach.

Email and Communications Activities

- a. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- b. Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages.
- c. Unauthorized use, or forging, of email header information.
- d. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- e. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
- f. Use of unsolicited email originating from within the Town of Edisto Beach's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the Town of Edisto Beach or connected via The Town of Edisto Beach's network.
- g. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
- h. The use of Town email accounts or conducting of Town business outside employee's scheduled work time on any mobile or personal computing device unless overtime has been approved.

Blogging

- a. Blogging by employees, whether using the Town of Edisto Beach's property and systems or personal computer systems, is also subject to the terms and restrictions set forth in this Policy. Limited and occasional use of the Town of Edisto Beach's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate the Town of Edisto Beach's policy, is not detrimental to the Town of Edisto Beach's best interests, and does not interfere with an employee's regular work duties. Blogging from the Town of Edisto Beach's systems is also subject to monitoring.
- b. Employees may also not attribute personal statements, opinions or beliefs to the Town of Edisto Beach when engaged in blogging. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee may not, expressly or implicitly, represent themselves as an employee or representative of the Town of Edisto Beach. Employees assume any and all risk associated with blogging.
- c. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export controlled materials, the Town of Edisto Beach's trademarks, logos and any other the Town of Edisto Beach intellectual property may also not be used in connection with any blogging activity

Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Definitions *Blogging*

Writing a blog. A blog (short for weblog) is a personal online journal that is frequently updated and intended for general public consumption.

 Spam

Unauthorized and/or unsolicited electronic mass mailings.

SOCIAL NETWORKING/BLOGGING POLICY

Social networking, personal websites and blogs have become common methods of self-expression. The Town respects the right of employees to use these media during their personal time. Employees may not access social media sites, other than for business use, during working hours or using Town equipment.

Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate Town policies if done in person also violates Town policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the Town on those sites must make it clear that they are expressing their own views and not those of the Town.

MILITARY LEAVE

Employees are entitled to such 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 such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

CIVIL LEAVE

An employee will be paid for wages lost from scheduled straight time work due to jury duty service up to a maximum of eighty hours per calendar year.

In order to qualify for the payment an employee called for jury service must:

- Give his/her supervisor notice of such service within two work days of the time the employee is called for such service.
- Report for work if released by the court before 12 noon 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.
- Remit jury pay to the Town.

OFFICIAL COURT ATTENDANCE

Employees subpoenaed or ordered to attend court to appear as a witness and testify in an official capacity on behalf of the Town are entitled to be paid for wages lost from scheduled straight time work due to appearance as a witness. Employees engaged in private litigation may request annual leave or leave without pay. Employees who testify on behalf of the Town must report for duty if released before noon of any day.

SUBSTANCE ABUSE AND TESTING

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the Town of Edisto Beach to comply with the Drug Free Workplace Act, to comply with applicable federal regulations, to establish and maintain alcohol and drug-free workplaces, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and the use of controlled substances on or off the job.

For these reasons, the Town adopts the following policy:

1. GENERAL RULE

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

Effective immediately, all Town employees are prohibited from using or possessing alcoholic beverages on Town premises or time. (The term “Town premises or time” includes: Town vehicles and private vehicles on Town premises; parking lots and recreation areas; and any circumstances in which an employee is representing the Town, such as attending off-premises business meetings or conferences. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) The Administrator may approve moderate alcohol use at designated social or business functions.

All Town employees are prohibited from reporting to or being at work while under the influence of alcohol. **(An employee is considered to be “under the influence of alcohol” if he has any detectable amount of alcohol in his system.)** An employee taking prescribed medication which might affect his ability to perform his job is required to advise his supervisor. The Town will determine whether the employee may continue to work. Employees may be required to submit to a drug screen.

These prohibitions also apply to leased employees and contractors employed by the Town or working on Town property.

2. APPLICANTS FOR EMPLOYMENT

Applicants tentatively selected for employment must undergo a pre-employment drug test. The Town does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant’s expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)

3. CURRENT EMPLOYEES

A. Drug Testing

All Town employees and volunteer firefighters are subject to drug testing by urinalysis or other generally recognized means where “particularized suspicion” of drug use in violation of this policy exists or under other lawful conditions.

1. Particularized suspicion is deemed to exist when:

a. Information that an employee has used drugs or substances in violation of this policy is provided by a reliable informant;

b. An accident occurs: “accident” is defined as:

(1) an accident involving a fatality;

- (2) an accident causing personal injury; or
- (3) an accident involving property damage.

[NOTE: DOT regulated employees are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.]

- c. An employee exhibits any of the following:
 - (1) extreme mood swings;
 - (2) slurred speech;
 - (3) unusual clumsiness;
 - (4) staggering;
 - (5) dilation of pupils;
 - (6) sleeping on the job or lethargy;
 - (7) excessive unexplained sweating;
 - (8) other aberrational behavior; or
 - (9) an employee has been arrested for violation of drug laws.

B. Alcohol Testing

All employees and volunteer firefighters are subject to alcohol testing where “particularized suspicion” of alcohol use in violation of this policy exists.

1. Particularized suspicion is deemed to exist when:
 - a. information that an employee has used or possessed alcohol in violation of this policy is provided by a reliable informant;
 - b. an accident occurs due to the apparent fault of an employee. “An accident” is defined in the same manner as it is in section (3)(A)(1)(b) of this policy.
 - c. an employee exhibits behavior consistent with alcohol use such as but not limited to:

- (1) erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes, sleeping on the job or lethargy, excessive unexplained sweating, etc.);
 - (2) the apparent odor of an alcoholic beverage on an employee's breath;
 - (3) other aberrational behavior such as but not limited to excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.
 - d. an employee has admitted violating the Town's alcohol policy;
 - e. an employee is arrested for or convicted of an alcohol related offense;
 - f. an employee has tested positive for alcohol in violation of this policy within the past five years.
- C. Particularized suspicion testing is conducted upon the approval of the Administrator or his designee.
- D. All sworn police officers, employees who are required by their jobs to possess a Commercial Driver's License or employees whose jobs the Town regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. A list of safety sensitive positions is attached as Appendix A. Random selection testing is unannounced.
- E. Employees may be tested for the use of controlled substances as part of any "fitness for duty" physical examination mandated by federal/state law or by the Town, or as otherwise allowed by law.
- F. Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including discharge. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate breath specimen, or failure to sign a required certification form.

4. TESTING PROCEDURE

A. Drug testing

1. Drug testing will be by urinalysis, hair follicle or any other recognized method.
2. The collection of urine samples is performed under reasonable and sanitary conditions.
3. Urine is normally collected under conditions of semi-privacy – that is, a person of the same gender will be in a position to observe obvious attempts to substitute or adulterate a urine sample. Collection of the urine sample may be directly observed by a person of the same gender, however, where the person supervising the collection believes an employee has tampered with an earlier urine sample or the employee has previously admitted or been proved to have used drugs in violation of this rule.
4. Urine samples are sealed, labeled, and documented in accordance with the procedure of the drug testing collector or laboratory. Tests performed pursuant to DOT regulations will follow the procedures required by those regulations. Labeling, storage, and transportation of samples are performed so as reasonably to preclude the probability of erroneous identification, sample contamination, or sample adulteration.
5. Specimens are checked for at least the following six drugs:
 - a. marijuana
 - b. cocaine
 - c. opiates
 - d. amphetamines
 - e. phencyclidine
 - f. barbiturates

[NOTE: Tests performed pursuant to DOT regulations check for only those substances mandated by the DOT regulations.]

6. Applicants and employees are provided an opportunity to provide any information which they consider relevant to the test, including identification of currently used prescription or nonprescription drugs, or other relevant information.

7. Samples which initially result in a positive finding for drug use are re-tested by the gas chromatography/mass spectrometry (GCMS) or an equivalent method. If the confirmatory test results in a positive finding of drug use, and is verified by the Medical Review Officer, the written report of the Medical Review Officer is conclusive for all employment-related purposes.
8. The Town's Medical Review Officer normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the Town.

B. Alcohol Testing

1. A non-evidential screening device may be utilized to initially determine compliance with this policy. If the screening device indicates the presence of alcohol, or if the results of the screening device are deemed questionable by the Town, then a confirmatory test is conducted utilizing an EBT (evidential breath testing) device or blood test. The Town uses only DOT approved non-evidential screening devices and DOT approved evidential breath testing (EBT) devices for DOT-mandated alcohol testing. The Town reserves the right to utilize blood testing for non-DOT alcohol tests.
2. Employees will have an opportunity to provide any information which they consider to be relevant to the test.
3. The EBT confirmatory test is conducted by an individual properly certified to use the equipment. (In situations involving DOT regulated employees, the EBT operator should be properly certified in accordance with applicable DOT regulations.)
4. A confirmatory test result generated through the use of an EBT or blood test which indicates a presence of alcohol in violation of this inclusive for purposes of this policy.

5. NOTICE TO EMPLOYEES

The Town attempts to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees to abide by the policy as a condition of employment.

6. NOTICE TO EMPLOYER, STATE AND FEDERAL GRANTOR/CONTRACTING AGENCIES, AND LAW ENFORCEMENT AUTHORITIES

- A. 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. The Town will notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.
- B. The Town will notify law enforcement authorities whenever illegal drugs are found in the workplace.

7. CONSEQUENCES OF VIOLATING THIS POLICY

- A. Employees who violate this policy are subject to immediate termination of employment.
- B. The Town, in lieu of terminating an employee, may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of an alcohol or drug counseling/rehabilitation program.
- C. If the Town, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to the following:
 1. Referral of the employee for alcohol or drug abuse counseling;
 2. Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;
 3. Requiring the employee to authorize any rehabilitation facility to report periodically to the Town during the course of treatment/counseling;
 4. Placing the employee on probation for at least six months following the employee's return to duty; and
 5. Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.
- D. An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who

refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to immediate termination.

- E. An employee whose return to duty test sample does not indicate that the employee has discontinued illegal use of drugs or indicates that the employee is in violation of this policy is subject to immediate termination.

8. COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS

- A. Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the Town before being selected for testing, the occurrence of an event which normally would result in testing, in the Town's sole discretion may be upon the first violation be subject to Part 7 (E) of this policy in lieu of termination.
- B. An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the Town, is subject to immediate termination if he again either or is otherwise found to be in violation of this policy.

9. CONFIDENTIALITY

Any alcohol or drug test results or information supplied by employees and applicants as part of the Town's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

10. TESTING COSTS

The Town is responsible for the costs of all drug tests to which the Town requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to Part 7(C) is solely responsible for the cost of all follow-up tests.

11. NOTIFICATION OF TEST RESULTS

- A. Applicants are notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.
- B. Employees are notified of the results (including the drug(s) discovered) of all positive drug tests.

12. EMPLOYEE ASSISTANCE PROGRAM/DRUG FREE AWARENESS

The Town has also made available to its employees an Employee Assistance Program. The

program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. The Town's Employee Assistance Program is coordinated through the Town Administrator. Information about the Employee Assistance Program is available through the Town Administrator.

For more information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is in your phone book's Yellow Pages under "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

1. National Clearinghouse on Alcohol and Drug Information
1-800-729-6686
2. National Council on Alcoholism
1-800-622-2255

Periodically, the Town may make available to employees information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.

Appendix A

SAFETY-SENSITIVE POSITIONS SUBJECT TO RANDOM TESTING

Individuals whose position requires them to hold a Commercial Driver's License (CDL)

Sworn Law Enforcement Officers

Fire Suppression Personnel

Waste Water Treatment Operators

RECRUITMENT AND RETENTION INCENTIVES POLICY

The Town recognizes that its employees are an asset to the operation of the Town and service to the community. To that end, the Town may periodically provide additional benefits to its employees.

Employee Recruitment

Employee Referral Bonus Program – The Town will provide an incentive of \$150 to any employee who refers an applicant who is hired and successfully completes the initial probationary period

- \$150.00

Wellness Programs (Voluntary)

The Town is interested in the physical health and well being of its employees. To that end, the Town will periodically sponsor health-related programs for its employees. Some of these programs and benefits may also be offered to family members.

Annual Physicals

- \$236 male/\$244 female

Flu Shots - Free for Employees

\$23 annually

Deferred Compensation Matching Funds

Matching Funds Employee 401K or 457 Deferred Compensation Plan

The S.C. Deferred Compensation Programs provide that employees can save for retirement using pre-tax dollars. The account's interest, earnings, and contributions are all tax deferred. Employees have a wide variety of investment options from which to choose. The maximum that an employee can contribute is governed by statute. Additionally, there are catch-up provisions for employees 50 years and older.

Details for this program may be obtained from Payroll.

Appendix 1.

HARASSMENT REPORT

Name of complainant _____

Date of Report _____

Date of Incident(s) _____

Name or description of person who engaged in harassment:

What happened (Be as detailed as possible, use additional paper as necessary)

Names of Witnesses:

Names of people who say that the same person harassed them at another time:

If harassment is found to have occurred, what action do you want to have taken?

If your complaint comes down to your word against that of the person who you say harassed you, would you be willing to take a polygraph exam?

Copy received by Town of Edisto Beach

Appendix 2

ACKNOWLEDGEMENT OF RECEIPT/AUTHORIZATION FOR DEDUCTIONS

I

_____ acknowledge receipt of _____ for use in my job for the Town of Edisto Beach. I understand that I must properly care for and maintain the equipment I have been given and return it promptly upon request. I further understand that if the equipment is damaged or lost due to improper care or maintenance by me, that I may be required to pay for the cost of a replacement. Finally, I authorize a deduction of _____ from my pay if I fail to return the equipment when requested or if due to my conduct it is lost or damaged beyond repair.

Date: _____ Employee

Signature: _____



Town of Edisto Beach
 2414 Murray Street
 Edisto Beach, SC 29438

EXPENSE REIMBURSEMENT FORM

Employee Name _____
 Department _____
 Beginning Odometer Reading _____
 Ending Odometer Reading _____
 Purpose of Expense _____

Date	Description	Mileage	Lodging	Breakfast	Lunch	Dinner	Other	TOTALS
TOTALS								
							Less Travel Advance	
							Less Credit Card Charges	
							Less Personal Expense	
		Total Due to Employee(+)		Total Due to Town (-)		(+)		

 Employee Signature Date

 Supervisor Signature Date

Date	Person(s) Entertained	Title	Purpose	Name of Establishment	Total
TOTAL					

Receipts must be attached to expense form

**TOWN OF EDISTO BEACH
TRAVEL REQUEST FORM**

Please fill out Travel Request form, attach agenda and obtain approval prior to making reservations.

Name _____ Department _____

Advance Requested _____ Account # _____

Travel Dates _____ Destination _____

Purpose of Trip _____

Is any portion of this trip personal? If yes, explain _____

Estimated Expenses		
	Description	Estimated Cost
	Conference/Meeting Fees	
	Lodging	
	Meals	
	Transportation (Airfare-Coach)	
	Transportation (Car)	
	Other	
	Total Estimated Cost of Travel	\$

The employee named above is authorized to take this trip described above. The total estimated expenses are within the budget. The traveler must complete a Travel Expense Report and return it to Accounts Payable within 5 work days of his/her return. If a Report of Travel Expense Report is not submitted within 5 work days after return from the trip complete with all charge receipts, I authorize the town to set-off full amount from my paycheck(s).

APPROVALS

Employee _____ Date _____

Supervisor _____ Date _____

Administrator _____ Date _____

Complete this form to authorize all travel involving an overnight stay or the purchase of an airline ticket or rental car. This form is also used whenever a pre-trip travel advance is requested.

Attach documentation (complete registration form to be enclosed with check)

Appendix 3

POLICY ON REPORTING VIOLATIONS OF STATE AND FEDERAL LAWS AND REGULATIONS

(WHISTLEBLOWER POLICY)

I. Policy

The purpose of this policy is to define the rights, responsibilities, and protections afforded to a town employee who reports any wrongdoing by the Town of Edisto Beach or a town employee that results in substantial abuse, misuse, destruction, or loss of substantial public funds or public resources, or is an intentional violation of federal, state or local laws, town ordinances, or state ethics guidelines, which is not merely technical or of a minimum nature (hereafter referred to as “Whistleblower”).

Allegations of wrongdoing reported to the town pursuant to this policy shall be reviewed and investigated by town officials or other appropriate authorities, to include, but not be limited to the South Carolina Law Enforcement Division, the Solicitor's Office, the State Ethics Commission, the State Auditor, the Legislative Audit Council, and the Office of Attorney General.

A. Definitions

1. A report is defined as a written or oral allegation of waste or wrongdoing that contains the date of disclosure, the name of the employee making the report, and the nature of the wrongdoing, and the date or range of dates on which the wrongdoing allegedly occurred.

2. A report also means sworn testimony regarding alleged wrongdoing, regardless of when the wrongdoing allegedly occurred, given to any standing committee, subcommittee of a standing committee, oversight committee or subcommittee, or study committee of the S.C. Senate or House of Representatives.

3. Wrongdoing is specifically defined as action by the Town or a town employee that results in substantial abuse, misuse, destruction, or loss of substantial public funds or public resources. This also includes an allegation that an employee has intentionally violated federal, state or local laws, town ordinances, or a code of ethics, which violation is not merely technical or of a minimum nature.

II. Procedure

The Town of Edisto Beach intends to create and maintain an environment that protects the health and safety of employees, and the general public, and that preserves and protects public funds and public

resources from dishonesty, misuse or loss. In addition, the Town intends to comply with all federal, state, and local laws and all internal policies and regulations. As such, violations of federal, state or local laws, and violations of town ordinances that involve dishonest or fraudulent conduct or that pose a substantial threat to the health and safety of employees or the general public should be reported. If an employee has knowledge of, or a concern about, such an activity, the individual should submit a report to the Town Administrator in writing that describes the nature of the wrongdoing and the date or dates on which the alleged wrongdoing occurred. To be afforded the protections set forth in this policy, the employee submitting the report must identify himself or herself by name. The report must be submitted to the Town Administrator within 180 days of the date the reporting employee first learns of the alleged wrongdoing. If the report involves the Town Administrator, the report shall be made to the Mayor directly in writing.

The Town Administrator will review and investigate, or refer to the appropriate authority for investigation, as appropriate, all reports of wrongdoing. Upon a finding of wrongdoing, the Town Administrator will notify Town Council so that corrective actions can be implemented.

Insofar as possible, the anonymity of the Whistleblower will be maintained. However, a Whistleblower's identity may have to be disclosed, at the discretion of the Town, to comply with the law, to conduct a thorough investigation, or to provide fair procedural review for accused individuals.

A. Whistleblower Responsibilities

The Whistleblower must exercise sound judgment to avoid making baseless allegations. An employee, who knowingly files a report of wrongdoing that is false, unfounded, amounts to a mere technical violation, or is not made in good faith, is subject to disciplinary action, up to and including termination of employment.

B. Protection from Retaliation

The Town will not retaliate against a Whistleblower acting in good faith. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, suspension, demotion, compensation decreases, punitive work assignments, or threats of physical harm. In addition, the employment of a town employee may not be adversely affected as a result of his or her refusal to carry out a directive that constitutes fraud or is in violation of federal, state, or local law or town ordinance.

The right of a Whistleblower to be protected from retaliation does not include immunity from disciplinary action if the Whistleblower knowingly files a report of wrongdoing that is false, unfounded, amounts to a mere technical violation, is not made in good faith, or the individual

otherwise engages in any personal wrongdoing.

Any Whistleblower who believes he or she has been subject to retaliation as a result of filing a report of wrongdoing should contact the Town Administrator or the Mayor if the report is against the Town Administrator. Any supervisor or manager who retaliates against a town employee who, in good faith, reported wrongdoing in accordance with this policy is subject to discipline, up to and including termination.

III. Compliance

This policy complies with amendments to S.C. Code §8-27-60 resulting from the South Carolina Restructuring Act of 2014. Employees are encouraged to read Chapter 27 of Title 8 of the South Carolina Code of Laws for the complete text.