TOWN OF SOUTHOLD

EMPLOYEE HANDBOOK

<u>*Supervisor:*</u>

Scott A. Russell

<u>*Southold Town Council:*</u>
Jill Doherty
Louisa P. Evans
James Dinizio, Jr.
William Ruland
Christopher Talbot

Version Date: February 12, 2013

Welcome new employee!

On behalf of your colleagues, I welcome you to employment with the Town of Southold and wish you every success here.

We believe that each employee contributes directly to the Town's success, and we hope you will take pride in being a member of our team.

This handbook was developed to provide some guidelines about what is expected of Town employees and to outline many of the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the Town.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, on behalf of the entire Town Board, welcome!

Sincerely,

Scott A. Russell
Town Supervisor

INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with employment with the Town and provide you with information about some of the working conditions, employee benefits, and policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the Town for its employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about Town employment policy. As the Town continues to grow, the needs of the Town may change. The Town reserves the right to revise, supplement, or rescind any past or existing policies or portion of the handbook from time to time as needed. This may be done in the Town's sole and absolute discretion, as provided for by law. A current copy of the handbook will be available from your Department Head or the Accounting & Finance Department.

This handbook does not apply to Police Officers of the Southold Town Police Department.

EMPLOYEE ACKNOWLEDGMENT FORM

This employee handbook describes important information about employment by the Town of Southold and I understand that I should consult my immediate Supervisor or Department Head regarding any questions I may have concerning this handbook. I have entered into my employment relationship with the Town of Southold voluntarily.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. I understand that revised information may supersede, modify, or eliminate existing policies to the extent permitted by law. Only the Town Board of the Town of Southold has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. It does not supersede the CSEA Contract. I have received the handbook and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

_____ _____

EMPLOYEE'S SIGNATURE DATE

_____

EMPLOYEE'S NAME (TYPED OR PRINTED)

Version Date: January 1, 2008

TOWN OF SOUTHOLD EMPLOYEE HANDBOOK

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I. TOWN OF SOUTHOLD EMPLOYMENT

You have voluntarily entered into employment with the Town of Southold and you are free to resign, after notice, with or without cause. The New York State Civil Service Law and the Civil Service Rules of Suffolk County provide rules with respect to hiring and terminating employment. The Town of Southold adheres to these rules for those employees governed by such laws and rules.

Policies set forth in this handbook are not a contract. They do not create a contractual obligation or establish any type of "past practice" of any kind between you and the Town of Southold.

These provisions shall supplement the policies collectively negotiated and found within the CSEA Contract and may not be amended or added to without the express written approval of the Town Board.

102 EMPLOYEE RELATIONS

The Town Board believes that the work conditions, wages and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If you have concerns about work conditions, you should voice these concerns openly and directly to your Supervisor.

Our experience has shown that when employees deal openly and directly with Supervisors, the work environment can be excellent, communications can be clear and attitudes can be positive. We believe that the Town amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions with the Town of Southold will be based on merit, qualifications, and abilities all in accordance with applicable Civil Service laws and rules and the Collective Bargaining Agreement. The Town does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age or any other characteristic protected by applicable law.

Any employees with questions or concerns about any types of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate Supervisor. Employees can raise concerns and make reports without fear of reprisal.

104 IMMIGRATION LAW COMPLIANCE

The Town of Southold is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Town within the past three years or if their previous I-9 is no longer retained or valid.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

105 CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. The Town has an Ethics Code in Chapter 10 of the Southold Town Code. This policy establishes only the framework within which the Town wishes to conduct its business. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Ethics Board or Town Attorney for more information or questions about conflicts of interest.

The purpose of the Ethics Code is to establish minimum standards of ethical conduct for Town officers and employees and to help ensure that the business of government is free from improper influence.

Town employees must exercise their official duties solely in the public interest and must avoid conflicts of interest or the appearance of conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee, his or her outside employer or business or that of a member of his or her household, a customer or client, or a relative. For the purposes of this policy, a relative is any person who is a spouse, domestic partner, child, stepchild, brother, sister or parent of the Town employee or a person claimed as a dependent on the officer's or employee's latest individual state income tax return.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, leases, approvals or permits, it is imperative that they disclose to an officer of the Town as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town does business, but also when an employee or relative receives a substantial gift or special consideration as a result of any transaction or business dealings involving the Town.

II. TOWN OF SOUTHOLD EMPLOYMENT STATUS & RECORDS

201 ACCESS TO PERSONNEL FILES

The Town maintains a personnel file for each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town, and access to the information they contain is restricted. Supervisors and management personnel of the Town who have a reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Department Head. With reasonable advance notice, employees may review their own personnel files in the Town's offices and in the presence of an individual appointed by the Town to maintain the files. There are contractual limitations on the amount of times in any given year when an employee may ask to review his/her personal record.

202 EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join the Town are well qualified and have a strong potential to be productive and successful, it is the policy of the Town to check the employment references of all applicants.

The Town of Southold Accounting and Finance Department will respond in writing only to those employment verifications that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, position(s) held, and whether the employee resigned, was discharged, retired or was laid off.

203 PERSONNEL DATA CHANGES

It is the responsibility of each employee to promptly notify the Town of any changes in personnel data. Personal mailing addresses, telephone numbers, changes in marital status, number and names of dependents, individuals to be contacted in the event of an emergency and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Accounting and Finance Department.

204 EMPLOYMENT APPLICATIONS

The Town relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in the Town's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

III. EMPLOYEE BENEFIT PROGRAMS

301 EMPLOYEE BENEFITS

Eligible employees at the Town are provided a wide range of benefits which have been collectively negotiated by the Town with certified employee representatives. A number of the programs (such as Social Security, Workers' Compensation and Unemployment Insurance) cover Town employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. The Accounting & Finance Department can identify the programs for which you are eligible. Details of many of these programs can be found in the CSEA Contract or in information available from the Accounting & Finance Department.

The following benefit programs are presently available to eligible employees:

- Bereavement Leave
- Dental Insurance
- Employee Health Insurance
- Holidays
- Personal Leave
- Sick Leave Benefits
- Vacation Benefits
- Retirement Benefits

Some benefit programs require contributions from the employee, but most are fully paid by the Town. The level of benefits and their individual continuity are subject to collective bargaining.

Be sure to keep the Accounting and Finance Department advised in a timely manner of any change in the status of you or your dependents (for example, marriage, death or divorce) since this could have a significant impact on you and your benefits.

302 NOTIFICATION BY EMPLOYEE -- VACATIONS / LEAVE TIME

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits.

To take vacation, employees must make a written request for advance approval from their Supervisors. Vacation scheduling must be coordinated by the Department Head to insure continued service to the public. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. Vacation may be taken in increments of days or half-days.

Further details regarding vacation and the leaves described below may be found in the CSEA Contract.

Use of bereavement leave requires notification to the Department Head. The request shall be placed on an Absence Report as soon as possible, detailing the amount and timing of leave requested.

Personal leave may be taken with prior approval by the Department Head.

A leave of absence may be requested by the employee and granted by the Town Board for reasons outlined in the CSEA Contract. This includes maternity and paternity leave. The request for leave time must be submitted in accordance with the requirements of the Family Medical Leave Act and the CSEA Contract.

303 COMPENSATORY TIME

When an employee works overtime, the employee may be compensated by payment of money or accrual of compensatory time. Overtime rules are set forth in Section 503 of this handbook.

Compensatory time is time accrued by an employee with prior approval of the respective Department Head. Employees shall not incur compensatory time unless the Department Head has approved such time in advance. Compensatory time is given to qualified employees pursuant to the contract with the CSEA.

Except in case of emergencies, employees must request compensatory time off in advance of such use. The employee's Supervisor or Department Head must approve use of compensatory time for time off. There shall be no use of compensatory time without advance approval. Notification of use of compensatory time for a day off in the event of an emergency must be made in the first one half hour of the workday.

304 SICK LEAVE BENEFITS

The Town provides paid sick leave benefits to eligible employees for periods of temporary absence due to illnesses or injuries.

Employees who are unable to report to work due to illness or injury involving themselves or their immediate family shall notify the immediate Supervisor or Department Head within the first 30 minutes of their regularly scheduled work period of absence due to illness or injury. The employee must also contact the immediate Supervisor or Department Head on each additional day of absence.

Appropriate use of sick leave requires that the employee be home ill or at or traveling to and from a doctor's office, medical facility or pharmacy. A Supervisor may conduct checks on appropriate use of sick leave.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be required verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

Before returning to work from a sick leave absence of seven calendar days or more, an employee must provide a physician's verification that he or she may safely return to work. The Town Board, at its discretion, may request a physical examination of an employee before the employee returns to work.

Upon returning to work the employee shall submit an Absence Report certifying the amount of sick leave used.

Sick leave cannot be used to extend holidays or vacations.

As appropriate, absences will be treated in accordance with the Family Medical Leave Act.

Sick leave is a privilege and shall not be abused.

305 JURY DUTY

The Town encourages employees to fulfill their civic responsibilities by serving jury duty when required.

An employee must show the jury duty summons to his or her Supervisor as soon as possible so that the Supervisor may make arrangements to accommodate that employee's absence. Of course, employees are expected to report for work whenever the court schedule permits. See the CSEA Contract for guidance on accepting jury duty fees.

306 WITNESS DUTY

If an employee is subpoenaed to appear in court for witness duty, the subpoena should be shown to the employee's Supervisor immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

307 BENEFITS CONTINUATION (COBRA)

Introduction

You may have recently become covered or will become covered under a group health plan (the Plan). This section contains important information about your right to COBRA continuation, which is a temporary extension of coverage under the Plan. **This section generally explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect the right to receive it.**

The right to COBRA continuation coverage was created by federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you when you would otherwise lose your group health coverage. It can also become available to other members of your family who are covered under the Plan when they would otherwise lose their group health insurance coverage. For additional information about your rights and obligations under the Plan and under federal law, you should review the Plan's Summary Plan Description or contact the Plan Administrator.

What is COBRA Continuation Coverage?

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are listed later in this section. After a qualifying event, COBRA continuation must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you are an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because either one of the following events happens:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct.

If you are the spouse of an employee, you will become a qualified beneficiary if you lose your coverage under the Plan because of any of the following qualifying events happens:

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct;

- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated from your spouse.

Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because any of the following events:

- The parent-employee dies;
- The parent-employee's hours of employment are reduced;
- The parent-employee's employment ends for any reason other than his or her gross misconduct;
- The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the plan as a "dependent child"

When is COBRA Coverage Available?

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee or the employee's becoming entitled to Medicare benefits (Part A, Part B, or both), the employer must notify the Plan Administrator of the qualifying event.

YOU MUST GIVE NOTICE OF SOME QUALIFYING ENENTS

For the other qualifying events (divorce or legal separation of the employee and spouse or dependent child's losing eligibility for coverage as a dependent child), you must notify the Plan Administrator with in 60 days after the qualifying event occurs. You must provide this notice to the Personnel/Accounting Department along with any paperwork necessary.

How is COBRA Coverage Provided?

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation on behalf of their spouses, and parent s may elect COBRA continuation coverage on behalf of their children.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, the employee's becomes entitled to Medicare benefits (under Part A, Part B, or both), your divorce, or legal separation, or a

dependent child's losing eligibility as a dependent child, COBRA continuation coverage lasts for up to a total of 36 months. When the qualifying event is the end of employment or reduction of the employee's hours of employment, and the employee became entitled to Medicare benefits less than 18 months before the qualifying event, COBRA continuation coverage for qualified beneficiaries other than the employee last until 36 months after the date of Medicare entitlement. For example, if a covered employee becomes entitled to Medicare 8 months before the date on which employment terminates, COBRA continuation for his spouse and children can last up to 36 months after the date of Medicare entitlement, which is equal to 28 months after the date of the qualifying event (36 months minus 8 months). Otherwise, when the qualifying event is the end of employment or reduction of the employee's hours of employment COBRA continuation coverage generally lasts for only up to a total of 18 months. There are two ways in which this 18-month period of COBRA continuation coverage can be extended.

Disability extension of 18-month period of continuation coverage

If you or anyone in your family covered under the Plan is determined by the Social Security Administration to be disabled and you notify the Plan Administrator in a timely fashion, you and your entire family may be entitled to receive up to an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of continuation coverage. (refer to your Health Insurance handbook to see how to apply for a waiver)

Second qualifying event extension of 18-month period of continuation coverage

If your family experiences another qualifying event while receiving 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if notice of the second qualifying event is properly given to the Plan. This extension may be available to the spouse and any dependent children receiving continuation coverage if the employee or former employee dies, becomes entitled to Medicare benefits (under Part A, Part B, or both), or gets divorced or legally separated, or if the dependent child stops being eligible under the Plan as a dependent child, but only if the event would have caused the spouse or dependent child to lose coverage under the Plan had the Plan had the first qualifying event not occurred.

IV. TIMEKEEPING AND PAYROLL

401 TIMEKEEPING

Accurately recording time worked is the responsibility of every Town employee. Federal and State laws require the Town to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Employees must report all hours worked, whether it is characterized as straight time, overtime or voluntary time. Appropriate time sheets must be submitted to the Accounting & Finance Department on a regular basis.

Absence Reports (i.e., leave slips) must be submitted to the Department Head for approval for all time taken off from work, including leave time, compensatory time, vacation, sick leave or jury duty; a copy of the Absence Report must be attached to and submitted with the appropriate time sheet to the Accounting & Finance Department.

Overtime work must always be approved by the Department Head before it is performed by the employee.

No employee may alter, falsify or tamper with time records. No employee may record time on another employee's time record without Department Head authorization.

It is the employees' responsibility to sign their time sheet to certify the accuracy of all time recorded. The Department Head must review and sign the time sheet before submitting it to the Accounting & Finance Department. In the absence of a Department Head, time sheets should be approved by the Town Supervisor; facsimiles or stamped signatures are not acceptable. In no instance should an employee authorize his or her own time sheet. In addition, if corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by initialing the time record.

402 EMPLOYMENT TERMINATION

Termination of employment is 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 - voluntary employment termination initiated by an employee.

DISCHARGE - involuntary employment termination initiated by the Town.

LAYOFF - involuntary employment termination initiated by the Town for nondisciplinary reasons.

RETIREMENT - voluntary employment termination initiated by the employee meeting age, length of service, and/or any other criteria for retirement from the organization.

All voluntary terminations will require advance written notice by the employee to the Town (see Section 607).

The Department Head or Town Supervisor will conduct exit interviews at the time of employment termination. The exit interview will include a questionnaire in which the employee can voice suggestions, complaints and questions. The interview can afford an opportunity to discuss such issues as employee benefits, repayment of outstanding debts to the Town or other necessary issues. The employee must turn in all Town keys and property at the exit interview.

403 PAY DEDUCTIONS AND SETOFFS

The law requires that the Town make certain deductions from every employee's compensation. Among these are applicable Federal, State, and Local income taxes as well as CSEA dues, deductions or agency shop fees. The Town also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base."

The Town offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Details about such programs may be obtained from the Accounting & Finance Department. At this time the Town offers the following programs:

- credit union membership
- 457 Deferred Compensation
- life insurance program
- CSEA Benefit Fund

Pay setoffs are pay deductions taken by the Town, usually to help pay off a debt or obligation to the Town or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Accounting & Finance Department can assist in answering your questions.

404 WORK SCHEDULES

Full time employees shall work the schedules established by the Collective Bargaining Agreement (CSEA Contract §34). The work schedule for all part-time employees is set by the Department Head.

Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

V. WORK CONDITIONS AND HOURS

501 USE OF PHONE, FAX, COMPUTER AND MAIL SYSTEMS

The office telephone, fax, computer and mail systems are reserved for business purposes only. Employees should refrain from utilizing these systems for personal reasons other than in cases of emergency. (See Page C1 for Town's Internet Policy.)

In the event employees need to utilize the telephone for their personal use for long distance or toll calls, they are required to reimburse the Town for any charges resulting from this use.

The mail system is reserved for Town business purposes only. Employees should refrain from sending or receiving personal mail at the workplace. The employee must pay postage on any personal mail placed in the system.

To ensure effective telephone communications, employees should always use an approved greeting stating their department (if applicable) and name upon answering the telephone and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so.

The e-mail system is reserved for Town business purposes only. Employees should refrain from sending or receiving personal e-mail at the workplace.

502 MEAL PERIODS

If possible, all full-time employees are provided with one meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Except as otherwise directed by the Supervisor, employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

503 OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Supervisor's prior authorization, in accordance with the CSEA Contract. Overtime assignments will be distributed in accordance with the CSEA Contract.

Overtime compensation is paid to all nonexempt employees in accordance with Federal and State wage and hour restrictions. Overtime may be compensated in either pay or accrual of compensatory time. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Overtime can include time worked before or after the start of the normal workday. No employee shall work overtime without prior authorization from the Department Head.

Overtime pay for full-time employees is paid pursuant to the terms of the CSEA Contract and State and Federal law.

504 EMERGENCY CLOSINGS

At times, emergencies such as severe weather, fires, power failures or earthquakes can disrupt Town operations. In extreme cases, these circumstances may require the closing of a work facility. Listen to local radio stations for notification of the closing.

All Town employees asked to report or remain on duty during a weather emergency when normal Town services are suspended will receive compensatory time at the straight time rate for actual hours worked during their normal shift pursuant to the CSEA Contract.

505 VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities of the Town, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare and avoids potential distractions and disturbances.

Because of safety and security reasons, family and friends of employees are discouraged from visiting. In cases of emergency, employees will be called to meet any visitor outside their work area.

Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed in non-public areas of the Town's premises, employees should direct the individual to the main entrance or, if necessary, immediately notify their Supervisor.

506 PURCHASE ORDERS

All items to be purchased by any Town Department must be documented on a Purchase Order which must be signed by the Department Head and the Town Supervisor before the order may be placed for said item(s). The Town has a procurement policy, which you should consult before making a purchase.

507 ATTENDANCE AT STANDING COMMITTEE MEETINGS

Employee participation in the meetings of Town Board standing committees is an opportunity for professional growth and career advancement. Employees attending meetings of standing committees will be compensated for the time present at the meeting, provided attendance at such meetings has been requested by council members who chair such committees and such attendance is authorized, in advance, by the Supervisor. If an employee is entitled to compensation as a result of attendance at such meetings, it is urged that such compensation take the form of compensatory time.

508 SAFETY POLICY

The personal safety and welfare of our employees, as well as the general public, is a primary and continuing concern of the Town of Southold.

It is our goal to provide every employee a place of employment free from recognized hazards which are a potential cause for serious physical harm or health impairment.

To assist in this implementation, a safety committee will be established, consisting of key personnel from each major department, and chaired by an appointed safety coordinator. The committee will meet regularly to assist in the accomplishment of our goal, reporting its findings and recommendations directly to the Town Supervisor following each meeting or sponsored activity. The safety coordinator will then work with department managers to appropriately address those committee findings.

To accomplish our goal, Management will:

- Implement progressive accident prevention programs, systems, and techniques;
- Provide a work environment where identified occupational hazards are controlled when elimination is not feasible; and,
- Cooperate with government and labor to optimize employee safety and health.

Department Heads and Foremen will:

- Be responsible and accountable for a superior level of employee protection and performance.
- Institute work practices which reflect the safest, most efficient methods available for accomplishing the required tasks; and,
- Educate and train employees regarding "on" and "off-the-job" hazards.

All employees will:

- Be expected to conduct their jobs in the safest and healthiest manner prescribed;
- Be expected to conduct themselves in a way that enhances their personal safety and that of their fellow employees;

- Be encouraged to cooperate and contribute towards the overall success of the safety program, including participation in safety activities and committees when requested;
- Report all accidents and injuries immediately to their manager; and,
- Cooperate in the accident reporting and safety evaluation process.

Town employees have a right to know the hazardous chemicals with which they work or to which they might be exposed, and the measures they can take to avoid injury or illness when working with these chemicals. Further information is contained in the Town's Hazard Communication Policy, which is included in the Appendix to this handbook.

509 ACCIDENT REPORTING

Any employee who is involved in or is notified of an accident which either:

(1) occurs on Town premises or
(2) which involves Town property or vehicles,

shall immediately report the details of that accident to their Supervisor. The report shall be placed in writing and a copy shall be sent both to the Supervisor and to the Accounting and Finance Department.

All employees are directed to immediately make the report and to otherwise refrain, where possible, from making public comments.

VI. EMPLOYEE CONDUCT & DISCIPLINARY ACTION

601 EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, the Town expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- theft or inappropriate removal or possession of Town or fellow employee property;
- possession of unauthorized weapons or firearms on Town property;
- falsification of timekeeping records;
- working under the influence of alcohol or illegal drugs;
- possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment;
- fighting or threatening violence in the workplace;
- boisterous or disruptive activity in the workplace;
- insubordination or other disrespectful conduct;
- sexual or other unlawful or unwelcome harassment;
- excessive absenteeism or any absence without notice;
- unauthorized absence from work station during the workday;
- unauthorized use of telephones, mail system, or other employer-owned equipment;
- violation of personnel policies;
- unsatisfactory performance or conduct.

602 DRUG AND ALCOHOL USE

It is the Town's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on the Town premises and while conducting business-related activities off the Town premises, no employee may use, possess, distribute, sell or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Employees should be aware that use of alcohol or illegal drugs while on the Town premises or while conducting business-related activities off Town premises may not

only lead to disciplinary, and/or required participation in a substance abuse rehabilitation or treatment program, but may also have legal consequences.

The Town has a drug and alcohol testing policy for all employees who are required to hold a commercial driver's license as part of their job requirements, or who have a commercial drivers license and are offered promotion to the positions of AEO, HEO, CEO or any other safety sensitive position for which a commercial drivers license is required. A copy of this Alcohol and Drug Testing Policy is included in the Appendix to this handbook.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their Supervisor to receive assistance or referrals to appropriate resources in the community. The Town employees are encouraged to utilize the services of the Town-sponsored support service for counseling regarding any emotional, substance abuse or other related problems. The details on the Southold Town Employee Assistance Program are included in Section 612 of this handbook.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may participate in a rehabilitation or treatment program. The Town's health insurance benefits may provide coverage for eligible employees.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the Town of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

603 SEXUAL AND OTHER UNLAWFUL HARASSMENT

The Town of Southold strongly condemns and strictly prohibits all forms of sexual harassment.

Sexual harassment is against the law. It also creates an unpleasant and unproductive working environment. All employees are reminded that such behavior is absolutely unacceptable and will result in disciplinary action or discharge.

The following activities are examples of possible "harassment". All may be considered serious enough to warrant immediate discipline or discharge, in accordance with the Civil Service Law.

1. Threatening retribution or promising benefits in return for sexual favors, whether implicitly or explicitly.

2. Unwanted physical contact. The person being touched is the judge of what contact is unwanted.

3. Unwanted sexual advances.

4. Comments concerning an employee's sexual habits, sexual preference, or sexual desirability, whether directed directly at him or her or not.

5. Offensive talk about sex, women, men or sexuality.

6. The use of demeaning or offensive words when referring to men or women.

7. The display of pornographic or other highly offensive material.

8. Any other activity that creates an unpleasant or offensive working environment, or that interferes with work performance, because of a person's sex.

It makes no difference if the harassment is "just joking" or "teasing" or "playful". Jokes may be just as offensive as any other type of harassment and will be dealt with in the same manner.

Harassment by peers is just as strictly prohibited as harassment by Supervisors. No employee may take any action that creates an offensive environment for any other employee.

All employees are responsible for successfully maintaining this policy. In particular, every Supervisor and Manager has an affirmative duty to maintain his or her department free from any form of harassment.

IF YOU ARE THE SUBJECT OF OR WITNESS TO SEXUAL HARASSMENT

Any employee who believes that he or she has been the victim of sexual harassment or who has seen anyone engaging in any of the prohibited activities listed above should report the harassment at once to his/her immediate Supervisor, to Town Attorney Patricia Finnegan (telephone (631) 765-1939 extension 217) or to Compliance Officer Town Clerk Elizabeth A. Neville (telephone (631) 765-1800 extension 228). Complaints may be made in person or in writing and will be kept in the strictest confidence compatible with a thorough investigation.

Once a complaint is made, the Town will promptly conduct a thorough and impartial investigation to determine if sexual harassment has occurred. If the alleged harassment involves the individuals who would ordinarily conduct the investigation, an alternate means of investigation will be used.

If it is concluded after investigation that harassment did occur, the Town will do its utmost to rectify the situation without delay. This may include the discipline or discharge of those participating in or condoning the harassment. Discipline will be imposed in accordance with the New York Civil Service Law and may include a written warning, probation, suspension or demotion, as well as discharge. Individuals who are found to have violated this policy may also be transferred to other positions, required to undergo counseling, and/or required to offer a formal apology.

If the complaining employee is not satisfied with the outcome of the investigation or with the actions taken as a result of the investigation, he or she should notify the Town Attorney, the Compliance Officer or the Town Supervisor so that the matter can be reviewed.

Employees who in good faith report sexual harassment will be protected against adverse employment actions or retaliation as a result of their report. Such a report will have no negative impact upon the complaining employee.

OTHER TYPES OF HARASSMENT

Just as sexual harassment is strictly prohibited, so is harassment on the basis of race, color, ethnicity, disability, religion, national origin, age, veteran status, citizenship or any other category protected by law. Employees who believe they are being harassed or discriminated against on the basis of any of these factors should follow the same procedure outlined above for sexual harassment.

If you have any questions concerning the Town of Southold's policy on sexual harassment or other equal employment opportunity matters, please feel free to contact the Town Attorney at (631) 765-1939.

604 ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the Town expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Town. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their Supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive and will not be permitted. When an employee is absent without authorization for any length of time, no matter how de minimis, and where the relevant Department Head determines that there is no satisfactory excuse or legitimate explanation, the employee shall be subject to disciplinary action.

605 PERSONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Town presents to the community.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Consult your Supervisor if you have questions as to what constitutes appropriate attire.

606 RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must return all the Town property immediately upon request or upon termination of employment. Where permitted by applicable laws, the Town may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Town may also take all action deemed appropriate to recover or protect its property.

607 RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with the Town. Although advance notice is not required, the Town requests at least two weeks' written resignation notice from all employees.

Prior to an employee's departure, an exit interview will be scheduled to discuss the reasons for resignation and the effect of the resignation on benefits.

If an employee does not provide advance notice as requested, the employee will be considered ineligible for rehire.

608 SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by the Town may not solicit or distribute literature in the workplace at any time for any purpose.

The posting of written solicitations or advertising on the Town Clerk's bulletin boards is restricted. These bulletin boards display important information and employees should consult them frequently for:

- Affirmative Action statement
- Employee announcements
- Internal memoranda
- Job openings
- Organization announcements
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

If employees have a message of interest to the workplace to be inserted on the Town Hall bulletin board, they may submit it to the Town Clerk for approval. All approved messages will be posted by the Town Clerk. All messages for Town bulletin boards outside Town Hall must be approved by the Head of that department.

609 MILEAGE

Employees are encouraged to use Town vehicles for all Town-related travel. Employees using private transportation on Town business shall be paid mileage at the rate set forth by the Town upon the Town Board's approval of the claim.

610 INJURY ON THE JOB

All on-the-job injuries should be immediately reported to your Department Head and a Quick Fax Report completed and submitted immediately to the Accounting & Finance Department, or directly to the Town's workers compensation carrier with a copy to the Accounting Department if the Accounting Department is closed.

Pursuant to the CSEA Contract, the Town Board has the discretion to allow the employee to retain Workers Compensation Benefits or to continue salary during the period of disability. The Department Head shall make a recommendation to the Town Board regarding this exercise of discretion.

Medical bills shall be submitted in a timely manner. All medical services and prescriptions relating to an on-the-job injury shall be charged to Workers Compensation and not to the employee insurance plan.

611 GRIEVANCES

Employees have the right and are encouraged to advise the Town of any problem they may have with respect to their employment. Such problems should be immediately brought to the attention of your immediate Supervisor or Department Head.

Violations of the Collective Bargaining Agreement should be brought to the attention of your Department Head and/or a certified employee representative. A grievance procedure for such allegations is set forth in the CSEA Contract.

612 EMPLOYEE ASSISTANCE PROGRAM

The Town government, as an employer, is concerned and will take appropriate action when an employee experiences a job-impairing problem.

A job-impairing problem exists when the employee's competent or safe performance of his or her assigned duties or dependability in performance is apparent.

It is Town policy that the employing department initiate non-disciplinary procedures under which the employee is offered rehabilitative assistance when experiencing personal problems which impair job performance.

This policy is not to be construed as waiving management's responsibility to maintain discipline or its mandate to invoke disciplinary proceedings in the event of misconduct which may result from, or be associated with, the use or abuse of substances or untreated emotional problems.

The Town of Southold has contracted for an Employee Assistance Program. Contact the Accounting & Finance Department for details regarding this program.

The Office of the Town Supervisor shall be responsible for coordinating the Employee Assistance Program on a Town-wide basis, and shall issue such further directives and instructions to Town departments as are required, consistent with the policies enumerated in this resolution.

The following shall apply to employees:

a. No employee shall have job security or promotion opportunities jeopardized by a request for counseling or referral assistance.

b. The confidential nature of Employee Assistance Program records of employees shall be preserved in the same manner as all other medical records but not in their personal record files.

c. Where an employee has exhausted sick and annual leave balances, the Town Board may, under certain conditions and upon the employee's request, grant the employee a medical leave of absence without pay to undergo a prescribed program of rehabilitation treatment.

EMPLOYEE HAND BOOK

APPENDIX A

Town of Southold Alcohol & Drug Testing Policy

Pursuant to the Omnibus Transportation Employee Testing Act of 1991 and regulations set forth by the U.S. Department of Transportation, the following policy is effective immediately:

I. Those affected by this policy:

All employees who are required to hold a CDL (Commercial Driver's License) as part of their job requirements or who have a CDL and are offered promotion to the positions of AEO, HEO, CEO or any other safety sensitive position for which a CDL is required.

II. Questions regarding this policy:

Any affected employee who has questions regarding this policy should contact Barbara Rudder in the Accounting & Finance Department at 765-4333.

III. What the Omnibus Transportation Employee Testing Act requires:

Essentially, the Act requires employers with 50 or more employees to conduct alcohol and drug testing under the following circumstances:

1) Pre employment - applies to new employees hired in a position that requires a CDL.

2) Promotion - applies to current Town employees who are promoted to positions that require a CDL.

3) Post accident - any accident as described in accordance with the act involving a Town vehicle driven by a Town employee shall result in said employee being tested for either drugs or alcohol, or both. Such testing must be performed within a prescribed time as follows: alcohol testing should be performed within two hours but in no event more than eight hours of the accident and controlled substance testing must be performed within 32 hours of the accident. Testing performed by a certified BAT, police officer, hospital technician or any other individual so qualified will be accepted for the purposes of this policy. No employee is exempt from this requirement. Any employee who deliberately circumvents or refuses to comply with this testing shall be subject to disciplinary action and shall be removed from all driving functions and assigned to laborer duties at the appropriate rate of compensation until such time as either the employee complies (if compliance is within prescribed limits), disciplinary action

is completed, or it is determined that the non-compliance was not deliberate on the employee's part.

4) Random alcohol testing is to be performed on 25% of subject employees annually. Drug testing is to be performed on 50% of subject employees annually. Testing will be unannounced and performed throughout the year. Employees will be randomly selected and random testing for alcohol will be conducted just prior to, during, or just after, the performance of driver functions.

5) Reasonable suspicion - Testing shall be required when it is believed that the law has been violated. This suspicion must be based on specific observations of a properly trained Supervisor concerning the appearance, behavior, speech or body odor of the operator.

6) Return to duty - If an operator has failed an alcohol test (alcohol concentration .02 but less than .04) s/he may not return to duty in a safety sensitive function (driving) for a period of 24 hours. If the alcohol concentration is .04 or above, such employee will be prohibited from driving until: a) a substance abuse professional has evaluated the employee, b) any requirements for rehabilitation set by the employer and the substance abuse professional have been completed, c) the employee passes a return to duty test with a result below .02. The employee will then be subject to no less than 6 unannounced follow-up tests over the next 12 months.

These are the minimum preconditions for returning to work, but are not a guarantee of reinstatement.

If an employee proves positive as a result of the drug testing procedure, s/he will immediately be removed from any driving function until the completion of a rehabilitation program as prescribed by a substance abuse professional. During this rehabilitation period, such employee will be temporarily released from the permanent title under which s/he operates with a CDL, and assigned to laborer duties at a laborer's rate of compensation until such time as a substance abuse professional authorizes return to permanent duties.

IV: What constitutes "Refusal to Submit"?

A refusal to submit to required testing includes: a failure to provide adequate breath for testing without a valid medical explanation, failure to provide adequate urine for a controlled substance testing without a valid medical explanation, or any other conduct which clearly obstructs the testing process. Failure to remain readily available for post accident testing, absent legitimate medical reason, also constitutes a refusal to submit.

V. Prohibitive behavior:

All employees subject to this policy may not engage in the following activities:

- Reporting to work with an alcohol concentration of .02 or above
- Employees on standby may not indulge in alcoholic beverages or utilize illegal drugs
- Use of illegal drugs at any time

Possession of alcohol at work, use of alcohol at work, use of alcohol four hours prior to reporting to work, use of alcohol within eight hours following an accident where a post-accident alcohol test is required, using alcohol before such a test (whichever comes first), refusal to submit to any required alcohol or controlled substance test, or reporting for work or remaining on duty when operator has used any controlled substance, except if used pursuant to the instructions of a physician who has advised that such use will not adversely affect the employee's ability to operate a commercial motor vehicle.

VI. Consequences:

Some of the consequences for violation of this policy have been discussed in earlier sections. Section VI will better define and reiterate the penalties that shall be imposed against employees who are in non-compliance, violation, or have been found in violation more than once.

EMPLOYEES WHO REFUSE TO SUBMIT TO RANDOM DRUG TESTING:

First refusal: Removal from driver's position and assignment as laborer at appropriate rate of pay, until such time as employee complies.

Second refusal: Immediate suspension and filing of disciplinary charges which may result in employee's termination.

Once an employee is scheduled for testing, s/he shall not be excused for any reason unless authorized by the Town.

EMPLOYEES WHO FAIL DRUG TEST:

a) Immediate removal from driving function and assignment as laborer at appropriate rate of pay.

b) Referral to a substance abuse professional and enrollment in a rehabilitation program. Employee will continue in laborer position until completion of program. Upon return to work and prior to reinstatement to driving function, the employee will submit to a drug screen. No less than six random screenings will occur over the next twelve months.

If the employees fails any subsequent drug tests, s/he shall be subject to disciplinary action.

Except for employee refusal, and those actions mandated by law, penalties prescribed by this section shall be applied on a case-by-case basis. Other considerations may come into play, i.e., length of time sober or clean before relapse, employee's work record, and mitigating circumstances.

EMPLOYEES WHO FAIL AN ALCOHOL TEST:

a) A BAT (Breath Alcohol Technician) will conduct the procedure and if the employee tests .02 but less than .04 s/he shall be prohibited from driving for a period of 24 hours.

b) If the employee fails a second alcohol test within a six-month period where a reading of .02 is observed, s/he shall be assigned and paid as a laborer for no less than three months, during which time the employee shall be subject to at least three unannounced alcohol tests. At the completion of this three-month period, if there has been no further positive test results, the employees shall be reinstated to his or her permanent position. If the employee tests positive during this period, s/he shall be immediately suspended and disciplinary charges shall be filed accordingly. If at any time an employee requests assistance for a problem associated with any kind of substance abuse (in particular prior to his or her being scheduled for testing) the Town will extend every consideration as long as the employee is sincerely motivated.

c) If an employee tests .04 or above, such employee shall immediately be reassigned as a laborer and paid accordingly. S/he shall not be reinstated to his or her permanent position until:

- The employee is evaluated by a substance abuse professional.
- Any requirements for rehabilitation set by the Town and the substance abuse professional have been completed.
- The employee passes a return to duty test with a result below .02. The employee will then be subject to no less than 6 unannounced follow-up tests over the next 12 months.

VII. Training:

Employees covered by the act will be given a copy of the Town's policy and its provisions will be fully explained. Manuals will be distributed which will discuss the methods used by the laboratory to conduct tests, as well as risks associated with substance abuse. Supervisors will be trained to determine the appropriate circumstances for conducting reasonable suspicion tests.

Reasonable suspicion is based on specific observations of a trained Supervisor based on an employee's behavior characteristics.

Such characteristics associated with substance abuse and for which an employee may be directed to undergo a drug screen for reasonable suspicion include, but are not limited to:

- abrupt changes in quality of work or work output
- unusual flare-ups or outbreaks of temper
- withdrawal from responsibility
- general overall changes in attitude
- deterioration of physical appearance and grooming
- wearing of sunglasses at inappropriate times (to hide dilated or constricted pupils)
- association with known substance abusers
- excessive borrowing
- furtive or overt behavior
- odor on breath
- difficulty focusing
- glazed appearance of eyes
- uncharacteristically passive or combative behavior
- unexplained frequent accidents
- flushed skin
- blackouts
- odor similar to burnt rope on clothing or skin
- slurred speech

Obviously, most of these characteristics by themselves may not be cause for reasonable suspicion. However, in combination or frequency of occurrence, they may constitute a reasonable suspicion and require an employee to be tested.

VIII. Procedures for Testing

Drug testing:

a) When an employee reports to a collection site s/he will be **required** to show photo identification. Failure to appear at the scheduled time for a drug or alcohol test may be construed as a refusal to submit and shall result in actions prescribed by Section VI of this policy.

b) Outer garments and personal belongings shall be removed and placed in a secure location in order to avoid concealment of items or substances which could be used to contaminate the specimen.

c) Urine collection - The employee will be given a sealed specimen kit and instructed to provide a urine specimen in the privacy of a restroom designated and prepared for collection procedures, in accordance with DOT requirements. With the exception of the actual collection of a specimen, a technician shall remain in the employee's presence at all times.

The employee must provide at least 45 millimeters of urine or be advised by the technician that more is required. The employee will be required to remain at the collection site for a reasonable period of time until enough urine is collected. If the employee is unable to provide a sufficient amount of urine, the employee may be directed to remain at the site until such time as s/he is able to provide an adequate amount for a specimen. A separate container shall be used if a second attempt is required.

Immediately after collection the technician shall, in the presence of the individual, record the temperature of the specimen using the attached temperature strip on the collection container. The time from urination to the temperature measurement shall not exceed 4 minutes. If the specimen temperature is outside the range of 90.5 to 99.8F, there is reasonable suspicion of adulteration/substitution, and the technician shall ask the employee if he or she would consent to having his or her oral temperature taken. If the oral temperature does not match that of the urine temperature, a second specimen must be collected and both samples will be forwarded to the laboratory. A visual inspection will be made to assess the specimen's color and to identify any contaminants. Any unusual color or appearance resulting from the inspection shall be documented on the Chain of Custody form. Color and appearance are both significant when assessing the specimen. If the urine specimen is a non-urine color (i.e., green, blue, etc.), the specimen will be considered invalid or probably adulterated. However, the specimen will be forwarded to the laboratory for analysis. The technician shall pour 30 ml into one bottle (primary specimen) and 15 ml into a second bottle (split specimen). Both bottles shall be shipped to the laboratory.

The employee and technician will keep the specimen in view at all times prior to its being sealed and labeled. The employee will be requested to observe transfer and replacement of labels if a second container is necessary.

The tamper proof identification will be completed and affixed to the specimen bottle and the employee will initial the seal.

The identifying information will be entered into the permanent record book and the employee and technician will sign the book. The technician will continue to complete all required data on the Chain of Custody form and instruct the donor to read and sign the appropriate sections.

After collection of the specimen, the specimen shall be placed in securely sealed specimen boxes. The technician will initial and date the tape, sealing the container. Specimens will be shipped or mailed to the laboratory within 24 hours of collection,.

Alcohol Testing:

a) When an employee reports to a collection site s/he will be requested to show photo identification. Failure to appear at the scheduled time for a drug or alcohol test may be construed as a refusal to submit and shall result in actions as prescribed by Section VI of this policy.

b) The BAT will ask the donor if s/he has eaten or drunk anything, or used mouthwash, in the 15 minutes prior to the test. If the donor states that s/he has, and the BAT believes that what the donor ate and drank could contain alcohol, the donor shall wait 15 minutes prior to starting the breath test.

c) The BAT shall describe the procedure to the donor and then conduct the test in accordance with the written procedures which incorporate the requirements of 49 CFR part 40, and the EBT manufacturer's instructions.

d) When the test is printed on the printer, the BAT shall separate the three parts of the form. One copy will be given to the donor, one copy will be returned to the employee's employer and the BAT will retain a copy.

If the first breath test yields a positive test result (.02 or higher) the BAT shall then have the individual wait for 15 minutes before starting another breath test.

After the required 15-minute wait, the BAT shall again test the donor. If this test is positive, the BAT shall advise the donor that the donor has screened and confirmed positive for alcohol. The BAT will immediately advise the designated Town representative by telephone or by electronic means, in a confidential manner, that the donor has tested positive.

The consequences for failing or refusing to comply with drug or alcohol procedures are prescribed under Section VI of this policy.

IX. Chain of Custody:

Chain of Custody is a record of every person who has responsibility for a urine specimen, from the moment the specimen is collected to the moment its analysis is completed. In order for the results of a particular specimen to be considered valid, it is necessary to show that the specimen itself has been handled responsibly and that no altering or tampering of the specimen has taken place.

A specimen is considered safely in custody only while it is in the physical control of a responsible technician or placed in a locked desk, file cabinet or refrigerator. Appropriate Chain of Custody forms will be utilized for the purpose of maintaining control and accountability from initial collection to final disposition of all specimens. These forms will always accompany the specimen through use of information which matches label items and a sequential number assigned to each urine specimen obtained.

X. Medical Review Officer:

The lab reports all drug tests in a confidential manner to the designated Medical Review Officer, or MRO. The MRO is a fully certified physician with knowledge of illicit drugs and how they are metabolized by the human body. For confirmed positive blood tests, the MRO contacts the employee by telephone and has a confidential discussion with him or her. The employer is not notified of the positive test result until the employee has the opportunity to talk with the MRO. Depending upon which drug was discovered, the MRO asks questions to find out whether the drug was legally prescribed. If the employee can explain a positive test through a copy of a prescription, the name of a doctor, or a copy of the label of the bottle then the MRO will mark "Negative" on the drug test result. This is despite the fact that the laboratory did correctly determine the test as positive.

The employer will never know that the employee was under suspicion of a positive test unless the employee chooses to inform the employer. On the other hand, if the employee cannot explain or justify to the MRO why the test was positive, the MRO will inform the employee that the employer will be notified of the positive result. During medical review with the employee, the MRO will inform the employee of the right to split analysis. After MRO verification of a positive result, the employee will be informed by the MRO that he or she will have 72 hours to provide a request for a split analysis at a second DHHS certified lab.

After MRO verification of a positive result, the MRO will notify the employer of the positive result. The employer must remove that employee from any safety sensitive duties. If the split analysis fails to reconfirm the drug, the results of the test are canceled and the employee will be restored any wages that may have been lost during this period.

XI. Conclusion:

The Town of Southold realizes that some employees who are subject to this policy may need assistance beyond that which is required under the Omnibus Transportation Employee Testing Act. The Town encourages its employees to utilize the Employee Assistance Program and to take advantage of what it offers. This program is available to all employees and their relatives and is not specifically restricted to drugs and alcohol. Other problems may be addressed, whether related to substance abuse or not. An employee need not wait until he tests positive or needs assistance in resolving problems with drug or alcohol abuse before asking for help.

WHO TO CALL - Barbara Rudder, Administrative Assistant

TELEPHONE: (631) 765-4333

The Town of Southold's administrator to conduct OTETA requirements is the "National Association of Drug Free Employees" (NADE). This company is comprised of the following elements:

- Program Administration
- Collection Services
- Laboratory Services
- Tests and Related Materials
- Medical Review Officer Services
- Reporting and Record Keeping
- Training
- Random Selection

NADE's offices are located at 811 Jericho Turnpike, Smithtown, New York. The HHS certified laboratory utilized by NADE is Labcorp. The company is highly qualified to perform such services and has a proven track record in responding to client needs in accordance with Federal, State and Local regulations. Some of its better-known clients are Consolidated Edison Company, Stony Brook University, Town of Brookhaven, Town of Babylon, Met Life, United Airlines and Delta Airlines.

EMPLOYEE HAND BOOK

APPENDIX B

Town of Southold Hazard Communication Standard Written Program

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I. POLICY STATEMENT FOR EMPLOYEE HEALTH AND SAFETY

The Town of Southold is committed to protecting its human resources by assuring that:

1. The work environment is free from recognized hazards that could cause injury, illness or death.

2. Safety and health factors have priority when in competition with economic factors.

3. Professional expertise is obtained, or on staff, to maintain and support the Safety and Health Programs of the Town of Southold.

4. Each Supervisor and Department Head is accountable for the safety performance of his/her activity and this performance is measured regularly against the goal of zero (0) accidents and losses.

5. Each employee is trained and educated in safety procedures and performs their work in compliance with these safety measures.

6. The work environment is monitored on a regular basis to assure a safe and healthy workplace.

7. Each employee assumes personal responsibility for the development and support of a safe workplace.

II. PURPOSE FOR WRITTEN HAZARD COMMUNICATION PROGRAM

The Hazard Communication Standard places the needed emphasis on identifying and communicating the presence of hazardous substances in the products and processes used in the work environment of the Town of Southold.

This program meets the requirements of the Hazard Communication Standard in the areas of:

- ☐ Hazard Evaluation
- ☐ Labels and Warnings
- ☐ Material Safety Data Sheets
- ☐ Employee Information and Training

This written program is posted on all official bulletin boards and at each remote worksite in the Town of Southold. Copies of the written program are available for review by any interested party. For additional information, contact the following:

Contact:	Location:
Peter Harris Commissioner of Public Works	Southold Town Highway Department Peconic Lane Peconic, New York 11958 (631) 765-3140
James Bunchuck Asst. Superintendent of Public Works	Southold Town Landfill Route 48 Cutchogue, New York 11935 (631) 734-7685

III. MATERIAL SAFETY DATA SHEETS (MSDS)

Material Safety Data Sheets (MSDS) are a key element in the Hazard Communication Standard Program. They provide the information about the chemical substances within a product, how to handle and store the product, and first aid measures to be taken when the product is accidentally released or spilled.

The responsibility for developing a MSDS is that of the manufacturer, supplier or importer.

Material Safety Data Sheets may be kept in any form, including operating procedures. However, the employer is to ensure that all required information is provided for each product. Information on any data sheet is to be organized into eight sections. These are:

Section I.	Manufacturer/Component Information
Section II.	Hazardous Ingredients/Identity Information.
Section III.	Physical/Chemical Characteristics
Section IV.	Fire and Explosion Hazard Data
Section V.	Reactivity Data
Section VI.	Health Hazard Data
Section VII.	Precautions for Safe Handling and Use
Section VIII.	Control Measures

IV. RESPONSIBILITES FOR EXECUTING THE HAZARD COMMUNICATION STANDARD

Responsible Personnel -- The following personnel are delegated as indicated to provide assistance and to assure that the Hazard Communication Standard Program is properly executed:

A. Mr. Peter Harris - Commissioner of Public Works

Mr. Harris will have the responsibility as the Coordinator of the Hazard Communication Standard Program and will be responsible to oversee that all related programs are properly implemented and executed throughout the Town of Southold. Mr. Harris will also delegate other individuals as necessary, to assist in upholding the Hazard Communication Standard Program.

B. Mr. James Bunchuck - Assistant Superintendent of Public Works

Mr. Bunchuck will act as Assistant Coordinator of the Hazard Communication Standard Program and directly assist Mr. Harris in the performance of his duties. He will be responsible for:

1. Obtaining and maintaining the (MSDS) system for the Town of Southold. He will review incoming data sheets for new and/or changes in significant health or safety information. This new or significant information will be given to the appropriate Department Heads or Supervisors for dissemination to affected employees.

2. Keeping a complete list of all products that contain chemicals. MSDS will be obtained for all products that contain hazardous substances. Letters (or MSDS) will also be obtained and kept on file for products not containing hazardous substances, the letter will so state.

3. Assembling one master file of all MSDS and product letters. He will also assemble the appropriate MSDS for work areas and remote projects. These MSDS will be kept by the Work Area Supervisor or Department Head and made available to the employees on request.

   Any employee may review the master file of MSDS by contacting Mr. Bunchuck.

4. Compiling and posting, in each work area, the list of hazardous chemicals used within that work area.

   The list will contain: Trade Name Hazardous Chemical MSDS #

5. Assuring the Written Hazard Communication Standard is posted on each official bulletin board and at each remote worksite.

C. Mr. Bunchuck will have the responsibility for the development and presentation of training and education programs that:

1. Provide general awareness of the Hazard Communication Standard to all employees.

2. Review the chemicals present in the work place and show the employees how to handle and store them properly.

3. Show how to use special equipment and wearing apparel when handling chemicals.

4. Provide general training on chemicals in specific classes or families.

5. Show employees how to use special monitoring equipment and the methods and observation techniques used to determine the presence of hazardous chemicals in the work area.

6. Develop employee skills for emergency handling of hazardous substances that are released or spilled.

7. Develop work habits and procedures to lessen exposure to hazardous substances.

8. Show how to read labels and MSDS to obtain appropriate hazard information.

9. Provide information on new products that have hazardous substances.

Mr. Bunchuck will also be responsible for maintaining records to assure that all employees receive the necessary training and for new employee orientation. The orientation will include:

1. An overview of the requirements of the program.

2. A copy of the written program.

3. Assigning the new employees to the appropriate training session if the employee will be working with products that contain hazardous substances.

4. A review of the work areas within the Town that use products with hazardous substances and/or are restricted because of potential hazards.

5. Where the list of hazardous chemicals is posted within the work area.

Temporary Help - Will be treated as new employees and will be provided all of the orientation and training required of a new employee that is placed in a work area where products containing hazardous substances are used.

D. Department Heads and Supervisors

All Supervisors in each work area, and the Project Supervisor on a remote project, will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with the central store's generic labels which have a blank for substance identity and blanks for the hazard warning.

All Supervisors are responsible for the labeling of all in-plant containers. They will assist any work area or remote project site with special labeling. They are also responsible for reviewing and updating the labeling when required. This review will be conducted every six (6) months.

All Supervisors are responsible for providing contractors with a copy of the Written Hazard Communication Program and information about any hazardous chemicals to which contractors and their employees or subcontractors may be exposed to while on the job.

V. PROCEDURES

The following procedures shall be enforced:

1. Container Labeling - All employees shall verify that all containers received for use within the Town of Southold will:

    A) Be clearly labeled as to the contents.
    B) State the appropriate hazard warning.
    C) Have all accompanying MSDS forwarded to Mr. Jacobs.

2. Material Safety Data Sheets - MSDS will be obtained and kept for all products that contain hazardous substances as outlined in Section IV, B. MSDS shall be made available to all employees upon request.

3. Employee Communications - Each employee is responsible to inform co-workers and Supervisors of any hazardous substance or situation that could affect the health and safety of personnel in the work environment or remote areas.

    Each employee is responsible to meet the compliance of all safety procedures and training instruction required.

4. Hazardous Non-Routine Tasks - Each Work Area Supervisor and Remote Project Supervisor is responsible for providing information about any hazardous chemicals that an employee may be exposed to during the performance of a non-routine task. A non-routine task is defined as one that is performed as, but not part of, the usual daily or weekly work routine. An example would be: chemically washing down walls of a workspace, which may be required only twice a year.

5. Informing Contractors - A copy of the Written Hazard Communications Program, and information about any hazardous chemicals to which contractors and their employees or subcontractors may be exposed to while on the job, shall be forwarded to them by the responsible Supervisor or Department Head.

6. Purchase Orders - All purchase orders must have a request for the appropriate MSDS and Hazard Warnings. This will be performed by the Purchasing Agent. All employees filling out requisitions for any chemical, or potentially hazardous material, must include a statement requesting MSDS and Hazard Warnings.

    All Supervisors approving requisitions must verify the MSDS and Warning Statement where applicable.

7. Emergency Treatment - All employees are to read the appropriate MSDS before any hazardous chemical is used. This will inform the employee as to proper measures to be taken in cases of emergency. In all cases of accidents or emergency situations, the employee, or a co-worker if necessary, must immediately notify his Supervisor. The Supervisor shall fill out the appropriate accident form and notify Mr. Harris.

   All employees shall be responsible for knowing the location of First Aid Stations and Eye Washes in their work area.

VI. EFFECTIVE DATE:

This Hazard Communication Standard Program is effective as of June 1, 1990 and remains in effect until further notice.

VII. REVISIONS:

Revisions to the Hazard Communication Standard Written program will be made as required.

EMPLOYEE HAND BOOK

APPENDIX C

INTERNET POLICY

The Southold Town Board has established the following Internet Policy:

PURPOSE OF INTERNET ACCESS

The Town of Southold provides its employees with Internet access for company-related business purposes only. Employees may not use the Internet on Town equipment for non-business purposes.

MONITORING

We reserve the right to monitor employee use of the Internet at any time without prior notice or consent of the employees. Employees waive their rights to privacy regarding any web site they may access. We also reserve the right to use the information we may learn of in any administrative, judicial, or other proceeding.

PROHIBITED ACTIVITIES

Employees may not participate in the following Internet activities on company equipment:

- Play games
- View, download, send, or receive pornographic materials
- Intentionally damage or interfere with others (hacking, distributing viruses, etc.)
- Distribute or post confidential company information
- Gamble
- Send chain letters
- Post any material that is discriminatory, offensive, libelous, illegal, harassing, or derogatory
- Engage in other personal activities

DISCIPLINARY ACTION

Employees found violating the Town of Southold's Internet policy are subject to disciplinary action, including but not limited to: verbal warning, transfer, suspension, and termination.