

**PART-TIME/TEMPORARY/SEASONAL EMPLOYEES
POLICIES AND PROCEDURES
TOWN OF WINDSOR**

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1. INTRODUCTION

1. General Provisions

1.1.1. These Part-Time/Temporary/Seasonal (hereafter “PTS”) Employee Policies and Procedures (hereafter “rules,” “policies” or “procedures”) generally describe the relationship between the Town of Windsor and its PTS Employees. The rules apply to all PTS Employees. Each PTS Employee will receive a copy of these rules and is responsible for reading and following these procedures.

1.1.2. The Town may utilize PTS Employees for the delivery of Town services. The use of PTS Employees shall be subject to approval by the Town Manager.

1.1.3. A PTS Employee shall be assigned to a supervisor, who shall be an employee of the Town.

1.1.4. PTS Employees shall be eligible for wages but will not qualify for benefits or other compensation unless specifically provided for by the Town. Subject to approval by the Department Director, necessary equipment or uniforms and reimbursement for approved actual expenses and mileage may be provided.

2. PTS Employees Fiscal Year Hourly Limitation

1.2.1. Subject to approval by the Town Manager, PTS employees may provide services to the Town on a part-time, temporary or seasonal basis, not to exceed 1,000 hours of work in a fiscal year. In rare circumstances, with the express permission of the Town Manager, a PTS employee may be allowed to exceed the 1,000 hour threshold. These exceptions must be based on the legitimate business needs of the department.

3. Wage and Hour rules and policies

1.3.1. The Town is committed to observing all of its obligations under the Fair Labor Standards Act (“FLSA”). These rules, and all Town pay practices, shall comport with, and shall be interpreted to ensure the minimum requirements of, the FLSA.

1.3.2. Except when necessary to address an emergency or special circumstances, PTS Employees may not work outside of regularly scheduled working hours, or during unpaid meal periods, without the prior authorization of a supervisor. In any event, PTS Employees shall report overtime work as soon as possible after the work is performed. Violations of this rule may result in discipline, up to and including termination of employment.

2. WORK SCHEDULE

2.1. Work Schedule

2.1.1. PTS Employees are expected to be at work at scheduled times. To ensure public accountability and the integrity of public service, all PTS Employees are expected to account for their absences from work at scheduled times. PTS employees shall work under 1,000 hours per fiscal year.

2.2 Leaves

2.2.1. Leave benefits are available only to regular or probationary employees, but not to PTS Employees.

3. REST AND MEAL PERIODS

3.1 Rest Periods

3.1.1 Employers are required to give each employee at least a ten (10) minute paid break for each four (4) hours worked (or major fraction of four (4) hours). If an employee works three and one-half (3 ½) hours or less, it is not required that a break be given to that employee. Breaks should be given to employees as near to the middle of the four (4) hours segment of time as is practical.

3.2 Meal Periods

3.2.1 An employer may not employ an employee for a work period of more than five hours per day without providing a meal period of not less than 30 minutes, except that if the total work period per day of the employee is no more than six hours, the meal period may be waived by mutual consent of both the employer and employee.

Employees are entitled to a minimum of a thirty (30) minute duty-free meal period for every five (5) hours worked. A second meal period is required if an employee works more than ten (10) hours per day unless the work period is less than twelve (12) hours, then the second meal period may be waived by mutual consent. Meal periods are not required to be paid, providing that the meal period is “duty-free.” For a meal period to be “duty-free” the employer cannot require that an employee perform any duties while on a meal break. An “on-duty” meal period is only permitted when the nature of the work prevents an employee from being relieved of all duties and when, by written agreement between parties, an on-the-job

paid meal period is agreed to. If an employer requires an employee to remain at the work site or facility during the meal period, the meal period must be compensated. If an employer fails to provide a legally required meal period, the employer must pay the employee an (1) additional hour of pay at the employee's regular rate of pay per day. This additional hour is not counted for purposes of overtime calculations.

4. WORKPLACE SAFETY / VIOLENCE IN THE WORKPLACE

4.1. General Safety Rules

4.1.1. Safety is everyone's responsibility. All PTS Employees must use safe work practices and report any unsafe conditions that may occur. The Town also recognizes its responsibility to maintain safe workplaces.

4.1.2. All work-related injuries must be reported to the responsible supervisor. If there is any question regarding the appropriate supervisor, the report shall be made immediately to the Human Resources Manager.

4.1.3. If a work-related injury results in lost work time, the PTS Employee shall be provided with a workers' compensation claim form within one (1) working day of the injury.

4.2. Violence in the Workplace Policy

4.2.1. Policy

4.2.1.1 Acts of violence, whether threatened, gestured, or carried out will not be tolerated in a Town of Windsor workplace. Anyone witnessing or becoming the subject or victim of such behavior shall immediately report it to a supervisor or the Administrative Services Department. Minimizing the threat of violence is a duty of all PTS Employees to ensure a safe workplace.

4.2.1.2. It is the responsibility of all PTS Employees to notify a supervisor, the Human Resources Manager, or the Police Chief immediately of any violent act or a threat, or if a violent act or threat against themselves or any other Town PTS Employee occurs in the workplace or is directly associated with their working relationship with the Town of Windsor. Notification may be made to any of these persons as appropriate and shall be as soon as practicable. Retaliation or the threat of retaliation against a person who reports such an incident is unlawful and shall not be tolerated.

4.2.1.3. Town PTS Employees shall not possess the following instruments at a Town worksite or on Town property, including Town parking lots, unless there is a work-

related purpose and written approval has been obtained from the PTS Employee's Department Director:

- (a) Firearms
- (b) Explosives or ammunition
- (c) Fixed blade knives
- (d) Folding knives with blades over 3.5 inches
- (e) Illegal weapons such as defined in Section 12020 of the California Penal Code

4.2.1.4. The Town shall take appropriate action against PTS Employees who violate this policy.

4.2.1.5. On a case by case basis, or as needed, the Town may offer incident-related counseling services to PTS Employees who are the victims of violence or are subjects of threats of violence or intimidation at the workplace. The Town will work with public safety, the courts and other authorities necessary to assure PTS Employee safety.

4.3. Procedures - Imminent or Actual Violent Acts

4.3.1. PTS Employee Responsibilities: A PTS Employee who is in immediate apparent danger of a violent act, or another PTS Employee who witnesses a violent act or the threat of a violent act shall, whenever possible:

- (a) Place themselves in a safe location.
- (b) Call the Windsor Police Department at 565-2121 and request the immediate response of a police officer. Be prepared to inform the police dispatcher of the circumstances and exact location of where an officer is needed.
- (c) Inform a supervisor or manager of the circumstances.
- (d) Refer media inquiries to the Town Manager's Office.
- (e) Cooperate fully in any administrative or criminal investigation, which shall be conducted within this policy and the laws.

4.3.2. Procedures – Future Violence

- (a) PTS Employees who have reason to believe they, or another Town PTS Employee, may be victimized by a violent act sometime in the future, at the workplace or as a direct result of their working relationship with the Town of Windsor, shall inform their supervisor immediately so appropriate action may be taken. The supervisor shall inform his/her Department Director.

- (b) PTS Employees who have signed and filed a restraining order, temporary or permanent, against an individual due to a potential act of violence, who would be in violation of the order by coming near them at work, shall immediately supply a copy of the signed order to their supervisor and the Human Resources Manager. The PTS Employee shall also supply a copy of the signed order and proof of service to the Town of Windsor Police Department.

4.3.3. Post-Incident Review

- (a) The Town Manager's Office, the Human Resources Division, the Police Department, and the affected department may conduct a post-incident review and use the review to evaluate this policy and procedure.
- (b) The Town may determine what continuing support systems are needed and oversee post-incident activities.

5. GENERAL RULES OF CONDUCT

5.1. General Rules of Conduct

5.1.1. It is expected that all PTS Employees shall render the best possible service and reflect credit on the Town. Therefore, the highest standards of professional conduct are essential and expected of all PTS Employees.

5.2. Grounds for Dismissal

5.2.1. PTS Employees may be terminated at any time, for any legal reason, and without any requirement of demonstrating "good cause." Immediate dismissal of a PTS Employee may include, but shall not be limited to, the following:

- (a) Misstatements or omissions of fact in completion of the PTS Employee application or to secure appointment to a PTS Employee position with the Town.
- (b) Furnishing knowingly false information in the course of the PTS Employee's duties and responsibilities.
- (c) Inefficiency, incompetence, carelessness or negligence in the performance of duties.
- (d) Violation of safety rules.
- (e) Violation of any of the provisions of these personnel rules and regulations, department rules and regulations, Town policies, Town ordinances or resolutions.

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- (f) Inattention to duty.
- (g) Tardiness, or overstaying lunch periods.
- (h) Being under the influence of an intoxicating beverage or non-prescription drug, or prescription drugs not authorized by the PTS Employee's physician, while on duty or on Town property, when called in for emergency duty, or any other violations of the Town's Drug and Alcohol Free Workplace Policy.
- (i) Disobedience to proper authority, refusal or failure to perform assigned work, to comply with a lawful order, or to accept a reasonable and proper assignment from an authorized supervisor.
- (j) Any violation of the Town's Nondiscrimination Policy.
- (k) Unauthorized soliciting on Town property.
- (l) Conviction of a felony, or a misdemeanor involving moral turpitude, or a violation of a federal, state or local law which negatively impacts the PTS Employee's ability to effectively perform his/her job or brings discredit to the Town.
- (m) Offensive treatment of the public, or other Town employees.
- (n) Falsifying any Town document or record.
- (o) Misuse of Town property; improper or unauthorized use of Town equipment or supplies; damage to or negligence in the care and handling of Town property.
- (p) Fighting, assault and/or battery.
- (q) Theft or sabotage of Town property.
- (r) Sleeping on the job.
- (s) Accepting bribes or kickbacks.
- (t) Engaging in outside employment which conflicts with a PTS Employee's responsibilities.
- (u) Intimidation or interference with the rights of any other Town employee.
- (v) Outside work or any other activity or conduct which creates a conflict of interest with Town work, which causes discredit to the Town, negatively impacts the effective performance of Town functions or is not compatible with good public service or interests of the Town service.

- (w) Failure to maintain the necessary license or certification specified for the position.
- (x) Abusive or intemperate language toward or in the presence of others in the workplace.
- (y) Failure to maintain minimum qualifications, including required licenses or certificates.
- (z) Any other conduct of equal gravity to the reasons enumerated above as determined by the Town.

6. PERFORMANCE EVALUATION PROGRAM

6.1. The Town may require PTS Employees to undergo performance evaluations periodically throughout their employment. The Town shall prescribe appropriate forms for completing performance evaluations. The Town's performance evaluation program includes an opportunity for employees to discuss their concerns with Department Directors upon request.

6.2 Performance evaluations shall be maintained in employee personnel files. PTS Employees may submit rebuttals to their performance evaluations, and the rebuttals shall also be maintained in the personnel files with the performance evaluations.

7. RESIGNATIONS

7.1. General Provisions

7.1.1. PTS Employees are free to resign from their working relationship, but are encouraged to give at least two (2) weeks notice. A resignation becomes effective upon the Town's receipt of a written notice of resignation to the PTS Employee's Supervisor, Department Director or the Human Resources Manager. If no written resignation is tendered, but a resignation is indicated orally, a resignation becomes effective upon the Town's notice of acceptance of the resignation. Once a resignation becomes effective, it is irrevocable except that the Town Manager may in his/her discretion permit a resignation to be rescinded.

7.2. Automatic Resignation

7.2.1. PTS Employees are deemed to have resigned when absent from work for three (3) consecutive workdays without prior authorization. The Town shall give notice of such automatic resignation.

8. NON-DISCRIMINATION POLICY AND HARASSMENT POLICY

8.1. Purpose

8.1.1. The purpose of this policy is:

- (a) To reaffirm the Town's commitment to prohibit and prevent unlawful discrimination (including harassment) in all workplaces of the Town of Windsor;
- (b) To define discrimination and harassment prohibited under this policy;
- (c) To set forth a procedure for resolving complaints of prohibited discrimination and harassment.

8.1.2. This policy shall not be construed to create a private or independent right of action. Although this policy is intended to prohibit discrimination consistently with Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the California Fair Employment and Housing Act and California Labor Code Section 1102.1, the Town reserves the right to interpret and apply this policy to provide greater protection than what is afforded under those laws.

8.2. Policy

8.2.1. The Town of Windsor is committed to providing an environment that is free from harassment and discrimination of any kind, including sexual harassment and harassment based on race, color, religion, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, sexual orientation, or any other characteristic prohibited by state or federal law. Therefore, it is important that the Town maintain an atmosphere characterized by mutual respect in order to assure fair, courteous treatment for all Town employees and the public.

8.3. Unlawful Discrimination/Harassment Prohibited

8.3.1. The Town strongly disapproves of and will not tolerate harassment or discrimination against Town PTS Employees. The Town also strongly disapproves of unlawful harassment of Town PTS Employees by persons with whom the Town has a business, service or professional relationship.

8.3.2. Sexual harassment and illegal discrimination are considered serious acts of misconduct and will not be tolerated. PTS Employees who violate this policy and engage in acts of sexual harassment or illegal discrimination of any type, for any duration, shall be subject to severe disciplinary action, up to and including termination. Retaliation against individuals who complain of sexual harassment or any type of

prohibited discrimination or who participate in an investigation into sexual harassment or discrimination shall not be tolerated. PTS Employees who engage in such acts of retaliation shall be subject to dismissal.

8.4. Definitions

8.4.1. Prohibited discrimination and harassment for purposes of this policy, includes but is not limited to:

- (a) **Speech:** Such as epithets, derogatory comments or slurs, and lewd propositions on the basis of race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation. This includes, without limitation, inappropriate sex-oriented comments on appearance, including dress or physical features, and race or ethnicity-oriented stories and jokes.
- (b) **Physical Acts:** Such as assault, impeding or blocking movement, offensive touching, or physical interference with normal work or movement when directed at an individual on the basis of race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation. This includes pinching, grabbing, patting, propositioning, leering, or making explicit or implied threats or promises in return for submission to physical acts.
- (c) **Visual Insult:** Such as derogatory posters, cartoons, or drawings related to race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age, or sexual orientation.
- (d) **Retaliation:** Adverse employment actions carried out in retaliation for good faith submission of discrimination or harassment charges, or good faith participation in an investigation made pursuant to this policy.
- (e) **Adverse employment actions** carried out on account of race, sex, religion, national origin, ancestry, disability, medical condition, marital status, age or sexual orientation.

8.5. Harassment

8.5.1. Harassment on the basis of race, religion, creed, political affiliation, color, national origin, ancestry, sex, sexual orientation, age, familial status, or mental or physical disability is prohibited. Verbal or physical conduct relating to these categories constitutes harassment when it:

- (a) Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- (b) Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- (c) Otherwise adversely affects an individual's employment opportunities.

8.6. Sexual Harassment

8.6.1. Sexual harassment is a form of unlawful sex discrimination and will not be tolerated by the Town. Federal and State guidelines provide that unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature constitute unlawful harassment when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of a PTS Employee's working relationship.
- (b) The submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual; or
- (c) Sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a PTS Employee's work performance or of creating an intimidating, hostile, or offensive work environment.

8.6.2. Sexual harassment refers to conduct that is not welcome, that is offensive, that fails to respect the rights and dignity of others, that lowers morale and that, therefore, interferes with work effectiveness.

8.7. Reporting Unlawful Harassment or Discrimination

8.7.1. Any PTS Employee who believes he or she has been unlawfully harassed or discriminated against should promptly report it orally or in writing to the PTS Employee's supervisor, the Department Director, the Human Resources Manager or the Town Manager. A PTS Employee is not required to complain first to a supervisor if that person is the individual who is harassing and/or engaging in discriminatory actions against the PTS Employee. Instead, the PTS Employee may report the harassment/discrimination to any member of management.

8.7.2. Any supervisor or manager who receives a complaint of unlawful harassment/discrimination, or who observes or otherwise learns about unlawfully harassing conduct shall notify the Town's Human Resources Manager immediately.

8.8. Remedial Action

8.8.1. If harassment or discrimination is found to have occurred in violation of this policy, the Town shall take action to ensure or confirm that the harassment or discrimination at issue is stopped. The Town may take whatever measures are appropriate to ensure its workplaces remain free from unlawful discrimination or harassment.

8.8.2. PTS Employees found to have engaged in discrimination or harassment covered by this policy may be subject to dismissal.

8.8.3. PTS Employees found to have been dishonest or uncooperative during an investigation into allegations of unlawful harassment may be subject to dismissal.

8.9. No Retaliation

8.9.1. PTS Employee should feel free to report valid claims of unlawful harassment without fear of retaliation of any kind. The Town will not retaliate against or tolerate retaliation against PTS Employees for making any complaint of unlawful harassment in good faith, or against any PTS Employee for cooperating in an investigation.

8.10. Dissemination of Policy

8.10.1. Copies of the Town's Nondiscrimination Policy, and of these complaint procedures, shall be provided to all PTS Employees of the Town. From time to time, the Town may also conduct training for its PTS Employees to assist them in learning how to recognize, avoid and correct discriminatory behavior.

8.11. Obligation of PTS Employees

8.11.1. PTS Employees are responsible for knowing the Town's policy on nondiscrimination; refraining from discriminatory behavior, including harassment; reporting incidents of discrimination in a timely fashion; cooperating in any investigation concerning allegations of discrimination; and maintaining confidentiality concerning any investigation that is conducted.

8.11.2. All PTS Employees are encouraged to communicate with one another to assist co-PTS Employees to avoid harassing, discriminatory, or otherwise offensive behavior.

9. DRUG AND ALCOHOL-FREE WORKPLACE

9.1. The Town's workplace shall be drug and alcohol-free.

9.2. No PTS Employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations during work hours or in any Town designated workplace. Alcoholic beverages may only be served on Town property at events expressly approved by the Town Manager.

9.3. Upon reasonable suspicion of a PTS Employee being under the influence while on duty, the Town will dismiss the PTS Employee.

10. NEPOTISM

10.1 This policy applies to individuals who have a familial relationship, meaning that they are related by blood, marriage or adoption including, but not limited to, the following relationships: spouse, domestic partner, child, step-children, parent, step-parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, cousin, niece, nephew, parent-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law. This policy also applies to persons involved in a romantic relationship.

10.2 At the time an individual applies for a position with the Town, that individual must identify any person who is currently employed by the Town with whom the individual has either a familial relationship (a relative) or a romantic relationship. These relationships will be taken into consideration during the recruiting process.

10.3 At the time a Town employee, including full-time, part-time seasonal (PTS), temporary agency placements and contract employees apply for a new position, a promotion or transfer, the employee must identify any person who is currently employed by the Town with whom they have either a familial relationship (a relative) or a romantic relationship.

10.4 The *Fair Employment and Housing Act* (FEHA) prohibits harassment and discrimination in **employment** because of race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave (Government Code sections 12940, 12945, 12945.2) and/or retaliation for protesting illegal discrimination related to one of these categories.

Despite these FEHA non-discrimination and non-harassment rules, the FEHA gives the Town the right to refuse the appointment or transfer of an individual or employee to a position that has the potential for creating adverse impacts on supervision, safety, security, morale, and/or a conflict of interest. The Town Manager shall have the authority to determine if such adverse impacts exist.

10.5 To avoid creating circumstances in which the appearance of favoritism, conflicts

or management disruptions the Town retains its right to:

- a. Refuse the appointment, promotion or transfer of an individual or employee under the direct or indirect supervision of the other party of a familial or romantic relationship.
- b. Refuse the appointment, promotion or transfer of an individual or employee to the same department, division, or facility where the other party to the familial or romantic relationship is assigned when such action has the potential for creating adverse impacts on supervision, safety, security, morale, and/or a conflict of interest.

10.6 For purposes of this policy, “supervision” means having any direct or indirect authority in the interest of the employer to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend this action, if, in the connection with the foregoing, the exercise of this authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

10.7 When two existing employees marry, enter into a domestic partnership, or become romantically involved, and for the potential of creating adverse impacts as described above, the Town Manager, in conjunction with the department head and Human Resources, shall make reasonable efforts to minimize the impacts by taking steps that may include reassignment of duties or transfer.

If the Town is unable to make acceptable accommodations, the two employees will be notified by the Town that one of the employees must separate from Town employment within 60 days. The determination of who shall separate from the Town will be the recommendation of the employees themselves. In the event the employees do not provide the Town with a recommendation, the employee with earliest date of hire shall be chosen to be retained.

10.8 Human Resources shall investigate reports of nepotism and take appropriate action.

10.9 Employees are required to report changes in their personal relationships which may be covered by this policy.

10.10 Human Resources may inquire about the relationships covered by this policy between employees only for the purpose of determining the appropriateness of the working relationship under this policy.

11. GIFTS AND GRATUITIES

11.1. No PTS Employee of the Town shall solicit or accept, for self or family, favors, benefits, gifts or gratuities under circumstances which might be construed by reasonable persons as influencing the performance of the PTS Employee’s governmental duties.

11.2. The Town utilizes the limits imposed by the Fair Political Practices Act (\$50 as of January 2002) as a measure of what is presumptively inappropriate under this policy.

12. USE OF INFORMATION AND ELECTRONIC SYSTEMS

12.1. General

12.1.1. The following sets forth the Town of Windsor's policy on access to and use of its electronic systems. Electronic systems are all hardware, software, and other electronic communication or data processing devices owned, leased, or contracted for by the Town of Windsor and available for official use, by the Town of Windsor's PTS Employees. This use includes, but is not limited to, electronic mail, voice mail, calendaring, and systems such as the Internet.

12.2. Public Disclosure

12.2.1. PTS Employees who use electronic systems and/or tools provided by the Town of Windsor cannot be guaranteed privacy. Under the Public Records Act, e-mail messages and information stored in computers and other electronic systems of the Town are public records subject to disclosure to the public or may be subpoenaed. In addition, the Town reserves the right to review, audit, and disclose all matters sent over and/or stored in the Town's system at any time without advance notice. The Town Manager, or his/her designee, retain the right to enter and/or retrieve a PTS Employee's electronic communication system, data files, logs and programs used on Town owned electronic systems. Security features provided by the electronic communication system, such as passwords, access codes, or delete functions, shall not prevent authorized Town personnel from accessing stored electronic communications. Deletion of e-mail messages or files may not fully eliminate the message from the system.

12.3. Serial Meetings

12.3.1. In accordance with the Brown Act (Govt. Code Section 54950 et seq.), Town PTS Employees must take care to ensure that electronic systems are not used to transmit, either all-at-once or serially, Town legislative officials' positions on matters of Town business to a majority of any Town body of elected officials.

12.4. Use During Normal Business Hours

12.4.1. The Town of Windsor's electronic systems are provided for the purposes of conducting business. Except for brief, occasional, necessary or emergency use the Town's electronic systems shall not be used for personal use during normal business hours. Use of non-Town business software including games or entertainment software is considered an improper use of these electronic systems. PTS Employees shall not conduct personal or private business, including purchase of goods or services via the Town's Internet connection. Such uses are prohibited at all times during normal business hours or outside normal business hours.

12.5. Account Access

12.5.1. PTS Employees shall not attempt to gain access to another Town employee's personal file of electronic mail messages without the latter's express written permission or permission from the Town Manager or designee.

12.6. Prohibited Use

12.6.1. The electronic mail and other electronic systems of the Town shall not be used in a way that may be disruptive, offensive to others, harmful to morale or violate Town policies and procedures or laws. These electronic systems shall not be used to solicit or proselytize others for commercial venture, religious or political causes, outside organizations, or other non-job-related solicitations. Improper use includes any display or messages that are derogatory, defamatory, obscene, violent, or offensive to Town employees or the public and/or any messages that are of a sexual or discriminatory nature, including, but not limited to, slurs, offensive jokes, or other offensive language of disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious beliefs.

12.6.2. PTS Employees are required to comply with all operational guidelines developed by the Town of Windsor. Such guidelines will address operational standards such as: message retention, schedule, copyright issues, use of passwords, system availability, back-up procedures, etc.

12.6.3. Incidental and occasional personal use of electronic mail is permitted within the Town, but the messages will be treated no differently from other messages and will remain the property of the Town as to review and auditing techniques. All personal use shall be done outside of normal working hours and not during provided morning and afternoon breaks or lunch periods.

12.6.4. PTS Employees who use the Town's electronic mail system to send or receive personal or private messages, must remove such messages from the system no later than 30 days after receiving or sending.

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12.6.5. Occasional personal access to the Internet may be permitted. However, such personal use shall only be permitted before or after regular Town business hours as explained above, and shall comply with all provisions herein. All use of the Internet will be periodically reviewed by the Town Manager or designee.

12.6.6. In addition to other prohibited uses, PTS Employees shall not: Install programs on the Town computer system (including but not limited to virus checking and screen savers) without the prior written consent of the Department Director and the Administrative Services Director, or each of their designees; copy Town Programs for personal use; disclose an account password or otherwise make the account available to others; or infringe on others' access and use of the Town's computers, including but not limited to:

- (a) The sending of excessive messages, either locally or offsite;
- (b) Unauthorized modification of system facilities, operating systems or disk partitions;
- (c) Attempting to crash or tie up a Town computer or network;
- (d) Damaging or vandalizing Town computing facilities, equipment, software, or computer files;
- (e) Intentionally developing or using programs which disrupt other computer users or which access private or restriction portions of the system and/or damage the software or hardware components of the system;
- (f) Installing or using a modem on Town owned or leased computers without the prior written consent of the Department Director and Administrative Services Director, or each of their designees;
- (g) Forwarding or reproducing communications marked attorney-client privileged or confidential without the prior consent of the Town Manager and/or Town Attorney; or violating any federal, state or local law in the use of Town information systems.

12.7. Public Records

12.7.1. All permanent Town records, including those stored on paper and electronic media, may be governed by the mandatory public disclosure requirements of the Public Records Act (Government Code section 6250 et seq.), and the limited exceptions thereto. If a draft record is retained, it may become a public record subject to disclosure unless it is subject to an exception under the Public Records Act.

12.7.2. All permanent records, whether stored on paper or electronic media, shall not be destroyed unless prior written authorization is obtained pursuant to Government Code Section 34090 and Town Resolution No. 1015-01, which provides the process for the destruction of most public records by the Town.

12.7.3. Public Records requests shall be handled in accordance with Government Code section 6250 et seq.

12.7.4. The Town reserves the right for any reason to access and disclose all messages and other information sent or received by electronic means or stored on electronic media.

12.7.5. The Town has the right to delete or retain any or all messages or other information sent or received by electronic means or stored on electronic media by a Town PTS Employee who is no longer employed by the Town.

12.8. Intellectual Property Rights

12.8.1. No PTS Employee shall violate any copyright or license to software or other online information (including, but not limited to, text images, icons, programs, etc.) whether created by the Town or any other person or entity.

12.9. Failure To Comply

Town PTS Employees who fail to comply with the terms and conditions of this policy shall be dismissed from the Town of Windsor.

13. DRESS CODE

13.1. PTS Employees of the Town are required to dress appropriately for the jobs they are performing. Therefore, the dress regulations contained in this section shall be followed.

- (a) All clothing must be neat, clean and in good repair.
- (b) Prescribed uniforms and safety equipment must be worn where applicable.
- (c) Footwear must be appropriate for the work environment and functions being performed.
- (d) Hair must be neat, clean and well groomed.
- (e) Beards, mustaches and sideburns must be maintained in a neat and well-groomed fashion.

- (f) Jewelry is acceptable except in areas where it constitutes a health or safety hazard.
- (g) Good personal hygiene is required.
- (h) Dress must be appropriate to the work setting, particularly if the PTS Employee deals with the public.
- (i) PTS Employees may be required to wear uniforms specified by the Town. Town uniforms shall be worn in a professional manner.
- (j) PTS Employees shall be mindful of others' sensitivity to perfume and other fragrances, and PTS Employees shall refrain from wearing fragrances that are offensive or harmful to others.

14. USE OF TOWN EQUIPMENT

14.1. No Town owned equipment, autos, trucks, instruments, tools, supplies, machines, or any other item that is the property of the Town shall be used by a PTS Employee other than for Town business, unless the Town Manager approves in advance. No PTS Employee shall allow any unauthorized person to rent, borrow, or use any Town property, except upon prior written approval of the Town Manager.

15. TRAVEL AND TRAINING POLICY

15.1. The Town is committed to ensuring that its PTS Employees receive adequate training to perform their jobs. Training and travel are subject to department approval. Training opportunities that occur outside normal work hours require approval by the Department Director. Overnight travel also requires approval by the Department Director.

15.2. Town business travel shall be carried out in an efficient, cost-effective manner resulting in the best value to the Town. Telecommunications instead of travel should be considered when possible. The Town will pay or reimburse all business travel related expenses based on reasonableness and on the actual amount of expense incurred by the PTS Employee. Receipts when available are required for all travel expenses. Reimbursement of personal expenses and alcoholic beverages shall not be authorized for payment at any time. Department directors are responsible for determining the necessity, the available resources, and the justification for the method of PTS Employee business travel.

15.3. PTS Employees having questions about the Town's travel and training policies should contact the Human Resources Division.

16. MISCELLANEOUS

16.1. Town May Amend Or Revise Policies

16.1.1. From time to time the Town may adopt new or amended policies.

16.2. No Contract

16.2.1. These policies do not create a “contract” of employment between the Town and any PTS Employee.

16.3. Severability

16.3.1. If any part of these rules is determined to be unconstitutional or illegal, such part shall be severed from these rules and the remaining rules shall be given full force and effect.

16.4. Word Usage

16.4.1. The term “Town” as used in these rules refers to the Town of Windsor. Responsibilities and rights of the Town under these rules are exercised by the Town Manager, and may be delegated by the Manager in her / her discretion.

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**ACKNOWLEDGMENT / RECEIPT
OF TOWN OF WINDSOR POLICIES AND PROCEDURES
FOR PART TIME/TEMPORARY/SEASONAL (PTS) EMPLOYEES**

I hereby acknowledge that I have received a copy of the Town of Windsor's Policies and Procedures for Part Time/Temporary/Seasonal (PTS) Employees. I have read and understand all the provisions specified in these policies and procedures and understand that this signed acknowledgment will be placed in my personnel file.

Employee

Date

Print Name of Employee