

Supervisors, Department Heads, ~~or the Town Administrator or the~~ Selectboard, and shall be determined by the seriousness or frequency of the violations. The following disciplinary actions shall be taken in accordance with the accompanying guidelines.

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7.2 EMPLOYEE ACTIONS OR INACTIONS RESULTING IN DISCIPLINE AND/OR DISCHARGE

1). The ~~Selectboard Town Administrator~~ may immediately dismiss an employee whenever in its opinion the employee's work performance or conduct so warrants. On the job reasons for dismissal may include, but are not limited to: insubordination, use or being under the influence of drugs or alcohol while on duty, dishonesty, recklessness on the job, attitude which constitutes an unwholesome influence on other employees, failure to obey a reasonable order either verbal or written, falsification of application forms, fighting on duty, convictions of offenses against the law which would affect the employee's performance, violation of any Town rules which result in serious personal or property damage, or use of abusive language toward another employee or the general public.

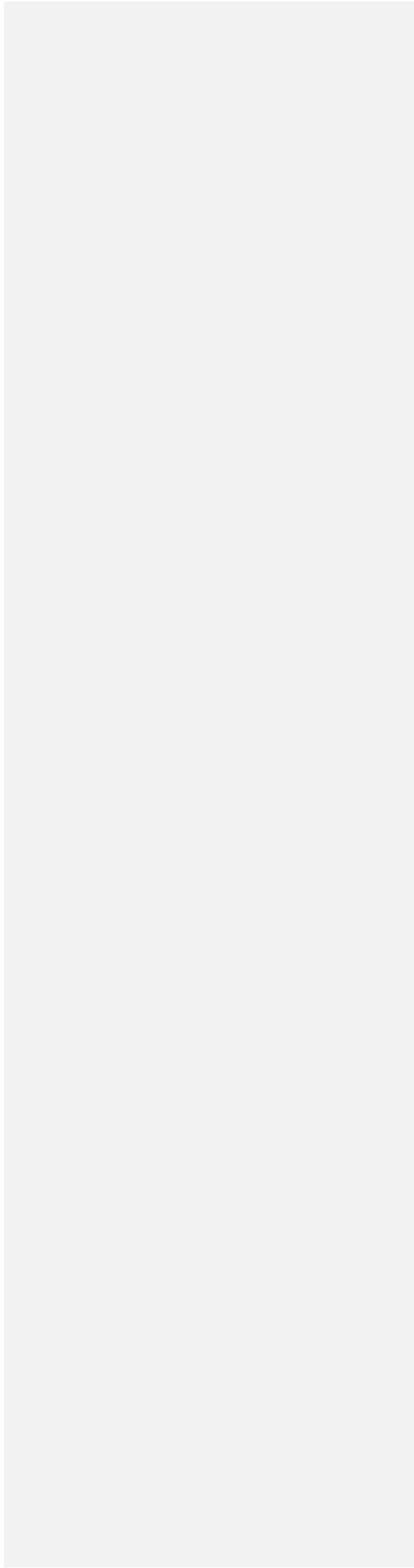
2). Other violations of Town work rules, or of this policy, or employee actions or inactions including: abuse of CTO, failure to request leave in advance, leaving work without permission, unexcused absences, chronic absenteeism, unexcused or excessive lateness, carelessness, negligence, short cuts, horse play, gambling, sleeping at work, theft, disregard for safety rules, possession of firearms or other dangerous weapons while on duty without supervisor's permission, willful damage to Town property, and falsifying work records shall result in a written reprimand, suspension without pay, or dismissal. This list of offenses is not inclusive and is exemplary only.

7.3 DISCIPLINARY ALTERNATIVES

Any of the actions described herein may be taken in response to conduct that is listed above as grounds for disciplinary action. In determining whether disciplinary action is necessary and, if so, what disciplinary action is appropriate, the ~~Selectboard Town Administrator~~ and/or Supervisor shall consider the nature and severity of the objectionable conduct, the employee's prior performance/disciplinary record, the effect of the employee's prior performance/disciplinary record, the effect of the employee's activity on municipal operations, employee morale and the efficient operation of Town government, the effect of the employee's activity upon public confidence in Town government, and the past and potential contribution by the employee to the Town service.

1). Written Reprimand -A written statement, notifying an employee of conduct considered objectionable, actions necessary to improve the situation, and specifying that recurrence of the same or similar activity will result in more severe disciplinary action, may be given by the Supervisor, Town Administrator ~~or Selectboard~~. The reprimand shall be filed with the employee's personnel records.

2). Suspension With Pay- ~~The Supervisor, The~~ Town Administrator ~~or Selectboard~~ may require the temporary removal of an employee from the performance of job functions for a period



ranging from one work day up to but not exceeding fifteen (15) work days in any twelve-month period of employment. During a suspension with pay, the employee will receive his/her normal compensation for hours scheduled to work. The suspended employee shall remain on the active roster of regular Town employees for the purposed of the accrual of benefits.

3). Suspension Without Pay-The Selectboard-Town Administrator may require the temporary removal of an employee from the performance of job functions for a period ranging from one work day up to but not exceeding thirty (30) work days in any twelve-month period of employment. A suspended employee shall remain on the active roster of regular Town employees for the purposes of the accrual of benefits; however, he/she shall not receive any salary during the period of suspension.

4). Demotion -The Selectboard-Town Administrator may reduce an employee's rate of pay. Demotion shall be limited to a maximum of ten (10%) percent of an employee's salary within any consecutive twelve (12) month period of employment.

5). Dismissal-The Selectboard-Town Administrator may permanently terminate an employee's working relationship with the Town, subject only to the payment of any accrued earnings or benefits.

ARTICLE VIII APPEALS TO PERSONNEL AND DISCIPLINARY ACTIONS

8.1 POLICY

The Town shall make a reasonable effort to be equitable and fair in its relations with employees. An appeal procedure is provided for employees who disagree with personnel or disciplinary actions taken by the Town.

8.2 RIGHT OF APPEAL

Town employees have a right to appeal actions regarding position classification, compensation, dismissal, demotion and suspension. Disagreements over interpretations of specific rules are not subject to appeal, but may be dealt with through the grievance provisions of this manual.

8.3 APPEAL PROCEDURES

Appeals of personnel and disciplinary actions shall be made by the employee submitting to the Selectboard a written appeal within five (5) working days of the employee's receipt of the notice of personnel or disciplinary action being appealed. A hearing on such appeal shall be held as soon as reasonably possible after receipt of the notice of appeal, but in no event longer than fifteen (15) working days after receipt of the notice of appeal. The purpose of the hearing will be to enable the Selectboard to gather information regarding the personnel action being appealed. The hearing will be closed and informal; the employee and the Department Head or Supervisor will be present; counsel may represent the employee, and, if appropriate, witnesses may be brought by the employee and/or Supervisor. The Selectboard within five (5) working

days of the hearing shall make a decision, in writing. The Selectboard may uphold the original actions, modify the severity of the action, or overrule the action of the ~~Department Head~~Town Administrator.

8.4 . RESTORATION OF POSITION/STATUS

If the original action is overruled, the employee shall be restored to his or her original position or status with no loss of rights, privileges or compensation. The action of the Selectboard is final with no further appeal available.

ARTICLE IX GRIEVANCE

9.1 POLICY

Prompt consideration and equitable adjustment of employee grievances is necessary to insure that the work of the Town of Hinesburg is accomplished in an efficient and effective manner. It is the intent of the Town to address grievances informally whenever possible. Both supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there may be grievances, which will be resolved only after a formal appeal and review. When this is the case, the procedure listed hereunder will be followed.

9.2 DEFINITION

A grievance is any matter considered by the employee as grounds for complaint, except in the case of personnel action arising out of discipline, dismissal, demotion or suspension. Adjustment for such complaints is separately provided for in Article VIII, Appeals of Personnel and Disciplinary Action.

9.3 PROCEDURES

An employee who believes that inequitable treatment has been received because of some conditions of employment may appeal for relief from that condition. The employee is expected to initially discuss grievances with his/her Supervisor or Department Head. If the matter cannot be settled at that level or the employee's grievance pertains to his/her Supervisor or Department Head, he/she may present his/her grievance to the ~~Selectboard~~Town Administrator for consideration.

ARTICLE X ADOPTION AND AMENDMENT

10.1 These rules and regulations are hereby adopted pursuant to the provisions of Title 24, Vermont Statutes Annotated, Chapter 33, Subchapter 11, sections 1121 and 1122 and are effective upon adoption by the Hinesburg Selectboard.

10.2 These rules and regulations may be amended from time to time by resolution of the Selectboard when and in a manner the Board deems necessary to improve employee relations or the effective delivery of governmental services to Hinesburg residents. Upon adoption of any

such amendment, a copy thereof shall be posted in appropriate locations accessible to all Town employees.

10.3. The invalidity of any provision of these rules and regulations shall not invalidate any other part.

10.4 The latest version of this Town of Hinesburg Personnel Manual supersedes all previous versions.