VILLAGE OF SARANAC LAKE
APRIL 8, 2019
ANNUAL MEETING, BOARD OF TRUSTEES, VILLAGE OF SARANAC LAKE, NY

An Organizational Meeting of the Board of Trustees of the Village of Saranac Lake, New York was held in the Village Board Room of 39 Main Street, Saranac Lake New York beginning at 5:30 pm. Roll Call: Mayor Clyde Rabideau, Trustees: Paul Van Cott, Melinda Little, Patrick Murphy, and Richard Shapiro.

The Meeting was called to order by Mayor Clyde Rabideau and
everyone stood for the Pledge of Allegiance

1. Mayor Rabideau appoints Trustee _____ Deputy Mayor for a one year term.

2.. Resolved, the **ADIRONDACK DAILY ENTERPRISE** as the **OFFICIAL NEWSPAPER** for the Village.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

3. Resolved, the **REGULAR MEETINGS** of the Board be held on the second and fourth Mondays of the month, except holidays, when the Meeting will be held the next business day as per the attached schedule.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

4. Resolved, **ROBERTS RULES OF ORDER** shall be the official format and procedure for the conduct of all village meetings.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

5. Resolved, each bill submitted to the Board of Trustees for consideration shall have its **SPONSOR'S NAME** affixed thereto. Said Sponsor(s) may be the Mayor, Trustees or Village Manager.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

6. Resolved, The **SUBMISSION OF BILLS FOR CONSIDERATION** at regular meetings shall be made no later than noon on the Thursday before each regular Monday Meeting and that the regular Monday Meeting agenda be completed before the close of business on the Friday before each regular Monday meeting and be available for review by each member of the Board of Trustees. Further, the Village Clerk shall make reasonable effort to transmit the agenda to each board member via e-mail or drop box before the close of business on the Friday before each regular Monday meeting. In the case the regular Monday meeting is changed due to holidays or board resolution, then the aforementioned submission and publication dates shall be adjusted accordingly.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

7. Resolved, **SPECIAL MEETINGS** shall be defined as those village board meetings that are not regularly scheduled in the organizational meeting and at which bills and actions are considered and/or voted upon by the board. These meetings shall only be called and held under the following conditions:
11.1 Emergency-Mayor. The Mayor, or in the Mayor's absence, the Deputy Mayor, may call a

Special Meeting where the health, welfare or financial security of any part of the village is threatened by harm or loss. A 24-Hour notice is required for this type of Special Meeting.
11.2 Non-Emergency-Mayor. The Mayor, or in the Mayor's absence, the Deputy Mayor, may call a Special Meeting for the consideration and/or vote upon a bill or bills deemed worthy with a three day notice to all other Trustees.
11.3 Non-Emergency-Trustees. Two or more Trustees may call a Special Meeting for the consideration and/or vote upon on a bill or bills deemed worthy with a three day notice to all other Trustees and Mayor. The Trustees must physically sign their notice at the Village Offices or in such a manner agreeable by the majority of the board.
Further: A vote for any monetary expenditure at a Special Meeting shall require a minimum of three affirmative votes.
All meeting rules adopted in the Organizational Meeting shall apply to Special Meetings.
And, the Mayor, or in the Mayor's absence, the Deputy Mayor, must be in attendance at a Special Meeting before it can be called to order and business conducted. In the absence of both the Mayor and the Deputy Mayor the Special Meeting shall be cancelled.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

8. Resolved, Resolutions **Advance Approval of Claims**, **Electronic Signatures, Mileage Allowance, Approval for Returned Check Charges, and Official Banking Facilities** be adopted, said resolutions are attached and made a permanent part of these minutes.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

9. Resolved, Resolution **PURCHASING POLICY, INVESTMENT POLICY,WORK PLACE VIOLENCE POLICY, THE EMPLOYEE HANDBOOK, WORK PLACE HARASSMENT POLICY and DRUG POLICY** be adopted, said policies are on file at the village office.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

10. Mayor Clyde Rabideau, with approval of the Board to nominated **David Trudeau** as **Member of the Development Board** for a term of five years.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

11. Resolved, **APPOINTMENTS ARE SUBJECT TO AND CONSISTENT WITH BUDGETARY APPROPRIATIONS**.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

12. Resolved, Resolution **ACKNOWLEDGEMENT OF A CONFLICT OF INTEREST**, be adopted, said resolution is attached and made permanent part of these minutes.
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.

13. Mayor Rabideau asked for a motion to adjourn the annual meeting
Motion: _____, Second: _____
Roll Call: Little _____; Murphy _____; Shapiro ___; Van Cott __.
Respectfully submitted, Kareen Tyler/Village Clerk

NOTICE OF REGULAR MEETINGS
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
2019-2020

Please be advised that at the Annual Organizational Meeting of the Board of Trustees of the Village of Saranac Lake, it was determined by such Board that the Regular Meetings of the Board of Trustees will be held on the 2nd second and 4th fourth Mondays of each month, unless such a date is a legal holiday, in which event, the Meeting will be held on the next business day. The dates of these Meetings are listed below:

2019	**2020**
April 8, 2019 Annual Meeting	January 13, 2020
April 8, 2019	January 27, 2020
April 22, 2019	
May 13, 2019	February 10, 2020
May 28, 2019 (Tuesday because of the Holiday)	February 24, 2020
June 10, 2019	March 9, 2020
June 24, 2019	March 23, 2020
July 8, 2019	
July 22, 2019	
August 12, 2019	
August 26, 2019	
September 9, 2019	
September 23, 2019	
October 15, 2019 (Tuesday because of the Holiday)	
October 28, 2019	
November 12, 2019 (Tuesday because of the Holiday)	
November 25, 2019	
December 9, 2019	
December 23, 2019	

Meetings will be held at the **Village Office, 39 Main Street**, **Second Floor Saranac Lake, New York** unless otherwise specified. All open sessions of the meetings will begin at **5:30 pm**. Executive Sessions will be scheduled, either before a regular meeting or at the end of a regular meeting. In advising you of this schedule, we are complying with Article 7 of the General Municipal Law relating to open meetings. If you wish to receive notice of Special meetings please advise and furnish us with the name, address, email address and phone number of the person to be notified. Notice of the meetings will, in accordance with Section 94 of the Public Officers Law, be given to the extent practicable at a reasonable time prior thereto.

Kareen Tyler, Village Clerk 518-891-4150 ext 202 clerk@saranaclakeny.gov

2019-20120 MONTHLY SCHEDULE FOR AUDITING VOUCHERS:

April 2019	Mayor Rabideau
May 2019	Trustee Van Cott
June 2019	Trustee Shapiro
July 2019	Trustee Little
August 2019	Trustee Murphy
September 2019	Mayor Rabideau
October 2019	Trustee Van Cott
November 2019	Trustee Shapiro
December 2019	Trustee Little
January 2020	Trustee Murphy
February 2020	Trustee Van Cott
March 2020	Mayor Rabideau

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ADVANCE APPROVAL OF CLAIMS

WHEREAS, the Board of Trustees of Saranac Lake has determined to authorize payment in advance of audit claims for public utility services, postage, freight and express charges; and

WHEREAS, all such claims shall be presented at the next regular meeting for audit; and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees,

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees authorizes payment in advance of audit claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2: That this resolution shall take effect immediately.

8

ELECTRONIC SIGNATURES

Whereas, the Treasurer of the Village of Saranac Lake, being the Chief Fiscal Officer has requested the approval of the signing of Village issued checks with AcuPrint ezSigner software for signatures of those officers authorized to sign checks, as reproduced by a machine or device such as a laser printer; and

Whereas, those officers authorized to sign checks are the Village Treasurer, the Village Clerk, the Village Manager and the Mayor; and

Whereas, Village Law §4-408c authorizes the Village Board of Trustees to approve such procedures by resolution;

Now Therefore Be It Resolved, that the Board of Trustees authorizes the use of the ezSinger program for all Village issued checks,

Be It Further Resolved, that this resolution shall take effect immediately.

8

MILEAGE ALLOWANCE

WHEREAS, the Board of Trustees of Saranac Lake has will use the standard mileage rate set by the Internal Revenue Service for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

Section 1: That the Board of Trustees shall approve reimbursement to such officers at the rate determined to pay by the Prevailing Internal Revenue Rate.

Section 2: That this resolution shall take effect immediately.

8

APPROVAL FOR RETURNED CHECK CHARGES

Whereas, Pursuant to §85 of the General Municipal Law, The Village of Saranac Lake will impose a service charge of twenty dollars ($20.00) on all checks which are rendered for the payment of municipal taxes or other charges that are subsequently returned by a bank for insufficient funds or other reasons. The Village or its agents may collect the service charge in the same manner prescribed for the collection of the account for which the check was tendered. The village or its agents may also require future payments to be tendered in cash, certified check or cashier's check.

Now Therefore Be It Resolved, that the Board of Trustees authorizes the Village to levy a charge of $20.00 for any check that is return to the Village for any reason.

Be It Further Resolved, that this resolution shall take effect immediately.

8

DESIGNATION OF OFFICIAL BANKING FACILITIES FOR THE VILLAGE OF SARANAC LAKE, NEW YORK

The following resolution was adopted by the Board of Trustees, Village of Saranac Lake, New York, at the Annual Meeting held on April 8, 2019, at 5:30 pm in the Village Office, 39 Main Street, said Village, by motion of _____ and seconded by Trustee _____ and upon vote taken, the resolution was unanimously carried and so ordered.

WHEREAS, it is provided that the Trustees of the Village of Saranac Lake, New York, shall designate by written resolution, the bank(s) or trust companies in which the collector and treasurer shall deposit monies coming into his/her hands by virtue of his/her office.

NOW THEREFORE BE IT RESOLVED, that the following banks are hereby designated as depositories, in which the collector and treasurer shall deposit monies coming into his or her hands, by virtue of his or her office.

COMMUNITY BANK, Saranac Lake Branch

NBT BANK, Saranac Lake Branch

KEY BANK, Saranac Lake Branch

ADIRONDACK BANK, Saranac Lake Branch

MBIA CLASS INVESTMENT PROGRAM, Armonk Branch

TD BANK, Plattsburgh Branch

JP MORGAN CHASE BANK, Albany Branch

CITIZENS BANK, Albany Branch

UNITED STATES TREASURY DEPT, Washington, DC

BE IT FURTHER RESOLVED, this resolution shall take effect immediately.

_____, Mayor

_____, Trustee

_____, Trustee

_____, Trustee

_____, Trustee

8

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE PURCHASING POLICY

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

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VILLAGE OF SARANAC LAKE
PURCHASING POLICY

I. POLICY STATEMENT

In accordance with the Village of Saranac Lake adopted procedures, the Purchasing Official is authorized to administer all purchasing activities with regard to materials, supplies, services and equipment. The primary function of the Purchasing Official is to ensure that the Village of Saranac Lake receives the best possible products and services that meet the needs of the requesting department at the lowest possible cost. In this document, unless otherwise noted, the term "political subdivision" applies to the Village of Saranac Lake in its entirety. The term Purchasing Official may also apply to an appropriate designee for whom the Purchasing Official oversees.

Rules governing purchasing and contract procedures were established under the concept of open competitive bidding as set forth by General Municipal Law (GML 103 and 104-b). Under this system, purchase awards are made to the lowest responsible vendor who meets the Village's specifications and is capable of delivering the service or product. These specifications and conditions are outlined in bid packages that are available to all interested vendors.

The Village of Saranac Lake encourages all segments of the business community to participate in its purchasing program.

The Purchasing Official coordinates vendor contracts and supervises the procurement process to ensure compliance with purchasing policies and procedures.

II. THE PURCHASING PROCESS

The Purchasing Official maintains a list of qualified vendors for solicitation of quotes and bids. If a vendor would like to apply to be on a vendor list, they can contact the Purchasing Official to have the company's name added to the Village of Saranac Lake Vendor Bid List.

III. METHODS OF PURCHASE

The following purchasing methods are used by the Village to acquire products, services and equipment:

PROCEDURE FOR THE PURCHASE OF COMMODITIES, EQUIPMENT OR GOODS

Dollar Limit		Procedure
$1	$2,499	At the discretion of the Purchasing Official
$2,500	$4,999	Documented telephone quotes from at least 3 separate vendors (if available)
$5,000	$20,000	Written quotes from at least 3 separate vendors (if available)
$20,001 and up		Sealed bids in conformance with Municipal Law, Section 103

PROCEDURE FOR THE PURCHASE OF PUBLIC WORKS PROJECTS/CONTRACTS

Dollar Limit		Procedure
$1	$2,499	At the discretion of the Purchasing Official
$2,500	$4,999	Documented telephone quotes from at least 3 separate vendors (if available)
$5,000	$35,000	Written quotes from at least 3 separate vendors (if available)
$35,001 and up		Sealed bids in conformance with Municipal Law, Section 103

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals including the vendors contacted and the reason no quote or proposal could be secured. In no event shall the failure to obtain the proposals be a bar to the procurement.

In the course of normal business, departments are authorized to secure quotes from vendors in accordance with the aforementioned fixed limits and purchasing policy. All quotes secured by individual departments are subject to review and the approval of the Purchasing Official. Vendors should take particular care when quoting prices to assure accuracy for quantities, units of measure, pricing and delivery terms. Telephone quotes should be provided the same day as requested if possible. A written, faxed or electronic quote for purchases is solicited by issuance of a "Request for Quote" form; the vendor should return this completed form within the designated time period. The Purchasing Official reviews quotes and selects the lowest quote meeting the Village requirements and specifications. The Village of Saranac Lake will accept quote responses via US Mail or similar delivery service, scanned quotes sent via email or by fax.

IV. COUNTY CONTRACT

County governing boards within New York State may make provision in county purchase contracts for political subdivisions and districts to piggy back off their contracts. That is to purchase materials, equipment and supplies under such contracts. These purchases must be in accordance with rules, adopted by the county board, that prescribe the conditions under which the purchases may be made (County Law, Section 408-a).

Pursuant to GML Section 103(3), purchases through the county are exempted from the competitive bidding requirements of GML Section 103.

V. STATE CONTRACTS

Pursuant to GML 104, political subdivisions are authorized to make purchases of materials, equipment and supplies (except printed material) through the NYS Office of General Services (OGS), subject to rules established by OGS (see State Finance Law, Section 163). GML Section 104 provides that purchases by political subdivisions are exempt from competitive bidding requirements. Note: No official may make a purchase through the OGS when bids have already been received unless the purchase may be made upon the same terms, conditions and specifications, but at a lower price, through OGS.

VI. PIGGYBACK CONTRACTS

The definition of a "Piggyback Contract" is a contract let by the United States or any agency thereof, any state or any other county, political subdivision or district therein. In order for the "Piggyback Contract" exclusion to apply, the contract must be let in a manner consistent with GML section 103 and made available for use by other governmental entities.

GML section 103 stipulates that three (3) prerequisites that *must* be met in order for a procurement to take place under this exception.

1. Contract must have been let by the United States or any agency thereof, any state or any other political subdivision or district therein.
2. Contract must have been "*made available for use by other governmental entities.*" This means the contract must have included language extending the terms and conditions of the contract to other governmental entities.
3. Contract must have been "let to the lowest responsible bidder or on the basis of best value in a manner consistent with GML 103."

Due to the requirements of GML 103, each contract presented under this section of the Purchasing Policy must be individually evaluated on a case by case basis. Any proposed agency or political subdivision must have a due diligence assessment performed to ensure it is in compliance with GML. If the due diligence demonstrates compliance with GML 103, then a resolution must be presented to the Village Board that approves the purchase.

The "piggybacking" references contained in this policy are subject to sunset provisions, which are currently set for July 31, 2019.

VII. PURCHASING POLICIES AND CONTROL

PLANNING

A. **ANTICIPATE YOUR NEEDS:** Once you have established what you need, within the limitation of your budget, requisition these needs as far in advance as possible. The time element affords the Purchasing Official the opportunity to solicit competitive bids or quotes and get the best possible value.

B. **EMERGENCIES:** An exception to the competitive bidding requirements exists for emergency situations. There are **three basic statutory criteria to be met** in order to fall within this exception.

1. The situation arises out of an accident or other unforeseen occurrence or condition.
2. The circumstances affect public buildings, public property or the life, health, safety or property of the political subdivision's residents; and
3. The situation requires immediate action, which cannot await competitive bidding.

In short, if you can foresee the need in the future, you should be able to follow the bid process.

VIII. SOLE SOURCE

Competitive bidding is not required under GML, Section 103 in those limited situations when a political subdivision, in the public interest, requires particular goods or services that uniquely serve the public interest, for which there is no substantial equivalent and, which are, in fact, available only from one source. In making these determinations the political subdivision should document, among other things, the unique benefits of the item as compared to the items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace. In addition, the political subdivision should document that there is no possibility of competition for the procurement.

IX. PROFESSIONAL SERVICES

The courts have held that "professional services" are not contracts for public work, that phrase is used in the bidding statutes, and therefore not subject to competitive bidding procedures. Generally, professional services involve specialized expertise, use of professional judgment and/or a high degree of creativity. Among the services, which have been held to be exempt from competitive bidding under this exception are those of engineers, architects, land surveyors, attorneys, physicians and insurance brokers. To assist the Purchasing Official in selecting a vendor for professional services, in particular

where market rates for services may fluctuate, the use of a Request for Proposal or RFP, specifying the services requested is encouraged but not required.

X. PURCHASE ORDERS

A. **REQUISITIONS:** In **"ALL"** instances and without exception, the requisition is to be entered and purchase orders are to be completed before a purchase is made. If the Chief Fiscal Officer receives any claims for materials, supplies or services for which no purchase order was issued, the Purchasing Official in conjunction with the Treasurer will have the authority to nullify the payment of such claim. Direct payment claim vouchers should be avoided.

B. **CONFIRMING PURCHASE ORDERS:** Confirming Purchase Orders should be kept to a **minimum** and will only be approved provided they meet the Purchasing Guidelines and the amount available in the appropriate budget line. The Purchasing Official will not approve a confirming order, when the purchase is not justified, where the purchase is being made to circumvent established procedures.

C. **BLANKET PURCHASE ORDERS:** Issued as requested to various vendors for purchase of those items considered to be of an immediate need or for the purpose of consolidating purchases. Such examples would be electric or telephone bills, etc. which involve on-going purchases. Blanket Purchase Orders must issued on a monthly basis.

XI. FORMAL SEALED BIDS FOR COMMODITIES OVER $20,000 AND PUBLIC WORKS PROJECTS/CONTRACTS OVER $35,000

All purchases of "like" commodities exceeding $20,000, and public works projects/contracts of "similar scope" exceeding $ 35,000 in the **aggregate** for all departments combined annually are acquired through this process.

Legal notices are published in local newspapers informing the public of the products or services being bid.

Bid packages are prepared with detailed specifications and conditions including items bid, units and total quantity desired, instructions for bidding, delivery information, bid opening dates and any special requirements for bidding.

Bid notices are faxed or scanned and mailed to Bid Services (companies in the business of informing prospective vendors of bids in their field of work). The bid packages are available for pickup at the Village of Saranac Lake Offices, and can be shipped by US Mail. Vendors can request shipping by a package service such as Fed Ex or UPS and will be shipped this way only at the vendors' expense.

The Vendor Bid Lists (those vendors who have picked up bid packages) shall not be released prior to a bid opening as this may adversely affect the bids received and/or encourage collusion, any requests received by a Village Department for this information will be directed to the Purchasing Official. No exceptions are made to this policy.

Any bids not arriving prior to the bid-opening deadline will be rejected and returned to the bidder unopened. Sealed bids are publicly opened and read at the time and place designated in the bid documents and legal notices. All information regarding the opening of a bid will be detailed within the bid specifications. All bid tabulations showing bid results are available for public inspection during regular business hours at the Village of Saranac Lake Offices.

Purchase orders and/or contracts are awarded to the lowest responsive and responsible bidder(s) meeting Village specifications.

The Village reserves the right to reject any and all bids or parts of bids when such rejection is in the best interest of the Village. The Village reserves the right to award all bids on an item-by-item or aggregate basis, whichever is deemed in the best interest of the Village.

XII. REQUEST FOR PROPOSAL (RFP)

Requests for proposals are traditionally used as a means of obtaining all types of professional services. A request for proposals and evaluation of proposals can consider price plus other factors such as experience, staffing, service areas, level of service, quality of service and professional reputation. The RFP involves making a request from various firms and then evaluating the proposals received.

XIII. BID PRICES SUBMITTED

The bid price submitted shall be exclusive of Federal and State taxes and must not include any tax for which the bidder may claim exemption because of doing business with the Village. All prices submitted must include all delivery charges to Village of Saranac Lake.

XIV. PREVAILING WAGES

Prevailing wages shall be paid for each contract to which the municipality may involve the employment of laborers, workmen or mechanics, as outlined in Article 8 of the New York State Labor Law.

XV. INSURANCE

The Village may require that insurance shall be procured with the specified coverage amounts required and an insurance declaration page and/or copy of the policy provided prior to a purchase order or payment. The declaration page or policy certificate provided must name "The Village of Saranac Lake" as an Additional Named Insured. In addition, if the service being provided is considered a "Professional Service" the Village may require that a "Certificate of Professional Liability" must be provided naming the Village of Saranac Lake as an Additional Named Insured.

XVI. SECURITY

If security is required, the bid invitation will indicate the kind and amount of security needed. Submitted bid packages will not be considered by the Village if the specified security is not enclosed.

The Village uses two types of security:

A. **BID DEPOSIT: (Certified Check or Bid Bond):** The deposit must be for the amount specified in the bid invitation. The Deposit will be forfeited to the Village should the successful bidder fail to enter into a contract or to accept a purchase order. Bid Deposits are returned to the unsuccessful bidders by mail.
B. **PERFORMANCE, LABOR AND MATERIAL BONDS:** These bonds may be required from a successful bidder on certain bids. The Village holds these bonds until all contract obligations are satisfactorily met. The bonds may be forfeited to the Village should the successful bidder fail to comply with the terms and conditions set forth in the specifications and the award. Bonds are to be made payable to the "The Village of Saranac Lake."

XVII. AWARD OF CONTRACT

Award of contract will be made to the lowest responsible qualified bidder whose proposal shall comply with all of the provisions required in the bid package. The Village reserves the right to waive any informality or to reject any or all proposals and may advertise for

new proposals, if in its opinion the best interest of the Village will be served. The Village may require any or all bidders to present evidence of experience, ability and financial standing as well as a statement as to the equipment, which they will have available for the execution of the contract. The Village, at its discretion, reserves the right to award a contract either on an item-by-item basis or as a total award of all items in combination.

XVIII. AWARD TO OTHER THAN THE LOWEST RESPONSIBLE DOLLAR OFFEROR

Whenever any contract is awarded to other than the lowest responsible dollar offeror, the reasons that such an award furthers the purpose of General Municipal Law § 104-b, as set forth herein above, shall be documented as follows:

Best Value. Notwithstanding anything else contained in this chapter to the contract, the Village of Saranac may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under General Municipal Law § 103(1) or this chapter by either the lowest responsible bidder standard or the best value standard.

i. **Definition.** "Best value" is defined in State Finance Law § 163 as, "the basis for awarding contracts for services to the offeror which optimizes quality, cost and efficiency, among responsive and responsible offerors." For the purposes of this section, the Board of Trustees adopts the above definition of "best value" as may be modified from time to time by the State Legislature.

ii. **Applicability**. The best value standard may only be used for purchase contracts, which includes contracts for service work, but excludes any purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the Labor Law. When awarding contracts under the best value standard, the Village of Saranac Lake must consider the overall combination of quality, price, and other elements of the required commodity or service that in total are optimal relative to the needs of the Village of Saranac Lake. Use of the best value standard must rely, wherever possible, on objective and quantifiable analysis. The best value standard may identify as a quantitative factor whether offerors are small businesses or certified minority- or women-owned business enterprises as defined in New York Executive Law § 310.

iii. **Approval**. Use of the best value standard for the procurement of goods and services requires approval from the board. The board must also approve the factors to be considered when awarding contracts under this standard.

XIX. DELIVERIES

Deliveries to departments are to be completed between the hours of 8:00 AM and 4:00 PM unless otherwise specified on the purchase order.

All Bills of Lading are to include a complete "Ship To" address and purchase order numbers, as they appear on the purchase order received.

XX. INVOICING AND PAYMENT

To ensure prompt payment of a purchase order, invoices containing the proper information must be submitted to the "Ship To" address indicated on the purchase order.

Invoices must contain the Purchase Order number, quantities, and unit of measure and total prices as stated on the purchase order. Authorized Village representatives will issue no payments prior to receipt and acceptance of products and services.

The Village of Saranac Lake is exempt from paying all Sales Tax and Compensating Use Tax imposed by the State pursuant to N.Y.S. Tax Law 1116(A)(1). Upon request, a letter attesting to this fact will be executed and signed by the Village Treasurer as the Chief Fiscal Officer.

XXI. GIFTS AND GRATUITIES

Village policy prohibits acceptance of gifts at any time, other than advertising novelties. Employees must not become obligated to any supplier and shall not participate in any Village transaction from which they will benefit directly or indirectly.

XXII. IN CONCLUSION

The intent of the Purchasing Policy of the Village of Saranac Lake is to provide guidance. It is not intended to be all inclusive since no single publication can be all encompassing or answer every question. Any question that cannot be answered by these guidelines should be directed to the Purchasing Official in writing. In the case of any matter not specifically addressed here, New York State General Municipal Law, section 103 and 104-B, will guide the Purchasing Official in making a determination.

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE
INVESTMENT POLICY

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

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VILLAGE OF SARANAC LAKE
INVESTMENT POLICY

I. SCOPE

This Investment Policy applies to all moneys and other financial resources available for deposit and investment by the Village of Saranac Lake on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, *in priority order*:

1. To conform with all applicable Federal, State and other legal requirements (legality)
2. To adequately safeguard principal (safety)
3. To provide sufficient liquidity to meet all operating requirements (liquidity)
4. To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Saranac Lake Village Treasurer as the Chief Fiscal Officer, or other officer so designated having custody of money, who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedures shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence for the Village of Saranac Lake to govern effectively.

Investments shall be made with judgement and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Saranac Lake to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The Chief Fiscal Officer will recommend appropriate investment limits which can be made with each financial institution or dealer, annually to Village of Saranac Lake Board of Trustees. This recommendation will be provided as part of the "*Designation of Depositories.*"

VI. INTERNAL CONTROLS

It is the policy of the Village of Saranac Lake for all moneys collected by any officer or employee of the government to transfer those funds to the Chief Fiscal Officer, or other officer so designated having custody of money, within 5 days of deposit or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer, or other officer so designated having custody of money, is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies that are authorized for the deposit of moneys and the maximum amount which may be kept on deposit at any time will be updated annually and presented as *Appendix A* of this Investment Policy.

VIII. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officials of the Village of Saranac Lake that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

A pledge of "eligible securities" with an aggregate "market value" (as provided by GML Section 10) that is at least equal to the aggregate amount of deposits by the officers.

See Appendix B of this policy for a listing of "eligible securities." This will be the only standing and acceptable form of collateralization not requiring further action by the Village of Saranac Lake Board of Trustees beyond the annual adoption of this Investment Policy.

An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The Chief Fiscal Officer will make recommendations to the Village of Saranac Lake Board of Trustees to approve the terms and conditions of any surety bond related to collateralization of public funds.

An eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable Federal minimum risk-based capital requirements. This option may only be used upon recommendation of the Chief Fiscal Officer to the Village of Saranac Lake Board of Trustees and requires the approval of the Village of Saranac Lake Board of Trustees at that time.

IX. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits shall be held by a third-party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Village of Saranac Lake's deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the Village of Saranac Lake, such securities shall be delivered in a form suitable for transfer to the Village of Saranac Lake or its custodial bank.

The custodial agreement shall provide that pledged securities held by the bank or trust company as agent of, and custodian for, the Village of Saranac Lake, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposits or other bank liabilities. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of eligible securities.

The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of eligible securities when a change in the rating of a security causes it to be ineligible. Such agreement shall include all provisions necessary to provide the Village of Saranac Lake a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law Section 11, the Village of Saranac Lake Board of Trustees authorizes the Village Treasurer as the Chief Fiscal Officer, or other officer so designated having custody of money, to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

1. Time deposit accounts held by a bank or trust authorized to do business in New York State;

2. NOW Accounts held by a bank or trust authorized to do business in New York State;

3. Certificates of Deposit;

4. Obligations of the United States of America;

5. Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America;

6. Obligations of the State of New York;

7. Obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (with approval of the State Comptroller by any municipality, school district or district corporation in the State of New York other than the Village of Saranac Lake;

8. Obligations of the Village of Saranac Lake, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-1, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Saranac Lake within such times as the proceeds will be needed to meet expenditures for purposes which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable

at the option of the Village of Saranac Lake within two years of the date of purchase. The designated depository will confirm all purchases and transactions in writing to the Village of Saranac Lake.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the Village of Saranac Lake transacts business shall be credit worthy. Banks shall provide their most recent Consolidated Report of Condition and Income (Call Report) at the request of the Village of Saranac Lake. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Financial Officer, or other officers so designated having custody of money, is responsible for evaluating the financial position and maintaining a listing of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amounts of investments that can be made with each Financial institution or dealer.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer, or other officers so designated having custody of money, is authorized to contract for the purchase of investments:

1. Directly, including through a Repurchase Agreement, from an authorized trading partner

2. By participation in a cooperative investment program with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold, or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Saranac Lake Board of Trustees by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in GML Section 10.

The Custodial Agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the Village of Saranac Lake, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities of the bank or trust company.

XIII. OPERATIONS, AUDIT AND REPORTING

The Chief Fiscal Officer, or other officers so designated having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the Village of Saranac Lake. Oral directions concerning the purchase, transaction, or sale of the securities shall be confirmed in writing. The Village of Saranac Lake shall pay for purchased securities upon delivery.

The Village of Saranac Lake will encourage the purchase and sale of securities through a competitive or negotiated process involving telephone solicitations, electronic solicitations or through a fiscal agent acting on behalf of the Village of Saranac Lake.

The Village of Saranac Lake will encourage the protection and safeguarding of moneys by supporting the maintenance of the Village's computer network to prevent unlawful access of the network, prevent wire fraud and to prevent theft of information including, but not limited to, identity theft.

During the annual audit, the Village of Saranac Lake hereby directs the Independent Auditor to test for compliance with the Investment Policy.

Within ninety (90) days of the end of the fiscal year, the Chief Fiscal Officer, or other officer so designated having custody of money, shall prepare and submit to the Village of Saranac Lake Board of Trustees a year end investment report which indicates new investments, the inventory of existing investments and other matters as the Chief Fiscal Officer deems necessary and appropriate.

Prior to the end of the fiscal year, the Chief Fiscal Officer will provide recommended changes to the Investment Policy based on any findings of the independent audit, changes directed by the New York State Comptroller's Office or changes as a result of a new law or amendment to an existing law enacted by New York State Legislature. Chief Fiscal Officer will provide other recommendations deemed appropriate in protecting the moneys of the Village of Saranac Lake.

The Village of Saranac Lake Board of Trustees shall review and amend if necessary the Investment Policy.

The Village of Saranac Lake shall adopt the Investment Policy at its Annual Organizational Meeting.

The provisions of this Investment Policy and any amendments hereto, shall take effect prospectively and shall not invalidate the prior selection of any custodial bank or prior investment.

Appendix A
Designation and Limits of Depositories

Depository Name	Maximum Limit[1]
Community Bank, NA (Custodial Bank)	90%
Adirondack Bank	50%
Citizens Bank	50%
Key Bank	50%
JP Morgan Chase Bank	50%
MBIA Class Investment Program	50%
NBT Bank	50%
TD Bank	50%
United State Treasury Department	90%

[1] The maximum amount of moneys that can be placed on deposit with each banking institution.

Appendix B

Schedule of Eligible Securities

This listing of eligible securities is provided by the New York State Comptroller's Office and may be modified by further limitation of the local government. ***The Village of Saranac Lake limits the eligible securities to those items noted below with a check mark and in bold.***

- ✓ **Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.**
    - Obligations issued or fully guaranteed by the International Bank for reconstruction & Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- ✓ **Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.**
- ✓ **Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.**
- ✓ **Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.**
    - Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
    - Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
    - Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

- Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

- Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short-term category by at least one nationally recognized statistical rating organization and having maturities of no longer than 60 days from the date they are pledged.

- Zero coupon obligations of the United States government marketed as "Treasury Strips"

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE
WORK PLACE VIOLENCE POLICY

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

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VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE PREVENTION PROGRAM

I. POLICY STATEMENT

The Village of Saranac Lake is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Village of Saranac Lake property will be thoroughly investigated and appropriate action will be taken. Individuals who engage in this behavior may be removed from Village of Saranac Lake's property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Village of Saranac Lake policies, rules and collective bargaining agreements, Civil Service Law, and/or referral to law enforcement authorities for criminal prosecution. The Village Board of Trustees, officials, department heads, staff, volunteers, vendors, contractors, consultants, and others, who do business with the Village are expected to maintain a working environment free from violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property and to create an environment of mutual respect for each other as well as clients, following all policies, procedures and program requirements.

This policy is designed to meet the requirements of NYS Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Village of Saranac Lake has identified response personnel that include a member of management and an employee representative. If appropriate, the Village of Saranac Lake will provide counseling services or referrals for employees.

All Village of Saranac Lake personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Additionally, personnel are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. The Village of Saranac Lake

Designated Contact Person:

Village Manager: John Sweeney

(518) 891-4150

II. DEFINITIONS:

Workplace violence is any behavior that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, or the Village's ability to provide services to the public.

III. INITIAL EVALUATION AND DETERMINATION OF WORKPLACE VIOLENCE RISKS:

The Village of Saranac Lake determines that the following are some of the factors or situations in the Village workplaces that might place employees at risk:

1. Duties that involve the handling or exchange of monies
2. Duties that involve mobile workplace assignments
3. Working with unstable or volatile persons in criminal justice settings.
4. Working in community-based settings.
5. Working in rural or sparsely populated areas.
6. Working in a poorly lit environment.
7. Working alone.

IV. METHODS VILLAGE OF SARANAC LAKE WILL USE TO PREVENT INCIDENTS OF WORKPLACE VIOLENCE

1. All Village employees shall possess Village-issued identification.

2. Several Village departments are locked and secured preventing the general public from access unless they are authorized or accompanied by a Village of Saranac Lake employee.

3. The hierarchy of controls to which the program shall adhere is as follows: engineering controls, work practice controls and finally personal protective equipment

4. All employees will attend annual work place violence training.

TRAINING At a minimum will include:

1. The requirements of the 12 NYCRR Part 800.6 regulation and the risk factors that were identified in the risk evaluation and determination;

2. Measures that the employees can take to protect themselves from the identified risks including specific procedures that the employer has implemented to protect employees, such as incident alert and notification procedures, appropriate work practices, emergency procedures and use of security alarms and other devices;

3. The location of the written workplace violence prevention program and how to obtain a copy.

V. REPORTING OF INCIDENTS

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any Village employee. Workplace violence should be promptly reported to the supervisor or one in authority as well as completing and filing the Incident Report Form (Appendix A) with the Village Manager. The Village Manager will contact the Workplace Violence Advisory Team. Additionally, Village employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence. It is important that all employees take this responsibility seriously to effectively maintain a safe working environment.

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 911 immediately.

VI. RESPONSIBILITIES

A. Elected Officials and Department Heads

Elected officials and department heads shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, and ensuring that all administration and supervisors are aware of their responsibilities under this policy through internal communication and training.

B. Supervisory Staff

Each employee designated with supervisory responsibility (hereinafter "Supervisor") is responsible within his/her area of jurisdiction for the implementation of this policy. Supervisors must report, to the Village Manager, any complaint of workplace violence made to him/her and any other incidents of workplace violence which he/she becomes aware or reasonably believes to exist.

C. Village Manager

The Village Manager is responsible for ensuring new employees have a copy of the Workplace Violence Prevention Program and appropriate training. The Village Manager will also be responsible for annually disseminating this policy to Village personnel, as well as posting the policy appropriately throughout County buildings and locations.

The Village Manager will assist Department Heads and the Workplace Violence Advisory Team in responding to workplace violence; and consulting with, as necessary, counseling services to secure professional intervention.

The Village Manager (or designated department heads) will offer periodic (annual) opportunities for training in the prevention and awareness of workplace violence.

The Program will be reviewed in its entirety at least annually (tentatively April of each year).

VII. The Workplace Violence Advisory Team

The Workplace Violence Advisory Team will consist of the Village Manager, the Department Head (where the incident arose), and a Union Representative (as applicable).

This team will assist in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the Village's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention intervention and interviewing techniques in responding to workplace violence.

VIII. CONFIDENTIALITY

The Village shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. The Village will act on the basis of anonymous complaints where it has a reasonable basis to believe that there has been a violation of this policy and that safety and well-being of Village employees would be served by such action.

IX. RETALIATION

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found responsible for retaliatory action may be subject to discipline up to and including termination, and referral to law enforcement in aggravated circumstances.

APPENDIX A
VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE INCIDENT REPORT

Workplace violence is that is violent, threatens violence, coerces, harasses or intimidates others, interferes with an individual's legal rights or expression, or disrupts the workplace, or Village's ability to provide services to the public.

A reportable violent incident is defined as any physical assault, threatening behavior or verbal abuse in any location where an employee performs a work-related duty whether directly involved or observed. Complete this form and forward the original to:

Village Manager
39 Main Street Suite 9
Saranac Lake, NY 12983

Victim's Name or individual Reporting Incident: _____

Job Title: _____

Address: _____

Home (or contact) Telephone: _____

Incident Date: _____

Incident Time: _____

Incident Location: _____

Work Location (if different): _____

Type of Incident: € Verbal € Physical € Other

Specifics: _____

_____

Were injuries sustained: € Yes € No

If yes, please specify your injuries and the location of any treatment:

_____

_____

Was Law Enforcement contacted? €Yes €No

Did the police respond to the incident: €Yes €No

What Police Department: _____

Was a police report filed: €Yes €No Report Number:_____

Was your supervisor notified: €Yes €No

Supervisor's Name and Title: _____

Was any action taken by Employer: (specify) _____

_____

_____

Aggressor/Assailant's Name/Address/Age (if known): _____

(If employee, include Job Title) _____

Briefly describe the incident: _____

_____

_____

_____

Did the incident involve a weapon:€Yes €No Specify:_____

Were you alone when the incident occurred: €Yes €No

Did anyone witness the incident: €Yes €No

If yes, please list witness (es) name, address (if known):

_____

_____

Did you have reason to believe an incident might occur: €Yes €No

Why: _____

_____

Has this type or similar type incident (s) happened to you or your co-workers previously?

€ Yes €No Specify: _____

_____

Have you had any counseling or support since the incident: € Yes € No

Specify: _____

Was the aggressor involve in previous incidents that you are aware of:

€ Yes € No Specify: _____

_____

Has corrective action been taken: € Yes € No

Specify: _____

_____

Additional Comments: _____

_____

_____

_____

_____ _____

Date of Report Signature of Individual Filing Report

VILLAGE OF SARANAC LAKE
WORKPLACE VIOLENCE PREVENTION PROGRAM

ACKNOWLEDGEMENT

(To be placed in the Employee's personnel file)

I hereby acknowledge that I have received, read and understand the Village of Saranac Lake's Workplace Violence Prevention Program and agree to review any changes or modifications to this policy.

Signature: _____ Date: _____

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE
THE EMPLOYEE HANDBOOK

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

VILLAGE OF SARANAC LAKE

Village of Saranac Lake
Capital of the Adirondacks ™

EMPLOYEE HANDBOOK

Adopted By Resolution of the Village Board on February 8, 2010
Amended By Resolution of the Village Board on July 6, 2010, April 25, 2011
Amended by Resolution of the Village Board on June 13, 2011, June 27, 2011
Amended by Resolution of the Village Board on October 15, 2013
Adopted Annual Meeting April 13, 2015
Amended by Resolution of the Village Board October 24, 2016
Adopted Annual Meeting April 3, 2017
Adopted Annual Meeting April 2, 2018

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Human Resource Solutions Made Simple

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www.publicsectorhr.org

Village of Saranac Lake
Employee Handbook

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100 INTRODUCTION

101 Welcome Message

We welcome you and congratulate you on your appointment to a position with the Village of Saranac Lake. As a part of our team, you take on an extremely important role, that of serving the members of our community. Together, our mission is to provide cost-effective services that conform to the highest standards of quality.

This Employee Handbook is designed to familiarize you with your employment and to help ensure government compliance, foster positive employee relationships, and contribute to the overall success of the Village in delivering services to the public effectively and efficiently.

Please keep in mind that this is only an overview of the Village's policies and procedures, employee benefits, and the Civil Service System. Specific questions concerning employment matters should be addressed to your Department Head.

We trust that you will find service with the Village of Saranac Lake rewarding both personally and professionally.

102 *Definitions*

Village of Saranac Lake – For purposes of this Employee Handbook, the Village of Saranac Lake may be referred to as the "Village".

Village Board – For purposes of this Employee Handbook, "Village Board" will mean the Board of Trustees of the Village of Saranac Lake.

Elected Official – For the purposes of this Employee Handbook, "Elected Official" will mean and refer to any of the following elected officials of the Village of Saranac Lake:

- Mayor
- Trustees of the Village Board

Department Head – For purposes of this Employee Handbook, "Department Head" will mean the person in charge of any department, agency, bureau, unit, or subdivision of the Village of Saranac Lake. This definition will be applicable in the event such person is serving in an acting, temporary, or provisional status in the position of Department Head. This term shall also include the Village Manager or the Mayor, where an individual otherwise designated as Department Head or any other individual must report to the Village Manager or the Mayor.

Supervisor – For purposes of this Employee Handbook, "supervisor" will mean the individual so designated by the Department Head to direct and inspect the performance of employees.

Employee – For the purposes of this Employee Handbook, "employee" will mean a person employed by the Village, including, but not limited to, an appointed official, an appointed member of a board or commission, Department Head, managerial employee, confidential employee, supervisory employee, provisional employee, probationary employee, temporary employee, seasonal employee, trainee, or student intern, but not an independent contractor.

Civil Service Law – For purposes of this Employee Handbook, "Civil Service Law" shall mean the New York State Civil Service Law and shall include the *Rules for the Classified Civil Service of Franklin County*.

103 *The Purpose of this Employee Handbook*

Statement of Purpose – The purpose of this Employee Handbook is to communicate the Village's personnel policies and practices to all employees and Elected Officials. It is extremely important that each employee understand the policies that relate to rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits. **This Employee Handbook is not a contract of employment, express or implied, and should not be construed as such**. That is, employment can be terminated at any time at the will of either the employer or the employee, subject only to such procedural requirements as may be specified pursuant to New York State Civil Service Law, Village Law, collective bargaining agreement, or any other applicable law, rule, or regulation. The provisions and policies contained in this Employee Handbook are intended to supersede any and all prior manuals, guidelines or related policies issued by the Village of Saranac Lake.

Unless otherwise required by law, the provisions of this Employee Handbook are for Village use only and do not apply in any criminal or civil proceeding. The Employee Handbook provisions shall not be construed as a creation of higher legal standard of safety or care. Notwithstanding the above, a violation of a Handbook provision may form the basis for administrative action by the Village and any subsequent judicial or administrative proceeding.

Previous Personnel Policies – Unless otherwise specified, this Employee Handbook supersedes and replaces any previous personnel policies issued by the Village concerning all policies contained herein.

Superseding Agreements – In the event an expressed and explicit provision set forth in a separate written agreement between the Village and an employee should conflict with any employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of that agreement will control. Otherwise, unless expressly excluded herein, this Employee Handbook will be applicable to all employees.

Collective Bargaining Agreements – In the event an expressed and explicit provision set forth in a collective bargaining agreement between the Village of Saranac Lake and an employee organization as defined by the Public Employees' Fair Employment Act (Taylor Law) should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of the collective bargaining agreement will control. Otherwise, unless expressly excluded herein, this Employee Handbook will be applicable to all employees.

Police Department – For the purposes of some of the policies stated in this Employee Handbook, the Village of Saranac Lake Police Department is a separate entity which has the authority to promulgate its own policies and procedures. If a policy stated in this Employee Handbook differs from a rule, regulation or policy established by the Police Department, the latter shall supersede.

Provisions Relevant to the Village of Saranac Lake Police Benevolent Association, – Any provision in this Employee Handbook constituting a term and condition of employment within the meaning of the Taylor Law that is not set forth in the Collectively Negotiated Agreement between the Village and the PBA or covered in the rules and regulations for the Police shall not apply to members of the bargaining unit.

Questions – Any questions regarding any topic covered in this Employee Handbook should be directed to the appropriate Department Head.

104 Changes or Modifications

Rights of the Village Board – The Village Board reserves the right to interpret, change, modify, or eliminate any provision contained in this Employee Handbook.

Governmental Actions – This Employee Handbook is subject to alteration by resolutions of the Village Board, changes in Village and/or departmental rules, or changes in federal, state or local statutes, rules, or regulations. (This is not meant to be a comprehensive list).

Statutes, Laws and Ordinances – In the event a federal or state statute or a Village Law or ordinance should conflict with any provision contained in this Employee Handbook, then such statute, law or ordinance will prevail.

200 EMPLOYEE CLASSIFICATIONS

For purposes of this Employee Handbook, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this Employee Handbook. The meaning and use of these terms or similar terms may be different in the context of Civil Service Rules or a collective bargaining agreement.

201 Full-Time Employees

For purposes of this Employee Handbook, the term "full-time employee" will mean an employee who is regularly scheduled to work a minimum of forty hours per week.

202 Part-Time Employees

For purposes of this Employee Handbook, the term "part-time employee" will mean an employee who is scheduled on a regular and on-going basis to work less than forty hours per week.

203 Temporary Employees

For purposes of this Employee Handbook, the term "temporary employee" will mean an employee who is employed on an interim or sporadic basis, or who is employed to work on a special, emergency, or on-call basis for a specified period, consistent with the Civil Service Law as applicable.

204 Seasonal Employees

For purposes of this Employee Handbook, the term "seasonal employee" will mean an employee who is employed to work for a given season.

205 FLSA Exempt Employees

For purposes of this Employee Handbook, "FLSA exempt employee" will mean a covered employee who qualifies for an exemption from the minimum wage and overtime provisions of the Fair Labor Standards Act.

206 FLSA Non-Exempt Employees

For purposes of this Employee Handbook, the term "FLSA non-exempt employee" will mean a covered employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

300 THE CIVIL SERVICE SYSTEM

The following is intended as a guide. The Civil Service Law and the *Rules for the Classified Civil Service of Franklin County* shall govern regarding the jurisdictional classification of positions and the appointment and promotion of personnel.

301 The Unclassified and Classified Services

Unclassified Service – In accordance with Civil Service Law and for purposes of this Employee Handbook, the term "Unclassified Service" will include all individuals who are Elected Officials and/or members of boards or commissions.

Classified Service – In accordance with Civil Service Law and for purposes of this Employee Handbook, the term "Classified Service" as defined by the Civil Service Law and the *Rules for the Classified Civil Service of Franklin County* will include all Village employees who are subject to the *Rules for the Classified Civil Service of Franklin County.* The Classified Service is divided into four jurisdictional classes:

- **Exempt** – those positions, other than unskilled labor positions, for which competitive or non-competitive examinations or other qualification requirements are not practicable (Civil Service Law, Section 41);

- **Competitive** – those positions for which it is practicable to determine merit and fitness by competitive examination;

- **Non-Competitive** – those positions not in the exempt class or the labor class for which it is not practicable to determine merit and fitness by competitive examination, but rather by a review of training and experience; and,

- **Labor** – unskilled labor positions, except those positions which can be examined for competitively.

302 Civil Service Appointments

Competitive Class – In accordance with Civil Service Law, the following types of appointments may be made to positions in the Competitive Class:

- **Permanent** – an appointment to a vacant position in the Competitive Class from an eligible list established as a result of examination, following successful completion of a probationary term;

- **Provisional** – an appointment to a vacant position in the Competitive Class when there is not an appropriate eligible list. A provisional appointee must take an examination whenever it is scheduled. Thereafter, a permanent appointment will be made on the basis of the eligible list resulting from the examination; or

- **Temporary** – an appointment to a position in the Competitive Class for reasons including, but not limited to: emergency work projects; planned termination of the position after a limited time; to replace an employee who is on a leave of absence; to fill a position funded through a temporary grant; or to fill a position vacated by the promotion of another employee until the employee who has been promoted receives permanent status.

303 Examinations and Promotions

Examinations – In accordance with Civil Service Law, in the event there is a vacancy in a new or existing position in the Competitive Class which the Village intends to maintain, the Village will fill the vacancy by selection from the eligible list certified by the Franklin County Personnel Office of persons who have taken the appropriate Civil Service examination. The Franklin County Personnel Office will test and rank each candidate according to the individual's performance on the examination. In accordance with Civil Service Law Section 61, the Village will select one of the top three available candidates on the list to fill the position.

Promotions – The Village will offer opportunities for advancement for those employees who qualify. In the event the position is in the Competitive Class, a qualified employee must normally take a promotional examination and the above "one of three" will apply. An employee who wants to be promoted should become knowledgeable about the employee's present position and be aware of higher level positions for which the employee may be qualified.

304 Veterans Credits

Summary – An employee who is a veteran as defined by the Civil Service Law may be eligible to apply for veterans credits on a Civil Service examination. An employee who is a veteran should contact the Franklin County Personnel Office for details concerning these credits.

400 EMPLOYMENT MATTERS

401 *Oath of Office*

Requirement – Each Public Officer as defined in the Public Officers Law must take the Oath of Office in accordance with Public Officers Law Section 10, which must be administered prior to commencing the duties of the office. Each official who is re-elected or re-appointed to a subsequent term must take the Oath of Office for each term.

Upon original appointment or upon a new appointment following an interruption of continuous service, each employee (other than an employee in the labor class) must take an oath or alternate affirmation as set forth in Civil Service Law Section 62.

Filing of Oath – The Oath of Office is filed in the Village Clerk's Office within thirty calendar days of the Public Officer's commencement of the term of office, or upon an employee's appointment.

402 *Procedure for Filling Vacancies*

Statement of Compliance – The Village of Saranac Lake complies with all applicable federal, state and local laws, rules, and regulations throughout the employee selection process, including, but not limited to, the Public Officers Law, Village Law, Civil Service Law, Title VII, Human Rights Law, and the Americans with Disabilities Act, and is an Equal Opportunity employer.

Notification of Vacancies – In the event there is a vacancy in a new or existing position which the Village intends to maintain, the vacancy may be advertised and/or posted and qualified individuals interviewed. The Village reserves the right to fill a position either internally or with an external candidate.

Employment Applications – The Village relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Village's exclusion of the individual from further consideration for employment or disqualification if the conduct is discovered after employment commences.

Employment Reference and Background Checks – To ensure that individuals who join the Village are well qualified and have a strong potential to be productive and successful, it is the policy of the Village to check the employment references of final applicants. Applicants will be required to complete a hold harmless statement in order for the Village to conduct appropriate background checks.

403 *Employment of Relatives*

Policy Statement – A member of an employee's immediate family may be considered for employment by the Village, with due consideration given to the applicant's overall qualifications for employment. An immediate family member may not be hired, however, if the employment would create either a direct or indirect supervisory/subordinate relationship with the family member; or create either an actual conflict of interest or the appearance of a conflict of interest. These criteria will also be considered when assigning, transferring or promoting an employee.

Definition of Immediate Family – For purposes of this policy, "immediate family" includes the employee's spouse, brother, sister, parents, children, step-children, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other member of the employee's household.

Elected Officials – This policy is not intended to supersede the appointing authority of Elected Officials and does not apply to such appointments.

Marriage – Employees who marry or become members of the same household may continue employment as long as there is not a direct or indirect supervisor/subordinate relationship between the employees, or an actual conflict of interest or the appearance of a conflict of interest. Should one of the above situations occur, the Village will attempt to find a suitable position with the Village to which one of the affected employees may be appointed. Such appointment must be in accordance with applicable state and local statutes, including Civil Service Law and related rules and regulations. If accommodations of this nature are not feasible, the employees will be permitted to determine which one of them will resign.

Competitive Class Positions – This policy is not intended to supersede civil service regulations pertaining to appointments made to competitive class positions. Therefore, this policy cannot be used as a basis for denying the appointment of an individual to a competitive class position even if such appointment would constitute the employment of a relative as defined by this policy.

404 *Probationary Period*

Except as otherwise provided in a collective bargaining agreement, the following Civil Service probationary provisions shall apply.

Purpose of Probationary Period – The probationary period is for an employee to become familiar with the specific duties and responsibilities of the employee's new position. The probationary period also provides the Department Head with an opportunity to evaluate the employee's job performance and potential for development in the position.

Length of Probationary Period (Competitive Class) – Except as otherwise provided in the *Rules for the Classified Civil Service of Franklin County*, an employee appointed from an open-competitive list must serve a probationary period of not less than eight weeks nor more than twenty-six weeks. The length of the probationary period may be extended in accordance with the *Rules for the Classified Civil Service of Franklin County*.

Length of Probationary Period (Other Classes) – Except as otherwise provided in the *Rules for the Classified Civil Service of Franklin County*, an employee's original appointment to a position in the exempt, non-competitive, or labor class shall be for a probationary period of not less than eight nor more than twenty-six weeks. The length of the probationary period may be extended in accordance with the *Rules for the Classified Civil Service of Franklin County*.

Successful Completion of Probationary Period – An employee's appointment will become permanent upon written notice that the probationary period has been successfully completed following the minimum period of service required. Or, the employee's appointment will become permanent upon the retention of the employee after completion of the maximum period of service required. **Except as otherwise provided by law or a collective bargaining agreement, completion of the probationary period does not necessarily confer rights or privileges in the position.**

Failure to Successfully Complete Probationary Period – In the event the employee's performance or conduct is not satisfactory, the Village may dismiss the employee from employment at any time after the completion of the minimum probationary period and before completion of the maximum probationary period. If the performance or conduct of an employee serving a probationary period who has been promoted or transferred from a permanent appointment (as defined by civil service regulations) is not satisfactory, the employee shall be returned to the employee's former permanent position prior to the end of the probationary period.

405 *New Employee Orientation*

Procedure – The purpose of this orientation is to welcome new employees and to familiarize them with the Village and their job. The orientation process generally consists of, but is not limited to, a tour of the employee's assigned worksite, distribution and review of this employee handbook, and enrollment in benefit plans, if applicable. In addition, the employee's Department Head is responsible for introducing the employee to co-workers, scheduling on-the-job training, and reviewing the job description and performance requirements of the position.

406 *Performance Appraisal*

Except as otherwise provided by a collective bargaining agreement, the following shall be the procedure for conducting employee performance appraisals.

Statement of Purpose – The purpose of a performance appraisal is to evaluate employee performance. The performance appraisal will take into consideration criteria that properly reflects the employee's performance including, but not limited to, the employee's work quality, job knowledge, initiative, attendance, teamwork, conduct, and communication skills. Except as otherwise governed by a collective bargaining agreement, the employee's performance appraisal may be considered in determining a pay increase and/or as a factor in promotion or disciplinary action.

Frequency – An employee will be formally evaluated prior to completion of a probationary period and at least once each year thereafter on a date determined by the employee's Department Head. Informal evaluations will occur on an as needed basis throughout the performance cycle.

Appraisal Meeting – The evaluator will meet with the employee to review the employee's performance appraisal report.

Deficiencies – Should deficiencies be recorded in the performance of the employee, the employee will receive written recommendations for improvement.

Employee Comments – An employee's written comments, if any, will be included with the performance appraisal report.

407 *Corrective Action and Discipline*

Policy Statement – It is the policy of the Village of Saranac Lake that certain rules and regulations regarding employee behavior are necessary for the benefit and safety of all employees, the efficient operation of the Village, and the delivery of services to residents of the Village. Any conduct that interferes with operations or that discredits the Village will not be tolerated. Each employee must conduct oneself in a positive manner so as to promote the best interests of the Village. Corrective action is necessary when an employee has demonstrated performance deficiencies, or has violated a policy, rule, regulation, or procedure. Corrective action may include counseling or initiating formal disciplinary action against an employee.

Communication – Open and candid communications with all employees is an important aspect of the Village of Saranac Lake's on-going employee relations. When a rule, policy, or procedure is violated, the employee's Department Head, or other designated supervisor, will review the specific nature of the violation with the employee. The employee's input is extremely important to ensure that all of the facts have been considered.

Counseling – Counseling employees, as opposed to initiating formal disciplinary action, may be the appropriate first step in addressing performance deficiencies or misconduct. The purpose of counseling is to inform the employee of such deficiencies or misconduct, discourage its recurrence, and inform the employee of the consequences if the behavior is repeated. When performance deficiencies are the issue, the performance standards of the job should be reviewed, along with specific examples of how the employee is not meeting those standards. Where appropriate, goals for improvement may be established, along with a time frame for achieving them. The counseling will be documented in writing and the employee will be required to acknowledge receipt by signing the memorandum. Any employee who fails to follow a supervisor's directive to sign the counseling memorandum will be subject to disciplinary action.

Discipline – The purpose of disciplinary action is to impose penalties for performance deficiencies or misconduct. In **normal circumstances**, the Village endorses a policy of progressive discipline which includes, but may not be limited to, documented verbal reprimand, letters of reprimand, suspension without pay, or termination of employment, depending on the circumstances. The Village retains the right to discipline employees without engaging in progressive discipline or prior counseling if the situation so warrants and retains the right to discipline employees in any manner it sees fit.

Investigations – Where appropriate, an investigation will be conducted by the proper supervisor or other designated individual(s) in order to gather all pertinent information and to ensure that all the facts are considered. The investigation may include, among other things, interviews with the employee and any witnesses or other involved parties, and review of documents and materials. Employees who are participants in an investigation are not allowed to disclose the content or particulars of the investigation unless otherwise authorized. All employees who are called upon to participate in an investigation are required to fully cooperate in the process and respond truthfully to all questions posed. Failure to do so will subject the employee to appropriate corrective action. The Village reserves the right to suspend an employee while an investigation is conducted.

During the investigation process, a union employee who appears to be a potential subject of disciplinary action may undergo questioning. Such employee will have the right to representation by the employee's certified or recognized employee organization under Civil Service Law Article 14, and will be given advanced notice of such right. In the event the employee requests representation, the employee will be allowed a reasonable period of time to obtain such representation. The presence of a union representative does not affect the employee's obligation to fully cooperate in the process and respond truthfully to all questions posed. If an employee is being questioned regarding actions that may potentially result in criminal prosecution, the employee should consult with the union representative with respect to Garrity Rights. In the event the employee is unable to obtain union representation within a reasonable period of time, the employer will have the right to then question the employee.

Procedures – Employees covered by **Civil Service Law Section 75** shall be disciplined in accordance with the procedures contained therein. (Refer to Section 408 of this Employee Handbook). An employee who is a member of a collective bargaining unit should refer to the collective bargaining agreement on the subject of the disciplinary procedure.

Prohibited Conduct – Any employee who, after investigation, is found to have committed any of the actions listed below will be subject to corrective action, up to and including termination of employment. This list is illustrative only and does not limit the Village's right to impose discipline in other appropriate cases.

- Willful violation of Village's rules, policies, and procedures.
- Harassing (including sexual harassment), intimidating, coercing, threatening, assaulting, or creating a hostile environment against another employee, Elected Official, resident of the Village, supplier, visitor, or any other person, whether on or off Village premises.
- Engaging in any action that is in violation of the Village's Workplace Violence Prevention Policy.
- Possession of any weapon or dangerous instrument (including knives with over a three inch blade, firearms, and explosives) on Village property or in Village vehicles, except for those employees who are required as a condition of employment to bear a weapon.
- Possession, use, distribution/sale, or being under the influence of alcohol or controlled substances during hours of work or while on Village property or in Village vehicles.
- Willful or deliberate abuse, destruction, defacement, or misuse of Village property or the property of another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Theft or unauthorized possession, use, or removal of Village property or the property of another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Making false statements about another employee, Elected Official, resident of the Village, supplier, visitor, or any other person. This includes knowingly making false accusations against another individual as to allegations of discrimination, sexual harassment or other harassment which is in violation of Village policy or applicable law.

- Preparation or manipulation of another employee's time record by unauthorized persons.
- Acts of sabotage, including the work of another employee.
- Making false statements about another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Insubordination or willful refusal to comply with the lawful order or instruction of a Department Head.
- Improper performance of job duties or repeated failure to perform assigned duties and responsibilities.
- Violation and/or disregard of safety rules or safety practices, including failure to wear assigned safety clothing or equipment, in such a way that jeopardizes the safety of the employee, another employee, Elected Official, resident of the Village, supplier, visitor, or any other person.
- Offensive or unprofessional behavior that is contrary to the Village's best interest, or any conduct that does not warrant public trust.
- Unauthorized expenditure of Village funds.
- Illegal gambling while on duty.
- Willful work slow down, work stoppage, or interfering with or restricting the performance of another employee or in any other way interfering with Village operations.
- Careless or negligent use or operation of equipment, including vehicles and machinery.
- Unauthorized absences or repeated failure to give proper notice.
- Excessive tardiness and/or absences except those absences covered by state and/or federal statutes.
- Leaving work area without permission, as defined by the Department Head.
- Failure to adhere to the personal appearance/dress code policy.
- Sleeping on the job, unless authorized by a Department Head or supervisor.
- Personal activity during paid work time without the express permission of the Department Head.
- Disruptive, loud, and boisterous behavior or horseplay in the workplace.
- Abusive language in the workplace, including racial slurs and epithets.
- Posting, removing, or defacing of notices, signs, or other written material without prior approval.

This list is not intended to be comprehensive and does not limit the Village's right to impose discipline in other appropriate cases.

408 *Civil Service Law Section 75*

Summary – New York State Civil Service Law Section 75 establishes disciplinary procedures for covered employees. Section 75 affords a covered employee the opportunity for a hearing when charges of incompetence or misconduct have been made against the employee by the Village.

Union Employees – An employee who is a member of a collective bargaining unit should refer to the collective bargaining agreement on the subject of the disciplinary procedure.

Covered Employees – In accordance with Civil Service Law, the following employees are generally covered under Section 75:

- A newly hired employee who has not completed the minimum probationary period as determined by civil service rules;

- An employee holding a position by permanent appointment in the **Competitive Class** of the classified Civil Service;

- An employee holding a position in the **Non-Competitive Class** who has been employed for at least five years of continuous uninterrupted service in the non-competitive class, other than a position designated in the Rules for the Classified Civil Service of Franklin County as confidential or requiring the performance of functions influencing policy. Even though the employee has completed the required probationary period and has received permanent appointment or employment in the non-competitive class, the employee is not covered under Section 75 until the employee has completed five years of continuous service in the non-competitive class;

- An employee holding a position by permanent appointment or employment in the Exempt, Competitive, Non-Competitive, or Labor Class who is a qualified veteran as defined by the Civil Service Law, or exempt volunteer firefighter, as defined by the General Municipal Law, except when such an employee holds the position of private secretary, cashier, or deputy of any official or department. Specifically, the employee must have been honorably discharged or released under honorable circumstances from the armed forces of the United States having served therein as such member in time of war as defined in Section 85 of the New York State Civil Service Law, or the employee must be an exempt volunteer firefighter as defined in the General Municipal Law.

Questioning Rights for Union Employees – During the investigation process, a union employee who is covered under Section 75 and who appears to be a potential subject of disciplinary action may undergo questioning. Such employee will have the right to representation by the employee's certified or recognized employee organization under Civil Service Law Article 14, and will be given advanced notice, in writing, of such right. In the event the employee requests representation, the employee will be allowed a reasonable period of time to obtain such representation. In the event the employee is unable to obtain such representation within a reasonable period of time, the employer will have the right to then question the employee.

Disciplinary Procedure – Except as otherwise provided by a collective bargaining agreement, the following disciplinary procedure shall apply to employees covered by Civil Service Law Section 75:

- **Notice of Discipline** – An employee subject to discipline will be provided with a written Notice of Discipline (NOD) which will contain all charges and specifications.

- **Employee Answer** – The employee will have eight calendar days to respond to the charges. The employee's response must be in writing.

- **Disciplinary Hearing** – Unless there is a stipulation of settlement between the Village and the employee, the employee is afforded the right to a hearing in accordance with provisions established by Civil Service Law Section 75. The hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred, or by a deputy or other person designated by such officer or body in writing for that purpose.

The Appointing Authority will designate a hearing officer in accordance with Civil Service Law Section 75. The designation must be in writing. The hearing officer will set the time and place for the hearing. The hearing officer will make a record of the hearing which will be submitted to the Appointing Authority, with the hearing officer's recommendations, for review and decision.

Right to Representation – The employee may have representation by counsel or by a representative of a recognized or certified employee organization at the hearing and may summon witnesses on the employee's behalf.

Suspension Without Pay Pending Determination of Charges – Pending the hearing and determination of charges, the employee may be suspended without pay for a period not to exceed thirty calendar days.

Penalties – In the event the employee is found to be guilty of the charges, the penalty may consist of one of the following:

- Written reprimand;

- Fine not to exceed one-hundred dollars which will be deducted from the employee's pay;

- Suspension without pay not to exceed two months;

- Demotion in grade and title; or

- Termination from Village employment.

Finding of Not-Guilty – In the event the employee is found to be not guilty, the employee will be restored to the employee's position with full pay for the period of suspension less the amount of any unemployment insurance benefits that the employee may have received during such period.

Limitations – Notwithstanding any other provision of law, no removal or disciplinary proceeding will be commenced more than eighteen months after the occurrence of the alleged incompetence or misconduct complained of and described in the charges. Such limitation will not apply where the incompetence or misconduct complained of and described in the charges would, if proved in a court of appropriate jurisdiction, constitute a crime.

Filing Requirements – In the event the employee is found to be guilty, a copy of the charges, the employee's written answer, a transcript of the hearing, and the determination will be filed in the office of the department in which the employee is employed. A copy will also be filed with the Franklin County Personnel Office.

409 *Code of Ethics*

A Code of Ethics was adopted by the Village Board on October 26, 1970. This Code is being made part of this Employee Handbook to ensure that all employees of the Village are made aware of its existence.

Policy Statement – Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Trustees of the Village of Saranac Lake recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to maintained in our unit of local government. It is the purpose of this Code to promulgate these rules of ethical conduct for officers and employees of the Village of Saranac Lake. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Saranac Lake. The rules of ethical conduct shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law and any other law pertaining to ethical conduct and interest in contracts of municipal officers and employees.

Definitions – For the purpose of the Village of Saranac Lake's Code of Ethics, the following terms shall have the meanings indicated:

- **Municipal Officer or Employee** - will mean and refer to an officer or employee of the Village of Saranac Lake, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person will be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer.

- **Interest** - a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For purposes of this section a municipal officer shall be deemed to have an interest in the contract of (a) his spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves, (b) a firm, partnership or association of which such officer or employee is a member or employee, (c) a corporation of which such officer or employee is an officer, director or employee and (d) a corporation any stock of which is owned or controlled directly or indirectly by such officer or employee..

Standards of Conduct – An officer or employee of the Village of Saranac Lake shall be subject to and abide by the following standards of conduct:

- **Gifts** – An officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of twenty-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form, under circumstances in which it could reasonably be inferred that such gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of official duties or was intended as a reward for any official action on the officer's or employee's part.
- **Confidential information** – An officer or employee shall not disclose confidential information acquired in the course of official duties or use such information to further personal interest.

- **Representation before one's own agency** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before an municipal agency over which the officer or employee has jurisdiction or to which the officer or employee has the power to appoint any member, officer or employee.

- **Representation before any agency for a contingent fee** – An officer or employee may not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of the Village, whereby the officer's or employee's compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this provision will not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

- **Disclosure of interest in legislation** – To the extent that an officer or employee knows thereof, the officer or employee, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees on any legislation before the Board of Trustees shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest the officer or employee has in such legislation.

- **Investments which conflict with official duties** – An officer or employee shall not invest or hold any investment directly or indirectly in any financial, business, commercial, or other private transaction which creates a conflict with official duties.

- **Private employment** – An officer or employee shall not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests, when such employment or service creates a conflict with or impairs the proper discharge of official duties.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Saranac Lake, or any agency thereof on behalf of himself or herself or any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution of Code of Ethics – Each officer and employee upon election or appointment shall be furnished a copy of this Code of Ethics before entering upon the duties of the officer's or employee's office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code nor the enforcement of the provisions thereof.

Penalties for Offenses – In addition to any penalty contained in any other provision of law, any person who shall knowingly violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

410 *Personnel Records*

Policy Statement – It is the policy of the Village to balance its need to obtain, use, and retain employment information with a concern for each employee's privacy. To this end, the Village will endeavor to maintain only that personnel information necessary for the conduct of the Village's business or required by federal, state, or local law. Personnel records will be maintained for current and past employees in order to document employment related decisions and comply with government record keeping and reporting requirements.

Content – The personnel records maintained by the Village include, but are not limited to, Employment Applications, Report of Personnel Change Forms; copies of job-required licenses and certificates, Federal and State Withholding Tax Forms, Retirement Enrollment/Waiver Forms, Health Insurance Enrollment/Waiver Forms, performance appraisals, grievance or dispute resolution notices, counseling memoranda, notices of discipline, and probationary reports.

Location of Files – All original personnel records for current employees will be kept in the Village Clerk's office and will be maintained and controlled by the Village Clerk or the Village Clerk's designee.

Immigration (I-9) Forms – All Immigration (I-9) Forms will be kept in a separate file apart from the employee's personnel file.

Medical Records – All employee medical records will be kept in a separate file apart from the employee's personnel file in the Village Clerk's office and will be maintained and controlled by the Village Clerk or the Village Clerk's designee. ***For security purposes, these files will be locked at all times.***

Substance Testing Records – All employee substance testing records will be kept in a separate file apart from the employee's personnel file in the Village Clerk's office and will be maintained and controlled by the Village Treasurer and/or Village Clerk or the Village Clerk's designee. ***For security purposes, these files will be locked at all times.***

Change in Status – An employee must immediately notify the Village Clerk of a change of name, address, telephone number, marital status, number and age of dependents, beneficiary designations, and individuals to notify in case of emergency.

Review of Personnel Files – Access to personnel files is limited. A current employee may review the contents of the employee's own personnel file by submitting a written request to the Village Clerk to be scheduled at a mutually convenient time. An authorized official must be present when the employee inspects the file. An employee may not copy, remove, or place any material in the employee's personnel file without the approval of the Village Clerk.

411 Separation from Employment

Notice of Resignation (Employees) – An employee who intends to resign from employment must submit a written resignation to the employee's Department Head at least two weeks before the date of resignation is to be effective. All resignations shall be filed in the Village Clerk's Office.

Notice of Resignation (Village Officers) – A Village Officer (as defined by Public Officers Law) must resign by delivering a written notice to the Village Clerk. If no effective date is specified, the office becomes vacant immediately upon delivery of the notice to the Village Clerk. If a Village Officer wishes to resign at some future date, the Village Officer may specify a resignation date. However, if the resignation date is more than thirty days after delivery of the notice to the Village Clerk (ninety days for Justices), the resignation will become effective thirty days after such delivery (ninety days for Justices).

Notice of Resignation (Village Clerk) – The Village Clerk who intends to resign must submit a written resignation to the Secretary of State at least thirty calendar days before the date of resignation is to be effective.

Exit Interviews – Exit interviews are normally conducted by the Village Manager. The exit interview provides an opportunity to discuss a number of items including employee benefits, COBRA eligibility, changing of computer passwords, and return of Village property. During the exit interview, employees are encouraged to give suggestions, concerns and constructive recommendations.

Final Paycheck – Employees receive their final paycheck on the next regularly scheduled payday. The final paycheck includes payment for accumulated vacation benefits, if applicable.

412 BAN ON WEAPONS IN THE WORKPLACE

The Village is committed to providing its employees with a work environment that is safe, secure, and free of violence or threat thereof. We also consider the safety of our residents, vendors, contractors, clients and the general public we serve to be a paramount importance. We wish to provide everyone, employees and citizens alike, with as much safety and security as possible.

Therefore, it is the policy of the Village that employees shall not carry weapons into the workplace or while conducting operations on behalf of the municipality, even if the employee is licensed to carry that weapon. These prohibited weapons include handguns, rifles, dangerous knives, etc. Further, no member of the public is permitted to carry a weapon when on or in municipal property or facility.

The only staffs allowed to carry weapons are law enforcement officers as defined by the NYS Criminal Procedure Law when acting within the scope of their employment or in furtherance of their duties and responsibilities under the laws of New York State and this municipality. Any employees authorized to carry a weapon shall be subject to DCJS regulations for initial and annual use of force and firearms requalification.

Any employee having knowledge of any one carrying a weapon who is not authorized to do so should immediately report this to their Department Head or Supervisor.

The workplace is defined as any location away from an employee's home, either permanent or temporary, where the employee performs any work related duty in the course of their employment for the Village. This includes, but may not be limited to, municipals owned or leased buildings and perimeters, parking lots, work sites, client's homes, as well as when traveling to and from work assignments.

The only exception to the above, for the purpose of this policy, is that any staff having proper firearms permit and have vehicle parked in the municipal parking lot shall not be deemed to be in violation if they have properly secured and stored the weapon in their vehicle. This exception includes hunters if weapons are properly stored and secured.

500 OPERATIONAL POLICIES

501 Departmental Hours

Normal Hours of Operation – The normal hours of operation are established by the Village Board at the annual organizational meeting. An employee's Department Head will establish the employee's work schedule, which may differ from the normal hours of operation depending upon the particular needs and requirements of the department. The Village Board reserves the right to approve all employee work schedules, except where otherwise prohibited by applicable State or Village Law.

Flex-Time – An employee may begin and/or end a given workday at a time requested by the employee and approved by the Department Head. Such "flex-time" must normally be during the time the department is open and available to the public. The employee's use of "flex-time" will be governed by the mutual needs and consent of the Department Head and the employee. The Village Manager and the Village Board reserve the right to approve all "flex-time" schedules.

Off-Site Work – Upon prior approval from the Village Manager, an FLSA exempt employee may occasionally be permitted to fulfill work assignments at a location other than the normal worksite (e.g. working from home). Such off-site work shall not exceed standard work schedule hours unless approved in advance by the Village Manager.

Department Head Absences – Department Heads have duties that may require them to be absent from their offices at certain times during the day. In the event that a Department Head is absent from the office, basic departmental forms should be readily available for distribution and/or collection. It is the Department Head's responsibility to determine what services are to be provided and to schedule coverage of these basic services during scheduled business hours.

Overtime – A Department Head may require an employee to work additional hours beyond the employee's normal workday and workweek. An employee must receive prior approval from the employee's Department Head before working additional hours.

Refusal to Work Additional Hours – An employee who, after investigation, is found to have refused to work additional hours as directed will be subject to appropriate disciplinary action.

Union Employees – The work schedules of employees covered by a collective bargaining agreement shall be governed by the applicable collective bargaining agreement.

502 *Meal and Rest Breaks and Breaks for Nursing Mothers*

Meal Breaks – An employee who works more than six hours in a given day will receive an unpaid, duty-free meal break not to exceed sixty minutes.

Scheduling of Meal Breaks – Scheduling of meal breaks must be approved by the Department Head in accordance with the needs and requirements of the department. Meal breaks must normally be taken in the middle of the employee's workday. Unless otherwise directed by the Department Head, an employee may leave the work-site during the meal break.

Observance of Meal Periods – In accordance with New York State regulations, an employee who works more than six hours in a given day is required to take the scheduled meal period. An employee is not allowed to work through the meal period to make up lost work time or to leave work early. In addition, the meal period may not be taken at the end of an employee's workday in order to leave work before the normal quitting time.

Rest Breaks – A full-time employee will normally receive a paid, duty-free rest break of up to fifteen minutes to be taken approximately in the middle of the first half of the employee's workday and again during the middle of the second half of the workday. An employee who chooses not to take a rest break will not be entitled to leave before the normal quitting time and will not receive extra pay for the time worked.

Approval of Rest Breaks – Rest breaks must be approved by the employee's Department Head in accordance with the needs and requirements of the department.

Breaks for Nursing Mothers to Express Breast Milk – Employees who are nursing mothers shall be allowed to use a reasonable break (generally between twenty to thirty minutes) in addition to the employee's meal and rest breaks to express milk for a nursing child. The Village will provide this break at least once every three hours if requested by the employee. This provision applies to nursing mothers for up to three years following childbirth. The Village will make a reasonable effort to provide a room or location other than the restroom or toilet stall, within walking distance to the employee's work space, or other location in close proximity to work so that nursing mothers can express in private. An employee wishing to avail herself of this break is required to give the Village advance notice, preferably prior to the employee's return to work following the birth of her child, to allow the Village an opportunity to establish a location and to schedule leave time for multiple employees, if needed.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Meal and Rest Breaks provisions set forth above and should refer to the applicable collective bargaining agreement.

503 *Emergency Situations*

Closing Procedures – In the event that extraordinary weather conditions or other emergencies develop prior to the beginning of the workday, the Village Manager may authorize the closing of non-emergency operations, or, if extraordinary weather conditions or other emergencies develop during a workday, the Village Manager may direct that certain employees who perform non-essential services leave work.

Payment of Wages – Pay for FLSA exempt employees will not be affected by an emergency closing. Pay for FLSA non-exempt employees will be in accordance with the provisions below:

- **During Work** – A full-time employee who is directed by the Village Manager to leave work due to an emergency closing will be paid for the remainder of the employee's normal workday at the employee's regular rate of pay. Such time will not be included as time worked for the purpose of computing overtime. A part-time employee who is directed to leave work due to an emergency closing will not be paid for the remainder of the employee's normal workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head. An employee who has previously scheduled a paid leave day must still charge the absence for the day to the appropriate paid leave.

- **Prior to Reporting to Work** – If a determination is made to close operations prior to the start of a workday, the Village Manager will initiate notification to all affected employees. A full-time employee who is directed not to report to work due to an emergency closing will be paid for the employee's normal workday at the employee's regular rate of pay. A part-time employee who is directed not to report to work will not be paid for the workday. Such employee may choose to make up the time at a later date if agreed to by the Department Head. An employee who has previously scheduled a paid leave day must still charge the absence for the day to the appropriate paid leave.

Inclement Weather – Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by the Village. Employees should use their own discretion in determining whether they can commute safely to work due to inclement weather. When the Village Manager has not officially shut down operations, an employee who does not report to work or requests to arrive at work late or leave work early due to inclement weather must obtain prior authorization from his or her Department Head prior to doing so. The employee must use paid vacation or personal leave, if available, or take the time off without pay. If an FLSA exempt employee has no paid leave benefits available, the employee will only be docked if a full workday is taken.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Emergency Situations provision set forth above and should refer to the applicable collective bargaining agreement.

504 *Time Records*

Policy Statement – Time records provide a means of accurately accounting for time worked and authorized leave taken by employees. All employees are required to complete an individual time record showing leave time taken.

Procedures – An employee required to complete a time record must comply with the following procedures:

- All paid and unpaid leaves of absence must be recorded;
- Employees must complete their own time record;
- The time record must be submitted to the Department Head at the time specified;
- The time record must be verified and signed by the Department Head;
- Department Heads will submit the signed and verified time records to the Village Clerk's Office.

Correction of Errors – An employee must immediately bring errors in time records to the attention of the employee's Department Head who will investigate the matter and make and initial the correction once the error has been verified.

Unauthorized "Flex-Time" – Unless prior approval has been obtained from the Department Head, arriving early or leaving late for the employee's own convenience is not to be included in working time, provided that the employee performed no pre-approved authorized duties for the Village during such intervals.

Falsification of Time Records – An employee who, after investigation, is found to have falsified their own time record, or the time record of another employee, or an unauthorized employee who alters or completes a time record for another employee, will be subject to disciplinary action. In extenuating circumstances where an employee is not able to complete the employee's own time record, the Department Head may complete the time record on behalf of the employee.

505 *Bonding*

Insurance – The Village will provide bonding insurance for all employees in the amount of $5,000 with excess bond coverage of $200,000 for the Village Manager, Village Clerk, and Village Treasurer. These amounts are subject to change by the Village Board

506 *Expense Reimbursement*

Policy Statement – Upon proper authorization of the Village Manager or Village Board, an employee or Elected Official will be reimbursed for expenses associated with carrying out Village business, including, but not limited to, meals, lodging, mileage, parking, highway tolls, and training and membership fees. A voucher with all required documentation and corresponding receipts must be submitted to the Village Treasurer's Office in order for the reimbursement to be processed.

Travel Where Overnight Accommodations Are Required – Prior approval shall be obtained from the Village Board for all educational seminars, conferences, and for all out-of-town meetings where overnight accommodations are required. A copy of the informational packet or brochure should be submitted with the application when applicable.

Travel Where Overnight Accommodations Are Not Required – Prior approval shall be obtained from the Village Manger for all educational seminars, conferences, and for all out-of-town meetings where overnight accommodations are not required. A copy of the informational packet or brochure should be submitted with the application when applicable.

Transportation – The following guidelines apply to business related travel:

- A Village vehicle may be used for out-of-town travel when available, at the discretion of the Village Manager and the Department Head.
- Employees must obtain Village Manager approval for private vehicle usage in order to receive mileage reimbursement.
- Use of personal vehicles for Village business shall be reimbursed at the rate set by the Village Board at its annual organizational meeting. A record of the use of the personal vehicle (on forms provided by the Village) showing destinations and mileage per trip shall be maintained and submitted with the request for reimbursement.
- Prior approval from the Village Board shall be obtained for the use of public transportation (air, train or bus). Reimbursement will be made for the most direct route at second-class or budget rate where applicable. Receipts must be submitted for reimbursement.
- In the event that two or more elected officials or employees attend the same activity and ride together, mileage shall be reimbursed to the driver only. Village officials and employees are encouraged to pool transportation where practical and convenient. To receive reimbursement, a statement of automobile use must be kept.
- The mileage policy that has been adopted by the Village Board and that is currently in effect shall constitute and become a part of these guidelines.

Meals – Meal allowances will be given for actual mealtimes occurring while out-of-town on approved Village business when not included in accommodations, provisions or registration fee. In order for the breakfast allowance to be granted, departure must be before 7:00 a.m. in order to reach the destination at the required time. In order for the dinner allowance to be granted, return to the Village must occur after 7:00 p.m. given reasonable travel time from the departure location. Approval of the meal allowances will be at the discretion of the Village Manager at the following rates:

Breakfast	$6.00
Lunch	$10.00
Dinner	$25.00

At the discretion of the Village Manager and/or Village Board, these reimbursement rates may be combined or increased under certain circumstances.

The Village will not reimburse the employee for the cost of meals that are included or provided with paid registration.

Miscellaneous Expenses – Reimbursement requests for miscellaneous expenses such as tolls, parking fees, taxi, etc., require submission of receipts, and approval shall be at the discretion of the Village Board. Personal charges such as telephone calls, room service, etc., on hotel or motel bills will not be reimbursed. The employee should make arrangements to pay for non-reimbursable items prior to check-out. Fines for parking or traffic infractions, and all types of alcoholic beverages are also non-reimbursable.

Sales Tax – The Village of Saranac Lake is a tax-exempt organization and does not pay New York State sales tax. Reimbursement will not be made for any sales tax paid by the employee. Tax-exempt certificates are available from the Village Office, and it shall be the employee's responsibility to present them at necessary locations.

Advances – The Village Treasurer is authorized to issue an advance of the estimated expenses for a trip, when the advance has been requested with the authorization to travel, and approved by either the Village Board or Village Manager. Advances of $100 or less may be made from the Treasurer's Petty Cash fund on the day prior to the travel required. Advances of more than $100 will be made by check payable to the employee, and charged to the departmental account for which travel is authorized. The check may be issued within three working days prior to the departure date.

Documentation – Proper documentation and/or receipts shall be the responsibility of the employee. Requests for reimbursement of allowable expenses will be denied if not accompanied by the proper documentation. When travel is completed, an employee should submit completed travel expense reports within three days. Reports should be accompanied by receipts for all individual expenses.

Accidents – Any employee who is involved in an accident while traveling on business must promptly report the incident to the employee's supervisor and the Village Manager. Vehicles owned, leased, or rented by the Village may not be used for personal use.

Procedures – An employee should contact the employee's supervisor for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other business travel issues.

Disciplinary Action – Abuse of this policy, including falsifying expense reports to reflect costs not incurred by the employee, will subject the employee to disciplinary action, in accordance with the collective bargaining agreement or Civil Service Law (Section 75), whichever is applicable.

507 *Vehicle Usage*

Policy Statement – All vehicles and related equipment of the Village of Saranac Lake are owned and maintained for the purpose of conducting official business of the Village. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest.

Standards – For the purpose of compliance with this policy, the following standards must be met at all times:

- Village vehicles and related equipment must remain under the general administrative jurisdiction and direction of the Department Head to which it is assigned.
- No Village vehicles are to be taken to an employee's home during non-working hours without permission of the Village Manager.
- Village vehicles must be assigned to specific Village officials and employees for specific purposes and tasks. Said vehicles may not be used for any unauthorized purpose nor to conduct personal, private, or non-Village related business.
- Village vehicles must always be operated in a safe and responsible manner and in compliance with all applicable motor vehicle and traffic laws in effect. Employees are responsible for any driving infractions or fines that result from their operation of Village vehicles, and must report them to their Department Head. The Village is responsible and will pay for any fines which would typically be levied against the owner of the vehicle.
- Any accident involving a Village vehicle, regardless of severity, must be reported immediately to the appropriate Department Head. The Department Head must immediately notify the Village Manager. The Village Manager may, at his/her discretion, require that an official accident report be obtained from the NYS Police for any accident which involves a Village emergency (i.e. police or fire) vehicle, regardless of severity.
- The use of a cell phone when driving on Village business must be compliant with all applicable laws and/or regulations.
- No Village vehicles, including Police cars, are to be taken out of the Village limits, except in the line of duty or on official Village business.
- Village vehicles may not be used to transport persons who are not officials or employees of the Village of Saranac Lake, nor material not related to the conduct of official Village business, without direct authorization by the appropriate Department Head or the Village Board.
- Village vehicles must always be maintained in a safe and secure condition when not in use, including being locked and/or under direct observation; and all keys maintained under controlled and authorized jurisdiction of the appropriate Department Head.
- No advertisements, signs, bumper stickers or other markings of a political or commercial nature may be displayed on Village vehicles at any time, except those of a limited community service nature which have been authorized by the Village Board.
- The use of tobacco products is prohibited in all Village vehicles.

508 *Driver's License / Insurance Requirements*

Requirement – An employee who is required to drive either a Village-owned vehicle or the employee's own personal vehicle to conduct business on behalf of the Village, must possess at the time of appointment, and must maintain throughout employment, a valid New York State driver's license. Proof of such license must be on file with the Village. If a personal vehicle is used to conduct business on behalf of the Village, the employee is responsible for ensuring liability insurance coverage meeting NYS requirements is appropriately maintained.

Commercial Drivers – An employee who operates a vehicle which requires a Commercial Driver's License (CDL), must maintain such license throughout employment. Proof of such license must be on file with the Village. In accordance with the federal Commercial Motor Vehicle Safety Act of 1986, a commercial driver must notify the Village within thirty days of a conviction of any traffic violation (except parking), no matter where or what type of vehicle the employee was driving.

Loss of Driver's License – An employee who is required to possess a driver's license or CDL license in order to perform certain job duties and responsibilities must immediately notify the appropriate Department Head in the event the license is suspended or revoked. The loss or suspension of the driver's license or CDL license may affect the employee's employment with the Village. The Village will utilize the NYS Department of Motor Vehicles' "License Event Notification Service" (LENS) to monitor activity that may negatively impact an employee's ability to maintain a required license.

509 *Supplies, Tools and Equipment, and Fuel Usage*

Supplies – All Village owned supplies must be used efficiently and not wasted. An employee may not use any Village supplies including, but not limited to, postage, paper, or office supplies for personal use.

Tools and Equipment – The employee must repair or replace any Village-owned tool or piece of equipment lost or damaged by the employee as a result of negligence or intentional misuse. An employee may not use any Village-owned tool or piece of equipment, including, but not limited to, fax machines, copiers and computer equipment for personal use. An employee may not use Village facilities, Village-owned tools or equipment to work on vehicles or trailers not owned by the Village.

Fuel – An employee may not use gasoline, fuel oil, or motor oil purchased by the Village for personal use.

510 *Telephone / Cell Phone Usage*

Guidelines – Telephone and cell phone usage must adhere to the following guidelines:

- An employee must answer promptly and speak in a clear, friendly and courteous tone.
- An employee must give the name of the department or office and one's own name. If the call is not for the employee who answers, the employee must transfer the caller to the correct party or take a message recording all pertinent information.
- If the call must be placed on hold, the employee who answered the call must return to the line frequently to confirm that the call is being transferred.
- During office hours, each employee is responsible for there being at least one employee in the department or office to answer telephones. If the department or office has a limited staff, arrangements must be made with another department or office for telephone coverage or an answering device must be in operation.
- An employee may make personal telephone / cell phone calls / text messages,, however, such calls or messages should be limited in duration and frequency and must not interfere with the performance of the employee's job duties.
- An employee may not make or receive personal calls on a Village provided telephone or cell phone that will result in additional charges to the Village, except in an emergency and/or with prior approval from the Department Head. The employee must reimburse the Village for the cost of the call.
- The use of Village issued cell phones is monitored to ensure no excessive or inappropriate use occurs.
- The use of a cell phone while driving on Village business must be in compliance with all applicable laws.

511 *Computer Systems and Internet / E-mail Service*

Policy Statement – The purpose of this policy is to provide the following requirements for the use of Village-owned computer systems and Internet / E-mail service.

Computer Systems

Property – All computer systems, hardware, software, and files are the property of the Village of Saranac Lake. This includes the messages created, transmitted, and stored on such systems and equipment.

Usage – All computer systems, hardware, and software provided to an employee are provided for the purpose of aiding that employee in the performance of the employee's job functions. All hardware and software used is to be supplied by the Village of Saranac Lake. No unauthorized or unlicensed hardware or software may be used or installed on any Village-owned computer. Any hardware or software necessary to perform job duties should be requested of the employee's Department Head.

Village's Right to Monitor Computer Systems and Equipment - There is no guarantee of privacy when using Village-owned computer systems and equipment. The Village reserves the right to enter, search, and monitor employee communications equipment and files, with or without advance notice, at any time in the normal course of business. Department Heads have the authority to inspect the contents of any computer equipment, data/files, or electronic mail ("E-mail") of their subordinates in the normal course of their supervisory responsibilities. In addition, the data/files of Department Heads and supervisors may be inspected by the Village Manager in the normal course of duty. This applies to all information, messages, and files that are created, transmitted, downloaded, received, stored, or deleted on such systems, including items that are password protected. Additionally, the Village has the authority to monitor and record each web site, chat room, and newsgroup visited on the Internet, and every e-mail message and file transfer into and out of the Village's network. The Village may also monitor each employee's Internet activity and usage patterns to ensure that the Village's resources are being utilized for appropriate business purposes. Any employee who is required to have a password must submit that password to the employee's Department Head.

Prohibited Uses – In addition to the requirements set forth above, the following uses of Village-owned computers and equipment are prohibited. This list is meant to be illustrative, and not exhaustive.

- Any illegal activity;
- Threats or harassment;
- Slander or defamation;
- Transferring, viewing, or storage of obscene or suggestive messages or graphic images;
- Any unauthorized commercial activity;
- Accessing or attempting to access the data/files of another person, unless otherwise authorized as necessary in the course of performing Village business;
- Using or aiding in the unauthorized use of another person's password;
- Harming or destroying data/files (other than editing or deleting information in the normal course of one's job duties);
- Use of non-business software;
- Gambling;

- Use of entertainment software, such as games and puzzles;
- Installation or use of any hardware or software, not authorized by the Village;
- Installation or use of Village-owned hardware or software for any use that is not Village related business;
- Installation or use of any unauthorized or unlicensed hardware or software;
- Installation of any software containing viruses.

Internet / Electronic Mail Requirements

Eligibility – Internet / E-mail service may be provided to employees who can demonstrate a work-related reason to have access. Approval must be given by the employee's Department Head or supervisor.

Proper Usage – In addition to the prohibitions set forth in the above paragraphs, any activities prohibited for any other general computer user are also prohibited with respect to Internet / E-mail service usage. Employees are expected to communicate in a manner that will reflect positively on both themselves and the Village of Saranac Lake. Additionally, it is the responsibility of the employee to adhere to the following requirements:

- E-mail must be used in a professional manner.
- Messages must not be threatening, insulting, obscene, abusive, or derogatory.
- Messages must not include content that constitutes sexual harassment.
- Chain letters are illegal and must not be transmitted through E-Mail.
- Employees are responsible for saving any E-mail that they want to keep permanently.
- Messages must not involve personal sales or solicitation or be associated with any for-profit outside business activity.
- Messages must not involve personal not-for-profit solicitations.
- Messages must not potentially embarrass the Village of Saranac Lake.
- Files must be housecleaned at least once a month, deleting any old E-mail and/or downloaded information that has been saved.
- Passwords should not be given to anyone other than the employee's Department Head or supervisor, or to the Village Manager.
- Internet must not be used for the propagation of computer viruses.
- Internet must not be used for personal recreational activities (e.g. online games).
- Participation in non-business Internet chat groups or instant messaging is prohibited.
- As a security precaution, a workstation must not be left signed onto E-mail or the Internet and unattended for a long period of time (or overnight). Each employee must log off the network when not in use and power down at the end of the day.
- Employee Internet / E-mail usage may be subject to filtering and may be monitored.
- Employees should be aware that deletion of any E-mail message or file does not truly eliminate that message or file from the system. All E-mail messages are stored on a central back-up system in the normal course of data management.

Reliability – Users should be aware that because the internet is a collection of computer networks with no single central authority over information consistency, data is subject to inaccuracies. The Village is not responsible for loss or damage to a user's data or for the reliability of information that is obtained via the Internet service. Also, this information must be used in accordance with applicable copyright laws.

Reporting of Violations – Anyone with information as to a violation of this policy is to report said information to the employee's Department Head. Once the employee's Department Head is informed of the violation, a formal process, consistent with this Employee Handbook and/or applicable law, will begin.

512 Personal Appearance

Policy Statement – It is the policy of the Village that each employee's dress, grooming and personal hygiene should be appropriate to the work situation.

Standards – An employee must maintain a personal appearance in a manner that reflects a good image to the public. Acceptable personal appearance is an ongoing requirement of employment with the Village. Radical departures from conventional dress or personal grooming and hygiene standards are not permitted. Employees should not wear suggestive attire, athletic clothing, shorts, tank tops, novelty buttons, and similar items of casual attire since this clothing does not present a businesslike appearance.

Safety Clothing and Equipment – An employee may be required to wear safety clothing and personal protective equipment as directed by the Department Head. If such is the case, the employee must comply with all safety requirements.

Uniforms – An employee may be required to wear a uniform as directed by the Department Head and/or as provided in a collective bargaining agreement. If such is the case, the employee must comply with all requirements.

513 Solicitations/Distributions

Policy Statement – It is the policy of the Village to prohibit solicitation and distribution on its premises by non-employees and to permit solicitation and distribution by employees only as outlined below.

During Working Hours – An employee may not distribute literature or solicit other employees during working hours without approval from the appropriate Department Head.

During Meal and Rest Breaks – With permission from the Department Head, an employee may distribute literature and solicit other employees during meal and rest breaks provided it does not interfere with the normal operations of the department, reduce employee efficiency, annoy fellow employees, or pose a threat to the Village's security.

514 *Disclosure of Information*

Policy Statement – The Village of Saranac Lake promotes open government and complies with all requirements regarding public access to information. However, the Village recognizes that certain documents, records, and other information pertaining to Village operations and activities contain sensitive and confidential information about Village residents and others who do business with or on behalf of the Village and/or its residents. Such information cannot be photocopied, duplicated, discussed, or otherwise disclosed to any outside party except in accordance with the Freedom of Information Law or any other applicable laws and regulations. An employee is also prohibited from sharing or otherwise disclosing such information with other Village employees, family members or friends who do not have a Village business reason to have such information.

Responsibility for Security of Confidential Information – Elected Officials, Department Heads and employees are responsible for maintaining the security of documents, records and other information that fall within their department operations. Any request from outside parties for disclosure of information under the Freedom of Information Law or any other applicable laws or regulations must be submitted to the Village Clerk.

Employee Personal Information – An employee should never provide a caller or visitor with confidential information regarding employees, including home addresses and personal telephone numbers. An employee should take the person's name and telephone number and inform the caller/visitor that a message will be forwarded to the employee.

515 *Visitors*

Policy Statement – It is the policy of the Village not to allow personal visitors during working hours, except for emergency situations. Visitors are allowed for brief visits during an employee's meal break as long as such visit does not interfere with Village operations or interrupt other employees who are still working.

516 *Purchasing*

Policy Statement – The Village has established an official procurement policy that must be followed without exception. No employee shall make purchases for the Village, or use the Village's name to make purchases, unless so authorized by the Village Board and in adherence to the procedures set forth in the procurement policy.

517 *Maintenance of Work Area*

Policy Statement – It is the policy of the Village that work areas must be kept safe, clean and orderly at all times.

Employee Responsibility – Employees are responsible for maintaining their work area in a safe and orderly fashion. As such, each employee should, at a minimum, do the following:

- Place coats, boots, umbrellas and other items of clothing in designated areas so that work areas are not unnecessarily cluttered;
- Consume food or beverages only in designated areas so that work areas are kept free of food and related litter;
- Report any existing or potential workplace hazards and safety violations to the Department Head;
- Abide by the smoking policy as specified in this Employee Handbook;
- Clean and store all tools and equipment and properly store any items, papers or confidential information in a manner prescribed by the Department Head.

Supervisory Responsibility – Supervisors are responsible for having their employees maintain their work areas according to the requirements of this policy. Each supervisor should:

- Make sure that aisles, floors and walls are free from debris and other unnecessary items;
- Monitor the facilities and equipment and issue maintenance requests where appropriate;
- Arrange for the removal of any items from the workplace that are not needed for the flow of business or the enhancement of employee comfort;
- Abide by and enforce the Village's smoking policy;
- Ensure the proper disposal of all trash and waste.

518 *Personal Property*

Policy Statement – It is the policy of the Village to ask each employee to refrain from bringing unnecessary or inappropriate personal property to work. The Village recognizes that an employee may need to bring certain items to work. However, employees should take care to ensure that personal property brought to the workplace does not disrupt work or pose a safety risk to other employees.

Personal Liability – An employee is expected to exercise reasonable care to safeguard personal items brought to work. Except as otherwise provided by a collective bargaining agreement, the Village will not repair, replace, or reimburse an employee for the damage or loss of the employee's personal property. An employee bringing personal property to the workplace does so at one's own risk.

Security Inspections – Desks, lockers and other storage devices may be provided for the convenience of employees but remain the sole property of the Village. Accordingly, such storage devices, as well as any articles found within them, can be inspected by any agent or representative of the Village at any time, with or without notice. The inspection may be made in the presence of the employee. The Village is not responsible for loss or damage to personal property placed in such storage devices.

519 *Village Property*

Employee Responsibility – An employee will be responsible for any item issued by the Village which is in the employee's possession and/or control, such as, but not limited to the following:

- Equipment, including Protective Equipment
- Identification Badges
- Keys
- Uniforms
- Books or other Reference Materials, including this Employee Handbook

Return of Property – Except as otherwise provided by a collective bargaining agreement, all Village property must be returned to the Village before the employee's last day of work.

520 *Unauthorized Work*

Policy Statement – An employee may not perform work for any entity other than the Village during the employee's authorized work hours, or claim that Village work was done when such is not the case.

521 *Outside Employment*

Policy Statement – It is the policy of the Village that an employee may engage in outside work as long as such outside work does not interfere with the employee's performance standards, pose an actual or potential conflict of interest, or compromise the interests of the Village.

Guidelines – The following guidelines have been established for an employee who engages in outside work.

- An employee will be judged by the same performance standards and will be subject to the Village's scheduling demands, regardless of any existing outside work requirements.

- If the Village determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the Village as they are modified from time to time, the employee may be required to terminate the outside employment if the employee wishes to remain employed by the Village.

- No Village equipment, supplies, or other material may be used by an employee on other than Village work for monetary gain.

- Outside employment that does or may constitute a conflict of interest is prohibited. An employee may not receive any income or material gain from individuals outside of the Village for materials produced or services rendered while performing the employee's Village job.

- An employee may not work on outside employment during any period which the employee is regularly scheduled to work for and is paid by the Village.

- A Village employee who engages in outside work must notify the person for whom the work is being performed that such work is being done on the employee's own time and that the employee is not representing the Village while performing such work.

Employee Responsibility – A Village employee who wishes to engage in outside work is responsible for ensuring that the above guidelines are maintained. Questions should be directed to the Department Head.

Union Employees – In addition to the above guidelines, an employee who is a member of a collective bargaining unit may be subject to rules and/or guidelines regarding outside employment as set forth in the collective bargaining agreement or rules of the department to which the employee is assigned.

600 ABSENCE POLICIES

601 Attendance

Except as otherwise provided by a collective bargaining agreement, the following procedure shall apply regarding absence from work:

Tardiness – An employee must be ready and able to work at the time the employee is scheduled to begin work. In the event an employee is unable to report to work at the scheduled time, the employee must notify the employee's Department Head within thirty minutes of the employee's scheduled starting time. The reason for tardiness and the expected time of arrival must be indicated to the Department Head.

Daily Notification – In the event an employee is unable to report to work, the employee must notify the employee's Department Head each day of the absence and state the reason for the absence. In the event the absence was pre-authorized, this requirement will be waived.

Scheduled Absences – Requests for scheduled time off, such as the use of vacation leave and personal leave, must be approved by the Department Head in advance. All requests for time off are subject to approval by the employee's Department Head on a case-by-case basis. Refer to Section 802, Vacation Leave, and Section 804, Personal Leave, for further details.

Unscheduled Absences – An employee who is unable to report to work must personally contact the employee's Department Head within thirty minutes of the employee's scheduled starting time. The employee must speak directly with the Department Head, indicating the reason for the absence and when the employee expects to return to work. Asking another person to call in on the employee's behalf is not permitted. Leaving a message on an answering device or with a co-worker is not permitted. Notification requirements may be waived in cases of emergency.

Unexcused Absences – Notification of an absence to an employee's Department Head does not automatically mean the absence is authorized. Any time off from work that is without approval of an employee's Department Head is considered an unexcused absence. An unexcused absence is without pay and may result in disciplinary action, up to and including termination.

Early Departure – In the event an employee must leave work during the workday, the employee must seek permission from the employee's Department Head prior to leaving.

Leaving the Premises – An employee must obtain prior approval from the employee's Department Head to leave an assigned worksite during working hours due to a non-work related reason. An employee who leaves an assigned worksite during the workday due to business reasons must notify the employee's supervisor in accordance with department policy.

Documentation of Absences – An employee may be required to provide appropriate documentation in justification of any absence. Documentation may include medical verification.

602 *Jury Duty Leave*

Jury Leave - In the event a full-time or part-time employee is required to perform jury duty on a day the employee is scheduled to work, the employee will receive paid jury duty leave. Such leave will not be subtracted from any of the employee's leave credits. An employee is obligated to notify the Commissioner of Jurors that the Village is paying the employee's full pay during jury duty. If the employee receives a jury stipend from the courts, such amount must be reimbursed to the Village. An employee can collect and keep any mileage or parking expense reimbursement that may be issued by the court system for performing jury duty.

The Village shall pay a temporary or seasonal employee up to $40 of the employee's wages for the first three days the employee serves jury duty if on those days the employee is scheduled to work for the Village. After the first three days, the employee may be eligible for a stipend issued by the court system if the employee continues to serve on jury duty.

Notification of Jury Duty – When an employee receives notice to report for jury duty, the employee must immediately submit a copy of the notice to the employee's Department Head.

Return to Duty – In the event the employee is released from jury duty on a given day and there are two or more hours remaining in the employee's scheduled workday, the employee must report to work. The employee will be allotted time to return home and prepare for work.

Accrual of Benefits – The Village will continue to provide health insurance benefits for an eligible employee during the jury leave. Vacation leave, sick leave and holiday benefits will continue to accrue during jury duty leave.

603 *Military Leave and Military Leave of Absence*

Military Leave (New York State Law) – This section refers only to a paid leave for military service under New York State Law and does not affect an employee's entitlement to leave needed for military service under federal statute. The Village of Saranac Lake recognizes the importance of the Military Reserve and National Guard, and will permit any employee the use of military leave to perform ordered military duty or required training. The Village will grant such leave with pay for up to twenty-two workdays or thirty calendar days in a calendar year, whichever is greater. Such military leave beyond the twenty-two workdays or thirty calendar days in a calendar year will be unpaid, however accumulated vacation leave may, at the employee's option, be used at any time during the leave. In accordance with applicable New York State law, the employee may keep all pay received for military service.

Military Leave of Absence (Federal Law) – An unpaid leave of absence for a period of up to the federal statutory limits will be granted to an employee to serve in any of the Armed Forces of the United States. The employee's accumulated vacation leave may, at the employee's option, be used at any time during such leave of absence.

Leave For Military Spouses (New York State Law) – In accordance with NYS Labor Law §202-i, the Village will grant an unpaid leave of absence of up to ten days to an employee (who works an average of twenty hours per week) whose spouse is a member of the armed forces of the United States, National Guard, or reserves who has been deployed during a period of military conflict, to a combat theater or combat zone of operations. This leave shall only be used when the employee's spouse is on leave from such deployment. This does not preclude the employee's option to use available paid leave upon approval of the employee's Department Head.

604 *Leave for Cancer Screening*

Village Board Adopted Change April 2, 2018:
Policy – The Village of Saranac Lake complies with New York State Civil Service Law which entitles all Village employees to paid leave to undertake screening for ~~breast~~ cancer ~~(under §159-b) and prostate cancer~~ (under §159-~~c~~). This leave will not be charged against any available sick, vacation, personal, compensatory or other leave accruals. This does not preclude an employee's option to use other available paid leave for this same purpose.

Allowance – An employee will be allowed four hours of paid leave per year for the purpose of undergoing a screening procedure for ~~breast~~ cancer. ~~and four hours of paid leave per year for the purpose of undergoing a screening procedure for prostate cancer (male employees only).~~ Such paid leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to the leave, those hours are not carried forward to the next year. The allowed leave time may include the travel time to and from the appointment and any subsequent follow up consultation visits. In addition, the allowed leave may be staggered throughout the year until the maximum allowance has been reached.

Scheduling – An employee must receive prior approval from the employee's Department Head to take leave for this purpose. The request for leave should be submitted to the Department Head in writing a minimum of two days in advance. The Department Head will have total discretion in the approval of this leave, but will not unreasonably deny such request.

Documentation Requirements – If an employee applies for paid leave for a cancer screening procedure under this policy, documentation must be provided to the Department Head from the health care provider verifying that the absence from the workplace was for cancer screening. If an employee uses any other available leave for a cancer screening procedure, the provisions of the applicable leave policy (e.g. sick, personal, vacation, compensatory) will apply; there is no requirement in such a case to provide specific documentation regarding cancer screening.

605 *Leave for Blood Donations*

Policy –The Village of Saranac Lake complies with New York State Labor Law Section §202-j which entitles Village employees who work an average of twenty hours or more per week to a leave of absence for the purpose of making a blood donation. This leave of absence will not be charged against any available sick, vacation, personal, compensatory or other leave accruals. The leave allowed under this policy is unpaid, however, this does not preclude an employee's option to use available paid leave for this same purpose.

Allowance – An employee will be allowed a leave of absence of up to three hours per year under this policy. Such leave will be accrued as of January 1 each year. If the employee does not exercise his/her rights to this leave, those hours are not carried forward to the next year. The allowed leave may include the travel time to and from the appointment.

Scheduling – An employee must receive prior approval from the employee's Department Head to take leave for this purpose. The request for leave should be submitted to the Department Head in writing a minimum of two days in advance. The Department Head will have total discretion in the approval of this leave, but will not unreasonably deny such request.

606 *Time Off To Vote*

Policy – The Village encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If an employee is unable to vote in an election during non-working hours, arrangements can be made to permit voting during the workday.

Procedures – An employee should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled in a manner which causes the least disruption to departmental operations.

607 *Bereavement Leave*

Eligibility – In the event of a death of a full-time employee's immediate family member, the employee may take a paid leave for up to five consecutive days from the employee's regularly scheduled work. Such leave will be subtracted from the employee's sick leave credits. If sick leave credits are not available, the bereavement leave may be taken as time-off without pay. A part-time, temporary, or seasonal employee is not eligible for paid bereavement leave but may be allowed to take time-off without pay provided the employee has prior approval from the Department Head.

Definition of Immediate Family – For purpose of bereavement leave, "immediate family member" will mean the following:

• Spouse	• Child / Step-Child
• Parent (include foster and step)	• Sibling (includes in-laws
• Mother/Father-in-law	• Father-in-law
• Daughter/Son-in-law	• Son-in-law
• Grandparent	• Grandchild
• A member of the employee's immediate household	

Extended Bereavement Leave – With authorization from the Village Manager, an employee may use vacation leave, sick leave, and/or personal leave credits to extend a bereavement leave. The Department Head will have total discretion in the approval of an employee's extended bereavement leave, based upon the needs of the department.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Bereavement Leave provisions set forth above and should refer to the applicable collective bargaining agreement.

608 *Volunteer Firefighters / Emergency Responders*

Except as otherwise provided by a collective bargaining agreement, the following policy shall apply regarding those employees who are volunteer firefighters or emergency responders:

Policy – In the event an employee is called upon to perform volunteer duties as a firefighter or emergency responder on a day the employee is scheduled to work, the employee will receive paid leave to perform such duties. The paid leave is limited to the extent of the employee's regular work schedule. Such leave will not be subtracted from any of the employee's leave credits. Time spent by the employee performing such duties, including driving to and from the scene, will not be included as time worked for purposes of computing overtime.

Documentation Requirements – The employee must account for all time spent responding to emergency calls on the employee's time sheet, including the time the employee left and returned to the worksite. The employee is required to return to the worksite upon completion of the emergency call, unless such call ends after the end of the employee's scheduled work shift.

Responding to Calls During Paid Leave – If the employee is on a paid leave from the Village (i.e. vacation, holiday, sick, personal, etc.) and the employee responds to a call, the employee will not receive additional compensation from the Village and the employee's appropriate leave time will still be charged.

ADDED BY RESOLUTION OF THE Village Board 6-13-11
Authorization:
A Volunteer Firefighter/Emergency Responder must first request permission from their immediate supervisor, if not available the DPW Superintendent or Assistant Superintendent and if prior is not available the Village Manager, prior to engage in theses duties.
Prioritization:
The supervisor must consider the request based upon location and nature of the emergency prior to allowing the individual requesting to be released from their prescribed duties for the village.

609 *Family and Medical Leave Policy*

Statement of Compliance – The Village of Saranac Lake complies with the provisions of the Family and Medical Leave Act (FMLA) and Civil Service Law when administering leaves under this policy.

Summary – FMLA entitles an eligible employee to a maximum of twelve workweeks (defined by the employee's normal workweek) of job-protected, unpaid leave in any twelve month period for certain family and medical reasons. The twelve-month period is a rolling period measured backward from the date an employee uses any FMLA leave. The FMLA also provides an eligible employee with up to twenty-six weeks of *Service Member Family Leave* to care for a covered service member (limited to a single twelve-month period). At the conclusion of a leave of absence under the FMLA, the employee will be restored to the position the employee held when the leave began or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment, provided the employee returns to work immediately following such leave.

Eligibility – To be eligible for an unpaid leave under FMLA, an employee must meet the following requirements:

- The employee must have worked for the Village for at least twelve months before the leave request (these need not be consecutive);
- The employee must have worked for the Village for at least 1,250 hours during the previous twelve months prior to the date the leave commences; and
- The employee must work at or report to a worksite which has fifty or more employees or is within seventy-five miles of worksites that taken together have a total of fifty or more employees.
- Spouses who both work for the Village of Saranac Lake are allowed a combined maximum of twelve workweeks of leave for the birth or care of a newborn child, adoption or foster care of a child and to care for such newly placed child, or the serious health condition of a parent, during any twelve month period.

Types of FMLA Leave - Eligible employees will be afforded up to <u>twelve workweeks</u> of unpaid leave under **FMLA** under the following circumstances:

- Upon the birth of the employee's child and to care for the newborn child;
- Upon the placement of a child with the employee for adoption or foster care and to care for the newly placed child;
- To care for the employee's spouse, son, daughter or parent who has a serious health condition;
- Because of the employee's own serious health condition which makes the employee unable to perform one or more of the essential functions of his or her job; and
- Because of any qualifying exigency (as the Secretary of Labor shall, by regulation, determine) arising out of the fact that the employee's spouse, son, daughter or parent is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation.

Service Member Family Leave - Eligible employees will be afforded up to twenty-six weeks of leave to care for the employee's spouse, son, daughter, parent, or nearest blood relative who is a recovering service member. A recovering service member is defined as a member of the Armed Forces who suffered an injury or illness while on active-duty that may render the person unable to perform the duties of the member's office, grade, rank or rating. This leave shall only be available during a single twelve-month period. During this single twelve-month period, the employee shall be entitled to a combined total of twenty-six workweeks of caregiver leave described in this section and the **Types of FMLA Leave** section described above. Nothing in this paragraph shall be construed to limit the availability of FMLA leave provided under the **Types of FMLA Leave** section above.

Definitions – The following terms are fully defined in the Federal Regulations on the Family and Medical Leave Act, 29 CFR Part 825. For the purpose of this policy, the following definitions will apply:

- **Serious Health Condition** will mean an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical care facility including any period of incapacity (as contained in the Federal Regulations), or any subsequent treatment in connection with such inpatient care; or continuing treatment by a health care provider, including, but not limited to:

  * A period of incapacity of more than three consecutive calendar days and any subsequent treatment or period of incapacity that also involves continuing treatment by a health care provider;

  * A period of incapacity due to pregnancy or prenatal care;

  * A period of incapacity or treatment for such incapacity due to a chronic serious health condition;

  * A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective; or

  * A period of absence to receive multiple treatments, including any period of recovery, by a health care provider, or by a provider of health care services under orders of or on referral by a health care provider, for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

- **Health Care Provider** will mean and refer to a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State in which the doctor practices; or any other person defined in the FMLA regulations capable of providing health care services.

- **Family Member** will mean and refer to:

  * **Spouse** – husband or wife as defined or recognized under State law for purpose of marriage;

* **Parent** – biological parent or an individual who stands or stood in *loco parentis* to an employee when the employee was a son or daughter as defined in directly below. This term does not include an employee's parents "in law";

* **Child** – biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in *loco parentis*, who is either under age eighteen, or age eighteen or older and "incapable of self-care (as defined in the Federal Regulations) because of a mental or physical disability". Persons who are "*in loco parentis*" include those with day-to-day responsibilities to care for and financially support a child or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

Notification Requirements – If the need for leave is foreseeable, the employee must give notice, in writing, to the Department Head at least thirty calendar days prior to the commencement date of the unpaid leave. The employee and Department Head must complete the Family And Medical Leave Act Request Form and forward the completed form to the Village Manager for review. The failure of an employee to give thirty days' notice of foreseeable leave with no reasonable excuse for the delay may result in the delay of the employee taking the FMLA leave until thirty days from the date of notice. When the need for leave is unforeseeable, verbal notice to the employer will be sufficient.

Extension of Original Leave Request – In the event the employee needs to extend the duration of the leave beyond the time frame originally approved, the employee must submit a new Family and Medical Leave Request Form seeking approval for the extension.

Status Reports – The employee must periodically update the appropriate Department Head as to the employee's status and intent to return to work.

Medical Certification – The employee must produce a medical certification issued by a health care provider which supports the need for a leave under this policy. When required, the employee must provide a copy before the leave begins, or if the leave was unforeseeable, fifteen calendar days from the date the certification was requested. Failure to submit medical certification may jeopardize the employee's eligibility for an unpaid leave of absence and/or the ability to return to work. Medical certification forms are available from the Village Manager. The medical certification must include:

- The date the medical condition began;
- The probable duration of the medical condition;
- Pertinent medical facts; and,
- An assertion that the employee is unable to perform the employee's essential job functions or that the employee is needed to care for a family member for a specified period of time.

The Village of Saranac Lake reserves the right to request a second opinion by another health care provider. The Village will pay for the second opinion. In the event a conflict occurs between the first and second opinion, the Village may, again at its own expense, obtain a third opinion from a health care provider approved jointly by the Village and the employee. This third opinion will be final and binding.

Leave for the Birth, Adoption or Foster Care Placement of a Child – Leave for the birth of a child or the placement of a child for adoption or foster care must conclude within twelve months from the date of the birth or placement.

Certification for Adoption/Foster Care – An employee must produce proper certification from the appropriate agency for an unpaid leave for the adoption or foster care of a child.

Employment Restrictions During Leave of Absence – While on an approved unpaid leave, the employee may not be employed by another employer during the same hours that the employee was normally scheduled to work for the Village of Saranac Lake.

Benefits During a Leave of Absence – For the purpose of this policy, the following will apply:

- **Use of Accrued Paid Leave Credits** – An employee taking leave for the **birth, adoption or foster placement of a child, to care for a spouse, child or parent with a serious health condition or service member family leave** must first use all available vacation leave credits during the authorized FMLA leave. Use of these leave credits does not extend the maximum allowable period specified by FMLA regulations.

  For leaves taken due to the **employee's own serious health condition**, the employee must first use all vacation and sick leave credits, which will be included in the maximum twelve-week period. However, in the event that the paid leave credits are greater than the maximum twelve-week period, an employee may use paid leave credits to **extend** the leave of absence beyond the twelve-week period, **up to a maximum of one year**. If, after the completion of the one-year leave of absence, the employee is medically unable to return to work (as determined by a health care provider) and the employee has leave credits remaining, the Village Board may authorize an extension of the employee's leave of absence until such benefits are exhausted. However, job reinstatement beyond the one-year leave of absence is not automatic and will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the *Rules for the Classified Civil Service of Franklin County*.

- **Accrual of Paid Leave Credits** – An employee will continue to accrue vacation and sick leave and receive holiday pay during the portion of the leave that is paid. **Paid leave is defined as leave during which the employee continues to use accumulated paid vacation and sick leave**. After all such paid leave is exhausted, the remaining leave of absence is unpaid. An employee will not earn paid vacation or sick leave or receive holiday pay for any holidays that may occur during an unpaid leave of absence.

- **Medical Insurance** – During the period of authorized FMLA designated leave, up to a maximum of twelve weeks, an employee's eligibility status for medical insurance coverage will not change. (In the event the employee has accumulated paid leave credits that extend beyond the twelve week period, the employee should refer to Sections 813 – Short Term Disability and 814 – Workers Compensation regarding additional medical insurance coverage provisions.) All employee contributions (if any) must be paid on a timely basis in order to maintain the continuous coverage of benefits. Contributions will be at the same level as if the employee was working. Coverage will cease if payments are not made within a thirty-calendar day grace period of the due date. Premium payments or policy coverage are subject to change. In the event the employee fails to return to work after the authorized leave of absence

period has expired, provisions of COBRA (see Section 809) will apply. In addition, the Village may recover the premium that it paid for maintaining the coverage during any period of the unpaid leave except for the following circumstances:

* The continuation, recurrence, or onset of a serious health condition of the employee or the employee's eligible family member with proper medical certification; or,

* Circumstances beyond the employee's control, such as: parent chooses to stay home with a newborn child who has a serious health condition; employee's spouse is unexpectedly transferred to a job location more than 75 miles from the employee's work-site; the employee is laid off while on leave.

Workers' Compensation and Short-Term Disability Benefits – Leaves taken under the Workers' Compensation Law or the Village's Short-Term Disability Policy may invoke the FMLA if the employee meets the eligibility criteria outlined in the eligibility section and the Village designates such leave as FMLA leave and properly notifies the employee of such designation. In accordance with the FMLA, if an employee has elected to receive workers' compensation benefits or short-term disability benefits, the Village cannot require the employee to substitute paid leave credits during this period of leave. If the workers' compensation leave or short-term disability leave has been properly designated as FMLA leave by the Village, it can be counted against the employee's FMLA leave.

In addition to leave provided under the Family and Medical Leave Act, employees may be eligible for a leave of absence pursuant to Civil Service Law Section 71. Section 71 provides that **covered** employees shall be entitled to a leave of absence for at least one cumulative year (unless found to be permanently disabled) when disabled due to an occupational injury or disease as defined in the Workers' Compensation Law. This leave runs concurrently with the designated Family and Medical Leave. Employees should consult with their Department Head for further details regarding this provision.

Return to Work – The following conditions for returning to work will apply:

- **Job Restoration** – At the conclusion of the leave of absence, (except for leaves beyond a one-year period) the employee, provided that the employee returns to work immediately following such leave, will be restored to the position the employee held when the leave began, or an equivalent position with equivalent benefits, pay and working conditions. For authorized leave of absences beyond the one-year period, job restoration will be dependent upon job availability, in accordance with Civil Service Law Sections 71, 72 and 73, as applicable, and the *Rules for the Classified Civil Service of Franklin County*.

- **Medical Statement** – Before resuming employment, an employee must submit a statement from the employee's health care provider indicating that the employee is able to return to work either with or without restrictions. The Village reserves the right to have the employee examined by a physician selected and paid for by the Village to determine the employee's fitness to return to work either with or without restrictions. Failure to return to work when required may be considered a voluntary termination.

- **Early Return** – An employee who intends to return to work earlier than anticipated must notify the Department Head at least five business days prior to the date the employee is able to return. The Department Head shall in turn notify the Village Manager.

610 Unpaid Leave of Absence

Policy Statement – Subject to the approval of the Village Board, unpaid leaves of absence other than under the Family and Medical Leave Policy may be available to an employee for personal reasons including, but not limited to, family responsibilities and education.

Request for Unpaid Leave – The employee must submit a request and the reasons for the leave, in writing, to the Village Manager at least thirty calendar days prior to planned commencement of the requested leave. Shorter notification may be permitted in cases of emergency. The Village Board has sole discretion in approving such leave.

Conditions of Leave – The Village Manager will specify the duration of an unpaid leave of absence and may impose such other terms, conditions and restrictions on the employee as deemed appropriate. The maximum duration of an unpaid leave of absence may not exceed six months.

Continuation of Benefits – An employee on an approved unpaid leave of absence may continue to be eligible for medical insurance coverage in accordance with COBRA.

Disability benefits and accruals for leave benefits shall be suspended.

Return to Work – An employee who fails to return from an unpaid leave of absence at the scheduled expiration date without giving proper notice or receiving proper authorization shall be conclusively presumed to have voluntarily resigned from employment.

Change in Status – If the reason for the unpaid leave of absence changes, the employee must return to work.

700 COMPENSATION

701 Wage and Salary

Rate of Pay – An employee's rate of pay will be established by the Village Board.

Merit Increases – An employee may receive a pay increase based upon the employee's past performance. The merit increase will be granted at the discretion of the Village Board.

Longevity Recognition – A non-union employee will receive a longevity pay increment in accordance with the longevity provision set forth in the SEIU collective bargaining agreement.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Wage and Salary provisions set forth above and should refer to the applicable collective bargaining agreement.

702 Overtime

Authorization – A Department Head may require an employee to work additional hours beyond the employee's normal workday and workweek. An employee must receive prior approval from the employee's Department Head or supervisor before working additional hours. An employee is not entitled to overtime pay for additional hours worked without proper authorization.

~~**FLSA Exempt Employees** – In accordance with the Fair Labor Standards Act, FLSA exempt employees will not be paid for overtime nor receive "compensatory time" for any hours worked in excess of the employee's normal workday or workweek.~~

Village Board Adopted Change July 7, 2010:
FLSA Exempt Employees – In accordance with the Fair Labor Standards Act, FLSA exempt employees will not be paid for overtime. However these employees will be entitled to accrue up to 80 hours of "compensatory time"; this time will be earned on an hour-for-hour basis, and will not exceed a total of 80 hours. Under no circumstances will the compensatory time be paid in cash.

FLSA Non-Exempt Employees – In accordance with the Fair Labor Standards Act, an FLSA non-exempt employee will be paid one and one-half times the employee's regular hourly rate of pay for all authorized time worked over forty hours in a given workweek.

Union Employees – An employee who is a member of a collective bargaining unit shall receive overtime compensation in accordance with the overtime provision of the applicable collective bargaining agreement and is also subject to the provisions of the FLSA.

703 *Pay Period and Check Distribution*

Payroll Period – Normally, employees are paid on a bi-weekly basis. An employee's paycheck will be based on the amount earned during the preceding payroll period.

Payday – Under normal circumstances, paychecks will be issued on a Friday.

Direct Deposit – The Village provides a direct deposit option for employees. If elected, the paycheck will be deposited directly into the employee's account at the designated financial institution. The employee must submit a signed, written authorization for direct deposit to the Village Treasurer. There is no guarantee that the funds from the direct deposit will be available in the employee's bank account at the same time as the distribution of paychecks to other employees not choosing the direct deposit option. The Village will not be responsible for any lag time necessary for the implementation and processing by a bank to the employee's individual account for direct deposit. The employee is responsible for checking with the bank as to the availability of direct deposit funds.

Authorized Check Release – The Village will not release a paycheck to anyone other than the employee unless the employee has submitted a signed, written authorization with the Village Treasurer.

Administrative Pay Corrections – The Village takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Village so that corrections can be made as quickly as possible.

If an underpayment is identified, it will be corrected in the next regular paycheck. Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the Village will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

704 *Payroll Deductions*

Statutory Deductions – The required portion of an employee's pay for federal and state taxes, and any other deduction required by law, will be deducted from the employee's paycheck. Such deductions will be noted on the paycheck.

Voluntary Deductions – Payroll deductions provided through the Village's payroll system will be made from an employee's paycheck when authorized by the employee. Such deductions will be noted on the paycheck.

705 *Deferred Compensation Plan*

Summary – The Village of Saranac Lake has established a Deferred Compensation Plan whereby a portion of an employee's salary may be voluntarily withheld and invested. The money saved is paid out to the employee at a later date, generally during retirement years. Neither the deferred amount nor earnings on investments are subject to current Federal and State Income Taxes. Taxes become payable when the deferred income plus earnings are distributed to the employee, presumably at retirement when the tax bracket may be lower. A description of the plan may be obtained from the Village Office.

800 EMPLOYEE BENEFITS

801 Holidays

Designated Holidays – The Village of Saranac Lake will observe the following holidays:

1. New Year's Day	7. Columbus Day
2. Martin Luther King Day	8. Thanksgiving Day
3. Good Friday (½ day)	9. Day after Thanksgiving
4. Memorial Day	10. Christmas Day
5. Independence Day	11. The day before or the day after Christmas
6. Labor Day	

Eligibility – A full-time or part-time employee is eligible for holiday pay at the employee's regular rate of pay. A temporary or seasonal employee is not eligible for holiday pay. Holiday pay will be based upon the employee' scheduled hours on the day the holiday occurs.

Holiday Observance – In the event a designated holiday occurs on a Saturday, the holiday will be observed on the preceding Friday. In the event a designated holiday occurs on a Sunday, the holiday will be observed on the following Monday. If a holiday occurs on an unscheduled day during Highway Department summer hours, the Highway Superintendent will designate an alternate day off for department employees.

Holiday Pay Requirement – Unless otherwise authorized, an FLSA non-exempt employee must work the employee's scheduled workday before <u>and</u> the employee's scheduled workday after a designated holiday in order to receive holiday pay.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the <u>Holidays</u> provisions set forth above and should refer to the applicable collective bargaining agreement.

802 *Vacation Leave*

Eligibility – A full-time or part-time employee is eligible for paid vacation leave in accordance with this policy. A temporary or seasonal employee is not eligible for paid vacation leave but may be allowed to take time-off without pay provided the employee has prior approval from the Department Head.

Scheduling – An employee must submit a written request at least 48 hours in advance and receive prior approval from the employee's Department Head to take vacation leave. Vacation leave credits may not be used in increments of less than one hour. The Department Head will have total discretion in the approval of vacation leave. Each employee with at least one year of service must take a minimum of five days of vacation leave each year providing the employee has the accrued time available.

Allowance – An eligible employee will be credited with paid vacation leave in accordance with the vacation schedule below~~. An employee may take vacation leave only after it has been credited, which will occur on the employee's anniversary date of employment.~~

After Completion Of:	Vacation Leave
One year of continuous service	80 hours
Five years of continuous service	120 hours
Ten years of continuous service	160 hours

Village Board Adopted Change July 7, 2010:
Wording:
Allowance – An eligible employee will be credited vacation time on an accrual basis beginning at the time of hire. Note: This suggestion is based upon the ability for the village to negotiate with mid and higher level administration and keep them competitive in negotiations.

Continuous Service – Continuous Service shall mean uninterrupted service. An authorized leave of absence without pay, or a resignation followed by reinstatement within six months following such resignation, shall not constitute an interruption of continuous service. However, the duration of the absence from work without pay will be excluded from the computation of length of continuous service. Vacation is earned only for monthly pay periods during which an employee is in full pay status for at least fifteen working days during such monthly pay period.

Accumulation – An employee hired prior to 6/1/85 may accumulate vacation leave credits to a maximum of 1,040 hours. An employee hired on or after 6/1/85 may accumulate vacation leave credits to a maximum of 320 hours.

Village Board Adopted Change June 27, 2011:
In-Lieu of Vacation Payment – An eligible employee may receive cash payment for up to ~~ten~~ twenty days of unused vacation leave credits to which the employee is properly entitled at the employee's then current rate of pay. To be eligible for the "in-lieu of" payment, the employee must have used, or be scheduled to use, at least 40 hours of vacation during the employee's anniversary year. The employee must submit the request by March 1 on the proper form. Payment will be made in the first pay period of October.

Holiday During Scheduled Vacation – In the event a designated holiday occurs on an employee's normal workday and the employee is on paid vacation, the employee will receive holiday pay for the day and the employee's vacation leave credits will not be charged for that day.

Donations of Leave Time to Others – An employee may donate up to forty hours of vacation, personal, or sick leave to another employee who has an emergency situation. Such donations require approval from each employee's Department Head and the Village Manager. . The amount of leave time donated shall not exceed 50% of that available in the leave balance(s), and/or reduce sick leave balance below 40 hours, of the donating employee.

Village Board Adopted Change July 7, 2010:
Separation of Employment – An employee who resigns, retires or is laid off will receive cash payment for unused vacation leave to which the employee is properly entitled at the employee's then current rate of pay. To be eligible to receive this payment, an employee who is to resign or retire must give written notice at least two weeks in advance of the last day of employment. ~~In the event an employee leaves employment due to disciplinary action, the employee will not receive a settlement for unused vacation leave.~~ In cases of the death of an employee, the Village will pay an employee's designated beneficiary for any unused vacation leave.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Vacation Leave provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

803 Sick Leave

Eligibility – A full-time employee is eligible for paid sick leave in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid sick leave.

Allowance – A full-time employee will be credited with eight (8) hours of paid sick leave each month. The employee will be credited on the first day of the month after the sick leave has been earned. Sick leave is based on the average number of hours an employee is normally scheduled to work each week.

New Employee – All new employees must complete three consecutive months of service before becoming eligible for sick leave.

Accrual During Leaves of Absence – An employee will be credited with sick leave credits while on a paid leave of absence, but not while on an unpaid leave of absence.

Notification of Sick Leave – In the event an employee must take sick leave, the employee must notify the Department Head prior to the employee's scheduled reporting time. The notification must be made personally to the Department Head, unless the Department Head authorizes the use of an answering device for this purpose. Unless an extended sick leave absence has been authorized, the employee must notify the employee's Department Head each day of the absence. These procedures must be followed to receive paid sick leave.

Proper Use of Sick Leave – Sick leave is provided to protect an employee against financial hardship during an illness, injury, or medical procedure. An employee may use sick leave credits for a personal illness, injury, or medical procedure that inhibits the employee's work, or to attend medical and dental appointments. Sick leave credits may not be used in increments of less than one-half (½) hour. An employee may take sick leave only after it has been credited.

Family Sick Leave – An employee may use up to three days of sick leave credits annually for family illness or injury if the employee must provide direct care to an immediate family member. Such leave will be subtracted from the employee's accumulated sick leave credits. For purpose of family sick leave, "immediate family member" will mean the employee's parent, spouse or child, including step-child and foster child.

Accumulation – An employee may accumulate sick leave credits to a maximum of 1,320 hours.

Medical Verification – The Village may require medical verification of an employee's absence if the Village perceives the employee is abusing sick leave, or has used an excess amount of sick leave, or when an employee is absent for more than three consecutive workdays due to an illness or injury. If an employee is on an authorized leave of absence, the provisions of the Family and Medical Leave Policy in this Employee Handbook shall apply.

Abuse of Sick Leave – An employee who, after investigation, is found to have abused the use of sick leave or falsifies supporting documentation, will be subject to disciplinary action.

Sick Leave Incentive – In the event an eligible employee does not take any sick leave during a four-month period (specifically April 1 through July 31, August 1 through November 30, and December 1 through March 31), the employee will be granted one day for each four months without sick days. This day or days can be taken as pay in December or it can be taken vacation time. The sick leave incentive check shall be issued no later than December 13.

Sick Leave Credits Upon Retirement – The Village Board has elected to provide §41(j) of the NYS Retirement and Social Security Law and allows credit for up to one hundred sixty-five (165) days of accumulated sick leave at the time of retirement. To be eligible, an employee must retire directly from covered employment or within one year of leaving covered employment. The additional service credit is determined by dividing the total unused, unpaid sick leave days (not to exceed 165 days) by 260. For example: 130 unpaid sick leave days ÷ 260 = .50 or 6 months additional service credit.

A retiring employee may request cash payment for up to 25% of unused sick leave credits. If the employee is paid for a portion of the total accumulated sick leave credits, only the remaining unpaid portion will be used to increase the employee's service credit at retirement under §41(j).

Separation of Employment – An employee whose employment with the Village is terminated for any reason other than retirement will not receive cash payment for unused sick leave.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Sick Leave provisions set forth immediately above, **except** for Proper Use of Sick Leave, Medical Verification, and Abuse of Sick Leave, and should refer to the applicable collective bargaining agreement.

804 *Personal Leave*

Eligibility – A full-time employee is eligible for paid personal leave in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid personal leave.

Allowance – An eligible employee will be credited with the equivalent of twenty-four (24) hours of paid personal leave per year. The leave will be credited on June 1 of each year. A newly hired employee will be credited with a prorated amount of personal leave upon hire, based upon the amount of time remaining in the fiscal year. An employee may take personal leave only after it has been credited.

Proper Use of Personal Leave – An employee may use personal leave credits to conduct personal business which cannot be conducted outside of normal working hours, non-emergency medical and dental appointments, and for personal emergencies. In no event may personal leave credits be used on the scheduled workday immediately prior to or following a holiday or vacation; in lieu of sick leave or other leaves of absences, except to extend bereavement leave. Personal leave credits may not be used in increments of less than one-quarter (¼) hour.

Scheduling – An employee must provide at least twenty-four (24) hours advance notice and receive prior approval from the employee's Department Head to take personal leave. The Department Head will have total discretion in the approval of personal leave.

Accumulation – Personal leave can be accumulated to a maximum of forty-eight (48) hours.

Proposed wording:
Separation of Employment – An employee who resigns, retires or is laid off will receive cash payment for unused personal leave to which the employee is properly entitled at the employee's then current rate of pay. To be eligible to receive this payment, an employee who is to resign or retire must give written notice at least two weeks in advance of the last day of employment. ~~In the event an employee leaves employment due to disciplinary action, the employee will not receive a settlement for unused personal leave.~~

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Personal Leave provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

805 *Disclosure of Insurance Benefits*

Summary – The following is a brief description of the insurance benefits currently offered by the Village to eligible employees. Eligibility for benefits is dependent upon a variety of factors, including employment classification and length of service. The description of the benefits provided is only an overview. The plan documents or specific government regulation provide a full description of the specific benefit.

Plan Administrator – The Village Clerk serves as the Administrator of the Village's benefits plans. The Administrator is responsible for all communications and disclosures concerning Village benefits and is available to answer questions concerning the benefit plans. A description of each of the plans may be obtained from the Administrative Assistant.

Plan Documents – Benefits are administered according to applicable government regulation, benefit plan documents, insurance carrier master policy, or Village policy. Should there be a discrepancy between the information presented in this Employee Handbook and the benefit plan document, the Village Board has the discretionary authority to determine eligibility for benefits and to interpret the plan's terms. The Village Board is responsible for compliance with all applicable laws and regulations. The Village Board may, at its discretion, change carriers and/or offer alternative insurance plans for non-union employees. Changes in carriers and/or plans for union employees shall be in accordance with collective bargaining negotiations and/or procedures.

Changes in Benefits – Any benefit offered by the Village to non-union employees or Elected Officials is subject to change or discontinuance by resolution of the Village Board. Changes in benefits for union employees shall be in accordance with collective bargaining negotiations and/or procedures.

Waiver of Benefits – An employee who is eligible to participate in any of the available insurance plans but who elects not to participate must sign an appropriate waiver of enrollment form.

Enrollment Information – The Village Clerk will provide the employee with the enrollment forms and assist with the administrative and operational aspects of the various insurance plans. Enrollment in a benefit plan is not automatic. Employees must complete the appropriate enrollment forms and applicable payroll deduction authorizations in order to receive benefits.

Changes in Status – Employees whose status changes from full-time to part-time are notified of the changes to their Village benefits. This notification contains all legally mandated information regarding applicable benefits, including COBRA health insurance continuation. An employee must immediately notify the Village Clerk in the event that the employee has a change in marital or family status that may affect coverage, such as marriage, divorce, legal separation, death of a spouse or dependent, acquiring or losing a dependent, changes in address.

Beneficiary – Under some of the Village's benefit plans, each employee must designate a beneficiary for the employee's death benefits. This designation must be made in writing and on the form provided by the plan Administrator.

806 *Medical Insurance*

Eligibility – The Village currently offers medical insurance coverage to each full-time employee and their eligible family members. A part-time, temporary, or seasonal employee is not eligible for medical insurance coverage. When more than one family member works as an employee for the Village, each employee will be covered only once under the Village's medical insurance plan.

When Coverage Begins – Coverage will begin on the first day of the month following completion of ~~three months~~ of service, provided all eligibility requirements of the insurance plan are met.

Village Board Adopted Change October 15, 2013
When Coverage Begins – Coverage will begin on the first day of the month following completion of ***the first day of the month following 60 days of service***, provided all eligibility requirements of the insurance plan are met.

When Coverage Ends – Coverage ends on the last day of the month in which the employee separates from employment. Coverage may continue for such eligible employees in accordance with COBRA regulations.

Premium Payment – The Village will pay 80% of the premium for individual or family medical insurance coverage, as the case may be, for each eligible employee. The remaining 20% of the premium must be paid by the employee through payroll deductions.

Section 125 – Any medical insurance contribution premiums paid by an employee may be deducted on a pre-tax basis in accordance with IRS Section 125. Deductions are taken from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net take-home pay.

Changes in Premium Contributions – The amount of the insurance premium an employee or Elected Official is required to contribute is subject to change by resolution of the Village Board. The Village Board will provide a two-month written notice of such change.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Medical Insurance provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

807 *Medical Insurance Buy-out*

Eligibility – A full-time employee who is eligible for medical insurance coverage made available through the Village may receive a cash buy-out in lieu of receiving medical insurance benefits. To be eligible for the medical insurance buy-out, the employee must provide documentation of comparable medical insurance coverage in a manner and form to be determined by the Village and sign an appropriate waiver of medical insurance coverage and waiver of liability to the Village. The medical insurance buyout is not applicable in a situation in which two employees are married or in a family relationship that makes both eligible for coverage under the same medical insurance plan.

Payment – ~~An employee who is eligible for the medical insurance buy-out will receive a cash benefit equivalent to one-half (½) of the premium contribution, for individual, two person, or family medical insurance coverage as the case may be, which the Village would otherwise pay on behalf of the employee.~~ The cash benefit is in addition to the compensation and/or salary to which the employee is otherwise entitled; as such it will be treated as part of the employee's gross income and will be subject to the appropriate withholding for income and payroll tax purposes. One-half (½) of the cash benefit will be payable in the second payroll of November and one-half (½) will payable in the second payroll of May for the period of time the employee has declined and waived medical insurance provided by the Village.-Both payments are calculated pro-rated based on the number of months of eligibility for the proceeding six (6) months (starting with the month in which the payment is made).
Village Board Adopted Change 4-25-2011 effective June 1, 2011:
Payment for Medical Insurance Buyout: Single Person Coverage:$1,000,
Two Person Coverage: $2,000, Family Coverage:$3,000

Reinstatement – In the event the employee loses coverage under the alternate insurance plan, the employee may resume coverage under a medical insurance plan made available through the Village. Coverage will become effective in accordance with the provisions specified in the plan documents, provided that the employee meets all eligibility requirements of the insurance plan.

Changes – This policy may be changed or eliminated at any time by resolution of the Village Board.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Medical Insurance Buy-out provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

808 *Dental Plan*

Eligibility – The Village currently offers a dental plan to each full-time employee. A part-time, temporary or seasonal employee is not eligible for this plan.

When Coverage Begins – Coverage will begin on the first day of the month following the completion of three months of employment, provided the employee meets all eligibility requirements of the dental plan.

Employee Premium Contribution – The Village will pay the full premium for an individual dental plan. If an employee elects a family dental plan, the difference in the cost between the two plans will be deducted from the employee's regular paycheck.

Changes in Premium Contributions – The amount of the insurance premium an employee is required to contribute is subject to change by resolution of the Village Board. The Village Board will provide a two-month written notice of such change.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Dental Plan provisions set forth immediately above and should refer to the applicable collective bargaining agreement.

809 *Continuation of Health Insurance Benefits (COBRA/NYS Continuation Coverage)*

Summary – The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) offers "qualified beneficiaries" the right to continue existing health insurance coverage, completely at their own expense, under certain qualifying conditions. **All required premiums and administrative fees must be paid in a timely manner in order for coverage to continue.**

NYS Continuation Coverage – For purposes of this policy, references to COBRA will be considered to incorporate the requirements for "Continuation Coverage" set forth in NYS Insurance Law, which provides enhancements over and above the provisions of COBRA.

Eligibility – An individual is a "qualified beneficiary" if the individual is covered under a group health plan on the day before a qualifying event as either a covered employee, the spouse of a covered employee, or a dependent child of a covered employee. A child who is either born to or who is placed for adoption with the covered employee during a period of COBRA coverage is also a "qualified beneficiary" entitled to COBRA coverage.

Period of Coverage – COBRA coverage is in effect for a period of **up to thirty-six months**, following any qualifying event. The COBRA requirements do not put any limit on the number of times a qualified beneficiary may be entitled to COBRA continuation coverage.

Qualifying Events – If a qualified beneficiary loses coverage under a group health plan as a result of a "qualifying event," the qualified beneficiary is entitled by COBRA to the continuation of group health insurance coverage at the qualified beneficiary's own expense. Any of the following circumstances are considered to be qualifying events:

- Termination of the covered employee's employment for any reason except gross misconduct, or the covered employee's loss of eligibility to participate due to reduced work hours.
- When a covered employee is on a leave of absence due to military service obligations.
- Death of a covered employee.
- Divorce or legal separation from a covered employee.
- A covered dependent ceases to be a "dependent child" under the health insurance plan.
- A covered dependent child's loss of eligibility to participate in the insurance plan due to the covered employee becoming covered by Medicare as a result of total disability or choosing Medicare in place of the insurance plan at age sixty-five.

Change in Beneficiary Status – An employee must notify the Village within sixty calendar days of a legal separation or divorce or when a dependent is no longer eligible for insurance due to the age limitations or educational status requirements established by the insurance plan. The Village will not be responsible for any loss of coverage resulting from failure by the employee to give notification of such an event.

Enrollment Information – The Administrative Assistant will provide the employee with the enrollment forms and assist with the administrative and operational aspects of COBRA. **Enrollment is not automatic. The employee must complete the necessary enrollment forms and return all COBRA forms to the Administrative Assistant within the time indicated**. If the required forms or premium payments are not received at the time specified, medical insurance coverage will cease.

810 Optional Insurance

Summary – The Village may make available optional life, dental, disability, cancer, accidental, or other forms of insurance. The full cost of such insurance shall be borne by the employee, the premiums of which may be voluntarily withheld from the employee's paycheck. Please contact the Administrative Assistant for further information on optional insurance plans.

811 Section 125 Plan

Summary – The Village of Saranac Lake offers eligible employees the opportunity to participate in a Village-sponsored Section 125 plan. The benefit of participating in the Section 125 plan is that an employee's contributions to the plan are deducted from the employee's paycheck before federal, state, and social security taxes are calculated. This reduces the employee's taxable income and increases net take-home pay. The options offered under this plan are shown below.

Eligibility – A full-time employee is eligible to participate in this plan. A part-time, temporary or seasonal employee may not participate in this plan.

Flexible Spending Accounts – An employee may elect to have a pre-determined amount deducted from the employee's paycheck on a pre-tax basis each payroll period to be placed in a medical and/or dependent care flexible spending account (FSA). Money set aside in an employee's medical savings account may be used to cover certain health, dental, and vision care expenses that are not reimbursable through the employee's insurance plan(s). Money set aside in an employee's dependent care savings account may be used to cover eligible day care and nursery school expenses for covered dependents. Further details regarding this plan may be obtained from the Administrative Assistant.

Pre-Tax Insurance Premiums – An employee may elect to pay the employee portion of the medical insurance premiums with pre-tax dollars.

812 *Short-Term Disability Benefits*

Eligibility – A full-time employee is currently provided with short-term disability coverage in accordance with this policy. A part-time, temporary, or seasonal employee is not eligible for paid short-term disability coverage. This benefit is to supplement loss of time from work due to a qualified non-job related illness or injury.

Summary - The Village currently offers a short-term disability plan for non-job-related injuries or illnesses that meets the minimum requirements of New York State Disability Insurance. The insurance company makes the determination of whether an employee is eligible for short-term disability benefits. Disability payments will be in accordance with the terms of the policy. The duration of disability benefits is dependent upon a physician's certification and consistent with the terms of the policy. Benefits generally start with the eighth day of the disability and may continue up to a maximum of twenty-six weeks. An employee generally receives 50% of the employee's average weekly wages based on the previous eight weeks of employment, up to a maximum of $170 per week. There is no coverage for medical care.

When Coverage Begins – Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Premium Payment – Employees contribute a small amount, as specified by the Village Board, towards short-term disability coverage. The remaining portion is paid by the Village.

Reporting of Illness or Injury – The employee must submit a written report of the illness or injury on the proper application form to the employee's Department Head and the Administrative Assistant within twenty-four hours of the occurrence. The Administrative Assistant will provide the employee with the necessary forms. Proper medical certification will be required and must be submitted with the application form.

Use of Sick Leave Credits – An employee may draw from the employee's sick leave credits in conjunction with disability payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage – The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave Policy in this Employee Handbook.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Short-Term Disability Benefits provision set forth immediately above, and should refer to the applicable collective bargaining agreement.

813 *Workers' Compensation Benefits*

Coverage – The Village will make available Workers' Compensation benefits, including payment of medical costs and replacement of lost wages up to the regulated maximum, to each eligible employee who suffers an accidental injury arising out of and in the course of employment, as determined by the Workers' Compensation Board. Eligibility for coverage is determined by applicable Workers' Compensation regulations.

When Coverage Begins – Coverage will begin on the employee's first day of employment, provided the employee meets all eligibility requirements.

Premium Payment – The Village will pay the full premium for Workers' Compensation coverage for each eligible employee.

Reporting of Injury – The employee must report any accidental injury arising out of and in the course of employment to the Department Head immediately after the occurrence of the injury. The Department Head will notify the Administrative Assistant who will complete and submit the required forms.

Use of Sick Leave Credits – An employee may draw from the employee's sick leave credits in conjunction with Workers' Compensation payments to equal, but not exceed, the employee's regular daily rate of pay.

Medical Insurance Coverage – The Village will continue medical insurance coverage for the employee in accordance with the provisions of the Family and Medical Leave Policy in this Employee Handbook.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Use of Sick Leave Credits provision set forth immediately above, and should refer to the applicable collective bargaining agreement.

814 *Unemployment Benefits*

Coverage – The Village will make available unemployment benefits to each employee ruled eligible for benefits under New York State labor law.

815 *Social Security*

Summary – Social Security benefits are available for retirement, survivor's benefits, and medical costs under qualifying conditions, as determined by the Federal Social Security Administration Office. Employee contributions to Social Security (FICA) are matched by the Village.

816 *The New York State Employees' Retirement System*

Summary – The Village will make available the New York State Employees' Retirement System pension plan to each eligible employee and Elected Official. An employee or Elected Official is eligible for service retirement benefits after five years of creditable public sector service. In the event an employee or Elected Official leaves after five years of service but prior to retirement age, such employee Elected Official may receive a benefit at retirement age related to those years as a public sector employee or Elected Official.

Mandatory Membership – A full-time employee who began employment with the State of New York or with a participating employer, on or after July 27, 1976, must join the Retirement System. An employee who is appointed to a permanent, full-time position on a probationary basis must join the Retirement System on the effective date of the probationary appointment. Employment is considered full-time unless:

- The employee works less than thirty hours per week, or less than the standard number of hours for full-time employment as established by the employer for this position; or
- The annual compensation for the position is less than the State's minimum wage multiplied by 2,000 hours; or
- Duration of employment is for less than one year or employment is on a less than a 12 month per year basis; or
- The position is either provisional or temporary under Civil Service Law.

Optional Membership – An employee or Elected Official who is not mandated to join may join the Retirement System. Such employee or Elected Official will be informed, in writing, that the employee or Elected Official may join the Retirement System and will acknowledge receipt of such notice by signing a copy thereof and returning it to the Administrative Assistant. If the employee or Elected Official elects to join the Retirement System, the employee or Elected Official must complete the application form and return it to the Administrative Assistant.

Waiver of Enrollment – An employee who is not mandated to join the Retirement System, and who chooses <u>not</u> to join, must complete a waiver of enrollment form.

817 *Police and Fire Retirement System*

Summary – The Police and Fire Retirement System covers all sworn personnel in the Police Department. All full-time and part-time police officers must become members of the Police and Fire Retirement System effective on the first day of employment, unless otherwise excepted in accordance with the provisions of that plan.

818 Education Assistance

Eligible Expenses – Upon proper authorization of the Village Board, a full-time employee may be reimbursed for the cost of job related schooling or training. The criteria for obtaining payment is as follows:

- A request which specifies the type and purpose of the schooling or training must be made in writing to the employee's Department Head.
- Village Board approval must be obtained before enrolling.
- Schooling/training must be job related.
- Payment for the course will be processed upon successful completion (either grade or signed statement from instructor or company representative).
- Instruction manuals will be paid for if they cannot be obtained otherwise.
- Schooling/training must be taken on the employee's own time, not to be paid for by the Village, or if during working hours, the time must be made up unless permission is specifically granted to use Village time.

Civil Service tests are to be taken on the employee's own time. If the test is given on a regular work day, a request for time off should be made to the employee's supervisor well in advance. Vacation or personal time may be used for this purpose.

Employment Commitment – Any employee receiving schooling/training paid for by the Village must agree to remain in Village employment for a specified period of time related to the nature of the course taken or to reimburse the Village for training expenses on a prorated basis.

Union Employees – An employee who is a member of a collective bargaining unit is not covered by the Education Assistance provision set forth above, and should refer to the applicable collective bargaining agreement.

900 COMPLIANCE POLICIES

901 Equal Employment Opportunity

Policy Statement – The Village of Saranac Lake is an Equal Opportunity Employer. The Village does not unlawfully discriminate on the basis of race, religion, color, sex, age, national origin, citizenship, disability, marital status, pregnancy, application to or present membership in the uniformed services, veteran status, arrest or conviction record, genetic predisposition or carrier status, sexual orientation, or any other protected class or status. Likewise, the Village prohibits employees, Elected Officials, vendors, suppliers, visitors, customers, and any other non-employee from discriminating against Village employees based on these protected groups. Discrimination based on any of the above is strictly prohibited. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, compensation, promotion, transfer, training, leave of absence, and termination.

Notification of Policy Violations – An employee should immediately report any perceived violation of this policy to the employee's Department Head. In the event the employee is unable to discuss this matter with the Department Head, the complaint should be reported in writing to the Village Manager, the Mayor, or any member of the Village Board. All complaints of discrimination will be investigated discreetly and promptly. An employee who reports discrimination will not suffer adverse employment consequences as a result of making the complaint.

Application of Policy – This policy is for Village use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

902 *The Americans with Disabilities Act*

Policy Statement – It is the policy of the Village of Saranac Lake to comply fully with the provisions and spirit of the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer-sponsored activities, including recreational or social programs, will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit unlawful discrimination based on a person's relationship or association with a disabled individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

Reasonable Accommodation – Reasonable accommodation is available to all qualified employees and applicants with disabilities, unless it imposes an undue hardship on the Village and/or operations of a program. The Village may require medical documentation or other information necessary to verify the existence of the disability and the need for accommodation. Following receipt of an accommodation request, the Village will meet with the requestor to discuss and identify the precise limitations resulting from the disability and the potential accommodation(s) that the Village might make to help overcome those limitations.

The Village will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodations(s), and the accommodation's impact on Village operations.

Pre-Employment Inquiries – Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position and not any disabling condition. Pre-employment physical exams will only be requested when in compliance with the law. The Village of Saranac Lake intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

Notification of Policy Violations – An employee should immediately report any perceived violation of this policy to the employee's Department Head. In the event the employee is unable to discuss this matter with the Department Head, the complaint should be reported in writing to the Village Manager, the Mayor, or any member of the Village Board. All complaints of possible violations will be investigated discreetly and promptly. An employee who reports a possible violation will not suffer adverse employment consequences as a result of making the complaint. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

Application of Policy – This policy is for Village use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Village administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

903 *Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace*

Policy Statement – It is the policy of the Village of Saranac Lake to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Village of Saranac Lake is committed to educate employees in the recognition and prevention of workplace harassment, including sexual harassment, and to provide an effective means of eliminating such harassment from the workplace. Any conduct that discriminates against, denigrates or shows hostility or aversion towards a person on the basis of gender, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic predisposition, sexual orientation, or any other protected status is strictly prohibited. In short, the Village will not tolerate any form of harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such harassment the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of harassment, including sexual harassment, without any risk of repercussion to an employee who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, whether elected or appointed and regardless of compensation level, and all personnel in a contractual relationship with the Village. Depending on the extent of the Village's exercise of control, this policy may be applied to the conduct of non-Village employees with respect to harassment of Village employees in the workplace.

Supervisory Responsibility – Department Heads and supervisory personnel are responsible for ensuring a work environment that is free from harassment including sexual harassment. Supervisors must take immediate and appropriate corrective action when instances of harassment come to their attention in order to assure compliance with this policy.

Prohibited Activity – No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national origin, or any other protected status either directly or indirectly to another person. Employees shall not produce offensive or inappropriate written materials (e.g. letters, email messages, or graffiti.) These are examples of harassment that are a prohibited form of discrimination under State and Federal employment law and also considered misconduct subject to disciplinary action by the Village; it is not intended to be a comprehensive list and does not limit the Village's ability to take disciplinary action in other appropriate instances.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; OR

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness or creates an intimidating, hostile or offensive working environment. Exposure to such conduct that serves to alter the terms and conditions of employment is prohibited by this policy and state and federal law.

Forms of Sexual Harassment – Specific forms of behavior that the Village of Saranac Lake considers sexual harassment and which are prohibited include, but are not limited to, the following:

- Quid pro quo threats or promises by a supervisor (loss of job or promise of job, promotion, or other employment benefit).

- Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, sexual slurs, suggestive, derogatory, insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.

- Sexually oriented comments about an employee's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.

- Any sexual advance that is unwelcome or any demand for sexual favors.

- Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit objects or pictures, graphic commentaries, leering or obscene gestures in the workplace such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

- Physical contact of any kind which is not welcome, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

Reporting of Harassment (including Sexual Harassment) – Employees are encouraged to report incidents of harassment (including sexual harassment) to their Department Head and/or Village Manager as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, the report should be made directly to the Village Manager. If the Village Manager is the source of the alleged harassment, the employee should report the problem to the Mayor or any Village Board member. Employees who believe they have been harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board at home if these individuals do not work during the employee's shift.

Workplace Harassment (including Sexual Harassment) Complaint Form – To ensure that all harassment complaints are managed appropriately, effectively and in accordance with the Village's policy, harassment complaints, including sexual harassment complaints, will be recorded in writing by using the Village sanctioned *Workplace Harassment Complaint Form.* These forms can be obtained from the Village Manager's Office. If needed, additional guidance can be obtained from the Village Manager's Office.

Confidentiality – Complaints of harassment will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Village to third parties or to anyone within the Village employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Investigation of Complaint – The Village Manager will determine the appropriate individual(s) to conduct the investigation. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. Any complaints received will be investigated promptly, thoroughly, and in as impartial a manner as possible. All employees are required to cooperate in an investigation, if so directed.

Employee or Elected Official Defense – Any employee or Elected Official charged with sexual harassment will be afforded a full and fair opportunity to offer and present information in their defense. Such information will be confidential to the extent possible.

Employee Rights – Nothing in this policy should be construed as in any way limiting employees' rights to use the Dispute Resolution Procedure as described in the Village of Saranac Lake Employee Handbook or any grievance procedure contained in a collective bargaining agreement. Employees also have the right to file a formal complaint with appropriate state or federal agencies responsible for administering anti-discrimination laws.

Disciplinary Action – Any employee or official who is found to have committed an act of workplace harassment including sexual harassment will be subject to disciplinary action, up to and including termination of employment, as provided by Village operating procedures including Civil Service Law Section 75 or the disciplinary procedures contained in a collective bargaining agreement, whichever is applicable. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

Prohibition Against Retaliation – Intimidation, coercion, threats, reprisal or discrimination against any employee who in good faith brings a written or verbal complaint or who assists or aids in the investigation of such a complaint is prohibited. Any employee who participates in the procedure may do so without fear of retaliation. Retaliation against any employee who has filed a discrimination or harassment complaint is prohibited and may result in disciplinary action up to and including termination of employment.

904 *Violence in the Workplace*

Policy Statement – The Village of Saranac Lake is committed to providing its employees with a work environment that is safe, secure, and free from violence. The Village also considers the safety of its residents, vendors, contractors, and the general public (collectively referred to as "visitors") to be of paramount importance and strives to provide them the same type of protections while on Village property. Implementation of this policy will include compliance with the NYS Workplace Violence Prevention Act in accordance with NYS Labor Law Section 27-b.

Workplace Violence Prevention Program – In accordance with the New York State Workplace Violence Prevention Act, the Village of Saranac Lake has developed a Workplace Violence Prevention Program. As a part of this program, the Village conducted a comprehensive risk evaluation of the entire workplace and will conduct annual reviews to identify risk factors that may increase the likelihood of workplace violence and implement measures to minimize or eliminate these hazards. In order to achieve this goal, the Village encourages the participation and cooperation of employees and their authorized employee representative(s). A copy of the program is available from the Village Manager's Office.

Prohibited Conduct – The Village has zero tolerance for violence of any kind in the workplace, including but not limited to, physical assault (e.g., hitting, pushing), threatening or intimidating behavior, or verbal abuse or harassment. In addition, employees and visitors are prohibited from possessing firearms or weapons (e.g., guns, knives, explosives, and other items with the potential to inflict harm) in the workplace, even if licensed to carry the weapon. The only exceptions are law enforcement and authorized security personnel. An employee who has knowledge that a coworker or visitor possesses a weapon on Village property must report this to a Department Head or supervisor immediately.

For the purpose of this program, the workplace is defined as any location away from an employee's home, either permanent or temporary, where the employee performs any work-related duty in the course of employment. This includes, but is not limited to, Village-owned buildings and surrounding perimeters, parking lots, work sites, clients' homes, and traveling to and from work assignments.

Reporting Requirements – Any incident of workplace violence or imminent danger must be promptly reported as specified in the Workplace Violence Prevention Program.

Policy Violations – Violations of this policy will result in appropriate remedial, disciplinary, and/or legal action, according to the circumstances.

Prohibition Against Retaliation – An employee will not be subject to criticism, reprisal, retaliation, demotion, discrimination, disciplinary action, or other adverse employment action for making a good faith report of acts pursuant to this program.

905 *Drug-Free Workplace / Drug Free Awareness Program*

Policy Statement – It is the policy of the Village of Saranac Lake that the unlawful manufacture, distribution, dispensation, possession, or use of an illegal controlled substance as defined in the Federal Drug-Free Workplace Act, is prohibited on the job or at the workplace.

Coverage – The Village of Saranac Lake's Drug-Free Workplace Policy pertains to all individuals who are employed by the Village of Saranac Lake.

Compliance with Federal Drug-Free Workplace Act – The Federal Drug-Free Workplace Act of 1988 is applicable to all recipients of Federal grants. In order to receive federal funds, the Village must certify to the granting Federal agency that it will provide a drug-free workplace in accordance with the legislation. As a recipient of Federal grants, the Village hereby complies with the requirements of the Drug-Free Workplace Act by adopting this policy and drug-free awareness program:

Prohibited Conduct – No employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage, illegal drugs, or any other intoxicating substance, nor be under the influence of such, while on duty, at any job site or workplace, or in a Village vehicle, a vehicle leased for Village business, or a privately owned vehicle being used for Village business. An employee who, after investigation, is found to have violated this prohibition may be referred for counseling or rehabilitation and satisfactory treatment and will be subject to criminal, civil and disciplinary penalties, up to and including termination of employment. Any work-related accident or injury involving a Village vehicle, equipment, and/or property where it can be demonstrated that the use of alcohol, illegal drugs, or any other intoxicants may have been a contributing factor will result in disciplinary action which may include penalties up to and including termination of employment.

Use of Prescription and Over-the-Counter Drugs – Prescription drugs must be in the possession of the individual to whom the prescription was written, taken in the dosage prescribed, and maintained in their original containers. Employees in public safety or safety-sensitive positions must inform their supervisors of any prescription or legal, nonprescription (i.e., over-the-counter) drugs they are currently taking that could in any way affect or impair the employee's ability to perform the job safely. The legal use of prescribed and over-the-counter drugs is permitted on the job only if it does not impair an employee's ability to perform the job safely and if it does not affect the safety or well being of other individuals in the workplace.

Non-Discrimination Policy – The Village of Saranac Lake will not discriminate against an applicant or employee because of past substance abuse provided it can be demonstrated that the applicant/employee has received appropriate treatment and tests negative for controlled substance use. It is the current use of alcohol and controlled substances that will not be tolerated in the workplace.

Employee Assistance – It is the policy of the Village to work with an employee suffering from substance abuse so that the employee will receive assistance necessary to overcome dependency. An employee seeking such assistance is encouraged to contact the employee's Department Head to discuss the situation before problems begin to surface in the workplace. Any disclosures made by an employee will be treated as strictly confidential to the greatest extent practicable. The employee's decision to seek assistance will not be used as the basis for disciplinary action nor used against the employee in any disciplinary proceeding.

Employee Responsibilities – As a condition of the Village receiving Federal grant monies, each employee must abide by this policy and notify the employee's Department Head of any criminal drug statute conviction for a violation occurring in the workplace within five calendar days of the conviction.

Village Responsibilities – The Village will notify the granting federal agency within ten days after receiving notice from an employee of such a conviction or otherwise receiving actual notice of such conviction. In addition, within thirty calendar days of receiving notice of a conviction, the Village will take disciplinary action against the employee and/or require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program pursuant to Sections 702 and 703 of the Drug-Free Workplace Act.

Drug-Free Awareness Program – It is the policy of the Village of Saranac Lake to maintain a drug-free workplace. In accordance with that policy, the Village is providing the following drug-free awareness information to raise employee awareness of the dangers associated with drug abuse in the workplace.

Dangers of Drug Abuse in the Workplace

Employees with chemical dependence problems have a major negative impact on productivity, staff moral, and labor/management relations. Their hidden illness is responsible for:

1. Declining Performance

    - poor concentration
    - confusion in following directions
    - noticeable change in the quality of work
    - inability to meet deadlines
    - errors in judgment affecting the health and safety of others
    - customer complaints and injuries

2. Increased Costs

    - five times the average sick and accident benefits
    - higher job turnover, replacement and training costs
    - greater workers' compensation and health insurance payments
    - 3 to 5 times more on-the-job accidents
    - unemployment claims

3. Absenteeism and Tardiness

    - double the normal rate
    - repeatedly being late for work and often leaving early
    - extended lunch hours
    - frequent illness and accidents both on and off the job

4. Damaged Relationships

    - emotional outbursts, over-reaction to criticism, mood swings, complaints from co-workers, associates and the public often leading to damaged relations

906 *Controlled Substance and Alcohol Testing*

Statement of Compliance – The Village Board has adopted a Controlled Substance and Alcohol Testing Policy that is in compliance with the "Omnibus Transportation Employee Testing Act of 1991" (OTETA). The purpose of this policy is to reduce accidents resulting from an employee's use of controlled substances and alcohol, thus reducing fatalities, injuries and property damage.

Covered Employees – The Village's Controlled Substance and Alcohol Testing Policy applies to all covered drivers as defined by the federal regulations, which includes all employees who drive commercial motor vehicles (as defined in Sec. 382.107 of the OTETA) requiring a commercial driver's license to operate.

Acknowledgment Form – A covered employee will receive a written copy of the Controlled Substance and Alcohol Testing Policy and must sign an Employee Acknowledgment Form. This form will be placed in the employee's personnel file.

907 *Smoking*

Policy Statement – It is the policy of the Village to prohibit smoking or the use of tobacco products in the workplace, which includes all Village buildings and all Village vehicles.

1000 SAFETY

1001 Workplace Safety

Policy Statement – Prevention of injury and illness in the workplace requires the cooperation of all employees in all safety and health matters. It is the policy of the Village to reduce the number of workplace injuries and illnesses to an absolute minimum. Accidents can be prevented through use of reasonable precautions and the practice of safe working habits.

Employee Responsibility – In an effort to protect all employees and to safeguard equipment and property, before an employee begins a given task, it is the employee's responsibility to understand the correct operation and possible hazards involved, safety procedures, and necessary safety equipment required to perform the job.

Safety Program – The Village's safety program includes, but is not limited to, the following:

- Providing mechanical and physical safeguards to the maximum extent possible;
- Conducting inspections to find and eliminate unsafe working conditions and practices, control health hazards, and comply with the safety and health standards for every job;
- Training all employees in safety and health practices;
- Providing necessary personal protective equipment and instructions for its use and care;
- Developing and enforcing safety and health rules and requiring that employees cooperate with these rules as a condition of employment;
- Investigating, promptly and thoroughly, every accident to find the cause and correct the problem to prevent future occurrences;
- Providing First Aid kits and fire extinguishers throughout buildings and facilities.

Accident Plan – In the event of an accident, an employee must immediately stop work and take the following steps:

- Eliminate the immediate cause of the accident;
- Provide aid to the injured person and summon for assistance;
- Call the Department Head immediately;
- If the accident appears serious, call 911; and
- Take steps to prevent additional accidents.

Accident Reporting Procedures – In the event an accident occurs in the workplace or in the course of employment, the employee must immediately notify the Department Head who will in turn notify the Administrative Assistant. The Department Head must complete an *Employer's Report of Injury Form (C-2)* and submit it to the Administrative Assistant.

The Administrative Assistant will keep a log of the injury or illness for five years following the end of the calendar year to which it relates. A copy of this log, which includes totals and information for the year, must be posted in each department or areas where notices to employees are customarily posted.

1002 Hazard Communication Program

Statement of Compliance – The Village of Saranac Lake is committed to providing a safe and healthy work environment and complies with all Federal, State and local laws regarding hazard recognition, accident prevention, and working conditions. The Village considers Hazard Communication and the prevention of workplace injuries and illnesses to be of prime importance.

Guidelines – The following guidelines for the identification of chemical hazards and the preparation and proper use of containers, labels, placards, and other types of warning devices must be adhered to:

- **Chemical Inventory** – The Village must maintain an inventory of all known chemicals in use. An employee may obtain the chemical inventory from the employee's supervisor or Department Head.

- **Container Labels** – All chemicals on a work-site must be stored in the original or approved containers with the proper label attached. The Department Head must ensure that each container is labeled with the identity of the hazardous chemical contained and any appropriate hazard warnings. The Village will rely on manufacturer applied labels whenever possible. A container that is not labeled or on which the manufacturer's label has been removed, must be properly labeled. A container not properly labeled must be given to the Department Head for labeling or proper disposal.

- **Dispensing Chemicals** – An employee may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical leftover must be returned to the original container or to the Department Head for proper handling. No unmarked containers of any size are to be left in the work area unattended.

Material Safety Data Sheets (MSDS) – An employee working with a Hazardous Chemical shall obtain a copy of the Material Safety Data Sheet (MSDS) and a standard chemical reference from the employee's Department Head.

Employee Training – An employee must be trained to work safely with hazardous chemicals. This training program must cover the following areas:

- Methods used to detect the release of hazardous chemicals in the workplace;
- Physical and health hazards of chemicals and the measures used to protect employees;
- Safe work practices;
- Emergency responses to the exposure of hazardous chemicals;
- Proper use of personal protective equipment; and
- Hazard Communication Standards, including labeling and warning systems, and an explanation of the use of Material Safety Data Sheets.

Personal Protective Equipment (PPE) – Depending on job duties, an employee must routinely wear protective devices, such as gloves and safety glasses, as directed by the supervisor. An employee who is required to wear special safety equipment as directed by the supervisor must comply with the supervisor's request.

Emergency Response – Any incident of overexposure or spill of a hazardous chemical/substance must immediately be reported to the employee's supervisor. The supervisor must insure that proper emergency response actions are taken.

Hazards of Non-Routine Tasks – The Department Head must inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemicals. Review of safe work procedures and use of required PPE must be conducted prior to the start of these tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

1100 COMMUNICATION PROCEDURES

1101 Organizational Communications

Summary – The Village Board is committed to assuring effective communications between the Board and employees. The success of the organization is dependent upon a set of common interests and goals that are achieved through teamwork, sharing of ideas, and effective communications of our short-term and long-term plans. From time to time, information and updates will be distributed to employees. All employees are encouraged to discuss this information with their Department Head should there be any questions.

Methods of Communication – Information will be communicated to employees in a variety of ways, including general and departmental meetings, memos and other written correspondence, notices distributed with paychecks, and posting of information. Employees should check bulletin boards frequently to keep informed on changes in employment matters and other items of interest. Except as otherwise provided by a collective bargaining agreement, all material to be posted on bulletin boards, including memos and announcements, must have the prior approval of the appropriate Department Head.

1102 Adverse Communications

Policy Statement – An employee who receives any communication of a negative nature directed to the Village, or to any of its officers or employees in their official capacity, shall immediately notify and/or forward the communication to the appropriate Department Head. The term "communication" shall refer to both written and verbal communications, and includes, but is not limited to, memoranda, faxes, messages, letters, legal notices, e-mails, summonses and other communications.

1103 Suggestions

Policy Statement – Giving and receiving feedback is encouraged in order to promote a positive, productive, and cooperative atmosphere. Employees should notify their supervisor or Department Head of any suggestions which may be valuable to the Village's productivity and success. All suggestions will be carefully reviewed and may be implemented if feasible.

1104 Public Relations

Policy Statement – The courteous, professional treatment of members of the public by all employees helps to build confidence among the taxpayers we serve. We ask that all employees make every effort to represent the Village in a polite and professional manner.

1200 DISPUTE RESOLUTION

1201 Dispute Resolution Procedure

Policy Statement – The Village Board has established a set of procedures to provide for the orderly resolution of differences at the earliest possible stage and to promote a harmonious and cooperative relationship between employees, Department Heads and members of the Village Board which will enhance the overall operation of the Village. The Village will attempt to resolve all work-related complaints that are appropriate for handling under this policy.

Definition of Dispute – For the purpose of this Employee Handbook, a "dispute" will mean a claimed violation, misinterpretation or inequitable application of any of the provisions of this Employee Handbook. In addition, the term "dispute" shall not apply to any matter as to which the Village is without authority to act. A few examples of matters that may be considered appropriate disputes under this policy include:

- A belief that Village policies, practices, rules, regulations, or procedures have been applied in a manner detrimental to an employee;
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation;
- Alleged discrimination because of race, color, sex, age, religion, sexual orientation, national origin, marital status, disability; or any other protected class; and
- Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, salary, or seniority.

Step One – An employee who claims to have a dispute may present the dispute to the employee's Department Head. The dispute must be submitted, in writing, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge. The dispute will specify the date of submission, the name of the aggrieved employee, the date the dispute arose, the nature of the dispute, the provision of the Employee Handbook that was allegedly violated and a statement of facts, times, dates, and the remedy sought.

Within seven working days after receiving the dispute, the employee's Department Head will meet with the employee to discuss and attempt to resolve the matter.

Step Two – In the event the informal dispute is not resolved at Step One, or the employee reasonably believes that the employee cannot present the dispute to the employee's Department Head, the employee may submit the matter to the Village Manager. The dispute must be submitted, in writing, within seven working days from receiving the Step One response, or when the response should have been received or if Step One is not utilized for the above reason, within seven working days following knowledge of the event(s) which caused the dispute or when the employee should have had knowledge.

Within seven working days after receiving the dispute, the Village Manager will meet with the employee to discuss and attempt to resolve the matter. Within seven working days from the meeting, the Village Manager will issue a written response.

Step Three – In the event the employee is not satisfied with the response at Step Two, the employee may submit the matter to the full Village Board by filing a Request for Hearing with the Village Clerk. The Request for Hearing must be submitted, in writing, within seven working days from receiving the Step Two response, or when the response should have been received. The Request for Hearing will include a written statement of the dispute as outlined in Step One of this Procedure.

The Village Board will set the time and place for the hearing. All decisions rendered by the Village Board will be final and binding.

Time Limits – The employee must adhere to the time limits set forth in this dispute procedure. In the event the employee does not advance the dispute to the next step within the established time limit, the dispute will be considered withdrawn and no further appeal will be accepted. The time limits may be extended by mutual agreement provided the extension is in writing, dated and signed by the employee and the person who is to receive the dispute.

Final Decisions – Final decisions on disputes will not be precedent-setting or binding on future disputes unless they are stated as official Village policy.

Proper Use of Dispute Resolution Procedure – Employees will not be penalized for proper use of the dispute resolution procedure. However, it is not considered proper use if an employee raises a dispute in bad faith or solely for the purposes of delay or harassment, or repeatedly raises meritless disputes. Implementation of the dispute procedure by an employee does not limit the right of the Village to proceed with any disciplinary action that is not in retaliation for the use of this procedure.

Refusal to Proceed with Dispute – The Village Board may, at its discretion, refuse to proceed with any dispute it determines is improper or baseless under this policy.

Union Employees – An employee who is a member of a collective bargaining unit should refer to the applicable collective bargaining agreement to determine if the employee's dispute (grievance) may be subject to the grievance procedure contained in the employee's collective bargaining agreement.

1300 APPENDICES

A. EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

B. EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM (PBA)

C. MAYORAL APPOINTMENTS SUBJECT TO BOARD APPROVAL

Detach and place in employee's personnel file.

VILLAGE OF SARANAC LAKE

EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I hereby acknowledge that I have received a copy of the ***Village of Saranac Lake Employee Handbook*** outlining the rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits of the Village of Saranac Lake. I further acknowledge that I have read, or will read, the contents of the Employee Handbook and will contact my Department Head or the Village Manager if I have any questions.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Village Board of the Village of Saranac Lake reserves the right to interpret, change or modify any section of the Employee Handbook at any time.

I understand that, if I am covered by a collective bargaining agreement between the Village of Saranac Lake and an employee organization as defined by the Public Employees' Fair Employment Act, in the event an expressed and explicit provision set forth in a collective bargaining agreement should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in the Employee Handbook, the expressed and explicit provision of the collective bargaining agreement will control. Otherwise, unless expressly excluded herein, the Employee Handbook is applicable to all employees.

I agree to abide by the personnel policies, procedures, rules and regulations outlined in the Employee Handbook.

I understand that the Employee Handbook and the changes contained herein are intended to supersede all prior manuals and guidelines issued by the Village of Saranac Lake.

Employee name (please print)	Department Head Name (please print)
Employee Signature	Department Head Signature
Date of Signature	Date of Signature

VILLAGE OF SARANAC LAKE

EMPLOYEE HANDBOOK ACKNOWLEDGMENT

For PBA members

As a member of the Village of Saranac Lake Police Benevolent Association, I understand that my signature below is solely for the purpose of acknowledging receipt of this Employee Handbook.

I understand that the Employee Handbook is not meant to create a contract of employment, nor should it be construed as creating a contract of employment and that the Village Board of the Village of Saranac Lake reserves the right to interpret, change or modify any section of the Employee Handbook at any time.

_____	_____
Employee name (please print)	Department Head Name (please print)
_____	_____
Employee Signature	Department Head Signature
_____	_____
Date of Signature	Date of Signature

A copy of this form is to be placed in the employee's personnel file.

MAYORAL APPOINTMENTS SUBJECT TO BOARD APPROVAL

Under Village Law §3-301(3), the Offices filled by Mayoral appointments subject to Board approval include:

• Deputy Mayor	4 Year Term
• Village Treasurer, Deputy Treasurer	4 Year Term
• Village Clerk, Deputy Clerk	4 Year Term
• Registrar of Vital Statistics	4 Year Term
• Village Attorney	4 Year Term
• Planning Board Chairman / Members	1 Year/5 Year
• Zoning Board Chairman / Members	1 Year/5 Year
• Village Court Clerk*	1 Year Term
• Public Health Officer	1 Year Term
• Any other offices that have been established locally	

*With Court Justice Approval

- Village Manager — Unspecified Term
  - Pursuant to Village Law, in 1929 Saranac Lake adopted the Village Manager Plan of Government. The Village Manager is responsible for the administration of village government. He/she shall execute the laws of New York State and policies, ordinances, rules, and amend bylaws of the Board of Trustees. The Saranac Lake Village Manager also serves as the Budget Officer and is responsible for preparing the tentative budget.

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE
WORK PLACE HARRASSMENT POLICY

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

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Village of Saranac Lake

Anti-Discrimination and

Harassment (Including Sexual Harassment) in the Workplace

I. POLICY STATEMENT

It is the policy of the Village of Saranac Lake to promote a productive work environment and to prohibit conduct by any employee that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Village of Saranac Lake is committed to educate employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such harassment from the workplace. Any conduct that discriminates against, denigrates or shows hostility or aversion towards a person on the basis of gender (including gender identity or transgender status), race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, genetic predisposition, sexual orientation, or any other protected status is strictly prohibited.

In short, the Village will not tolerate any form of harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such harassment the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of harassment, including sexual harassment, without any risk of repercussion to an employee who, in good faith, files such complaint.

II. APPLICABILITY OF POLICY

This policy applies to all Elected Officials, employees, interns, volunteers, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, whether elected or appointed and regardless of compensation level, and all personnel in a contractual relationship with the Village. This policy also applies to "non-employees" as that term is defined pursuant to State law to include contractors, vendors or consultants or other persons providing service to the Village pursuant to a contract or those who are employees of the contractor, vendor or consultant. Depending on the extent of the Village's exercise of control, this policy may be applied to the conduct of non-Village employees with respect to harassment of Village employees in the workplace.

III. SUPERVISORY RESPONSIBILITY

Department Heads and supervisory personnel are responsible for ensuring a work environment that is free from harassment including sexual harassment. Supervisors must take immediate and appropriate corrective action when instances of harassment come to their attention in order to assure compliance with this policy.

IV. PROHIBITED ACTIVITY

No employee shall either explicitly or implicitly ridicule, mock, deride, or belittle any person. Employees shall not make offensive or derogatory comments based on race, color, sex, religion, national origin, or any other protected status either directly or indirectly to another person. Employees shall not produce offensive or inappropriate written materials (e.g. letters, email message, or graffiti.) These are examples of harassment that are a prohibited form of discrimination under State and Federal employment law and also considered misconduct subject to disciplinary action by the Village; it is not intended to be a comprehensive list and does not limit the Village's ability to take disciplinary action in other appropriate instances.

V. DEFINITION OF SEXUAL HARASSMENT

This policy places special attention on the prohibition of sexual harassment in the workplace. Sexual advances that are not welcome, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

a) i. Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; OR

   ii. Submission to such conduct is made either explicitly or implicitly a term or condition of work for the Village as a consultant, vendor or contractor or an employee of the consultant, vendor or contractor; OR

b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions, such as promotion, transfer, or termination, affecting such individual; OR

c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment refers to behavior that is not welcome, that is personally and objectively offensive, that fails to respect the rights of others, that lowers morale and that, therefore, interferes with an employee's work performance and/or effectiveness

or creates an intimidating, hostile or offensive working environment. Exposure to such conduct that serves to alter the terms and conditions of employment is prohibited by this policy and state and federal law.

VI. FORMS OF SEXUAL HARASSMENT

Specific forms of behavior that the Village of Saranac Lake considers sexual harassment and which are prohibited include, but are not limited to the following:

a) Quid pro quo threats or promises by a supervisor (loss of job or promise of job, promotion, or other employment benefit).

b) Verbal harassment of a sexual nature related to an employee's gender, including sexual innuendoes, slurs, sexual slurs, suggestive, derogatory, insulting or lewd comments or sounds, whistling, jokes of a sexual nature, sexual propositions and/or threats.

c) Sexually oriented comments about an employee's body that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive working environment.

d) Any sexual advance that is unwelcome or any demand for sexual favors.

e) Sexually suggestive written, recorded or electronically transmitted material, showing or displaying pornographic or sexually explicit objects or picture, graphic commentaries leering or obscene gestures in the workplace such that it unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or offensive working environment.

f) Physical contact of any kind which is not welcome, including touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against a person's body.

VII. REPORTING OF HARASSMENT (including Sexual Harassment)

Employees, interns and non-employees are encouraged to report incidents of harassment (including sexual harassment) to their Department Head and/or Village Manager as soon as possible after their occurrence. If the Department Head is believed to be involved in the incident, the report should be made directly to the Village Manager. If the Village Manager is the source of the alleged harassment, the individual should report the problem to the Mayor or any Village Board member. An individual who believes they have been harassed and would like to obtain guidance as to how to proceed in filling a complaint, should contact their immediate supervisor, their Department Head, the Village Manager, the Mayor, or any member

of the Village Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Village Manager, the Mayor, or any member of the Village Board at home if these individuals do not work during the employee's shift.

VIII. WORKPLACE HARASSMENT (including Sexual Harassment) COMPLAINT FORM

To ensure that all harassment complaints are managed appropriately, effectively and in accordance with the Village's policy, harassment complaints, including sexual harassment complaints, will be recorded in writing by using the Village sanctioned Workplace Harassment Complaint Form. These forms can be obtained from the Village Manager's Office. If needed, additional guidance can be obtained from the Village Manager's Office.

IX. CONFIDENTIALITY AND DISCLOSURE

Complaints of harassment will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Village to third parties or to anyone within the Village employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law. Under State law, the terms of any settlement or other resolution are subject to disclosure **UNLESS** the complaining party seeks confidentiality. Note that this request for confidentiality may be revoked within a certain time frame as may be established by law.

X. INVESTIGATION OF COMPLAINT

The Village Manager will determine the appropriate individual (s) to conduct the investigation. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. The particular facts of the allegation will be examined individually, with a review of the nature of the behavior and the context in which the incident(s) occurred. Any complaints received will be investigated promptly, thoroughly, and in as impartial a manner as possible. All employees, interns, volunteers, non-employees and others covered by this policy are required to cooperate in an investigation, if so directed.

XI. EMPLOYEE OR ELECTED OFFICIAL DEFENSE

Any employee or Elected Official charged with sexual harassment will be afforded a full and fair opportunity to offer and present information in their defense. Such information will be confidential to the extent possible.

XII. EMPLOYEE RIGHTS

Nothing in this policy should be construed as in any way limiting employees' rights to use the Dispute Resolution Procedure as described in the Village of Saranac Lake Employee Handbook or any grievance procedure contained in a collective bargaining agreement. Employee also have the right to file a formal complaint with appropriate state or federal agencies responsible for administering anti-discrimination laws.

XIII. DISCIPLINARY ACTION

Any employee or official who is found to have committed an act of workplace harassment including sexual harassment will be subject to disciplinary action, up to and including termination of employment, as provided by Village operating procedures including Civil Service Law Section 75 or the disciplinary procedures contained in a collective bargaining agreement, whichever is applicable. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Village is empowered to take such action.

XIV. PROHIBITION AGAINST RETALIATION

Intimidation, coercion, threats, reprisal or discrimination against any employee who in good faith brings a written or verbal complaint or who assists or aids in the investigation of such a complaint is prohibited. Any employee who participates in the procedure may do so without fear of retaliation. Retaliation against any employee who has filed a discrimination or harassment complaint is prohibited and may result in disciplinary action up to and including termination of employment.

XV. REIMBURSEMENT

Any employee who has been subject to a judgement of personal liability for intentional wrongdoing in connection with a claim for sexual harassment shall reimburse the Village for any monies it paid to a complainant for what was found to be the employee's proportionate share of said judgement.

These reimbursements must be made within ninety (90) days from payment by the Village to the Complainant. A failure to reimburse will result in the sum being withheld directly from the employee's compensation or through enforcement of a money judgement.

Village of Saranac Lake
Capital of the Adirondacks ™

VILLAGE OF SARANAC LAKE
DRUG POLICY

ADOPTED APRIL 8, 2019

The question of the adoption of the foregoing resolution was duly put to a vote on April 8, 2019 roll call which resulted as follows:

Mayor Rabideau			
Trustee Little	Aye	Trustee Murphy	Aye
Trustee Shapiro	Aye	Trustee Van Cott	Aye

I, Kareen Tyler, Village Clerk of the Village of Saranac Lake, Franklin County, New York, hereby certify that I have compared the preceding Resolution with the original thereof filed in my office and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Village of Saranac Lake this 8th day of April 2019.

_____

Kareen Tyler
Village Clerk

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VILLAGE OF SARANAC LAKE
DRUG-FREE WORKPLACE POLICY

I. STATEMENT

This Bulletin outlines the Village of Saranac Lake's standards on the prohibition of alcohol and drugs in the workplace. It will assist employees in the guidance of their conduct, thereby promoting productivity and protecting the Village from criticism and liability. It will also provide instruction to Supervisors when an employee appears impaired at work. All of these efforts will contribute to a safer work environment for all.

This policy is based upon the Village of Saranac Lake's long standing practice and policy prohibiting the use of alcohol and drugs on the job, the Federal Drug-Free Workplace Act of 1989, the State of New York's Policy on Alcohol and Controlled Substances in the Workplace and the Omnibus Transportation Employee Testing Act (OTETA). The OTETA is scheduled to take effect for the Village of Saranac Lake during 1996 and the Village of Saranac Lake will comply with USDOT rules which mandate pre-employment, reasonable suspicion, post-accident, random, follow-up and return to duty drug and alcohol testing of employees in various positions requiring the possession of a Commercial Driver's License (CDL) and others who operate Village vehicles and equipment. Employees determined to be in this category will be notified of their status and responsibilities prior to the implementation of any drug and alcohol testing program.

The Village of Saranac Lake will assist employees who have a drug or alcohol dependency problem to recover from such addictions provided the employees seek or accept assistance. However, the Village of Saranac Lake may take appropriate formal disciplinary action which can include penalties up to, and including, termination of employment to resolve drug or alcohol related job performance and/or misconduct problems. It is important to emphasize that employees with drug and/or alcohol problems who wish to avail themselves of rehabilitative services or any rehabilitation program should pursue help before they are determined to be in violation of the Village of Saranac Lake's Drug-Free Workplace Policy.

II. EMPLOYEE RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. No employee shall use, sell, distribute, dispense, possess, or manufacture any alcoholic beverage or illegal drug or any other intoxicating substance on the job site, or Village property while on duty; or while in a Village vehicle, or a privately owned vehicle being used for Village business during the employee's work hours.

2. No employee shall report for work unfit for duty at the beginning of a shift or upon returning from any break, lunch or rest period, as a result of consuming alcohol, illegal drugs or other intoxicant. Further, no employee notified of being in a safety sensitive position as defined by the Omnibus Transportation Act of 1991 shall report to work in a condition that violates that Act and the corresponding rules.

3. An employee that operates any village owned motorized vehicle or equipment is further prohibited from the use of alcohol for (4) hours prior to operating that vehicle or equipment. No Supervisor having knowledge that an employee in such a position has used alcohol within four (4) hours shall permit that employee to operate Village owned vehicles or equipment.

4. While prescription drugs are not prohibited, they should not render an employee unfit for duty. Situations of this nature should be brought to the supervisor's attention by the employee, especially if the employee's job responsibilities have an impact on the health and safety of others and/or has been identified as an employee who normally operates vehicles or equipment. These situations should be addressed confidentially on a case-by-case basis, and it may be necessary for the employee's physician to certify that the substance does not adversely affect the employee's fitness for duty.

5. Any work-related accident or injury involving Village of Saranac Lake vehicles, equipment and/or property where it can be demonstrated that the use of alcohol, drugs, or other intoxicants may have been a contributing factor, will result in formal discipline which can include penalties up to and including termination of employment. Further, effective January 1, 1996 an employee operating village owned vehicle or equipment shall be required to take post-accident alcohol and drug

tests in accordance with the OTETA. Such an employee shall not use alcohol for eight (8) hours following an accident or until he/she undergoes a post- accident alcohol test, whichever occurs first.

6. An employee shall notify his/her supervisor of any criminal drug statute conviction no later than five days after the date of such conviction. A supervisor notified of such a conviction shall relay that information to the Village Manager.

7. An employee may be directed to undergo a medical examination under Section 72 of the New York State Civil Service Law if a Supervisor has a reasonable suspicion that the employee is not able to perform his or her duties as a result of a disability which may be caused by alcohol or a controlled substance. Furthermore, effective January 1, 1996, an employee who operates a Village owned vehicle or equipment must be directed to undergo alcohol and/or drug testing when the Supervisor has "reasonable suspicion" to believe the employee violated the alcohol or drug prohibitions of the Act. A reasonable suspicion must be based on specific reliable observations about the employee's appearance, behavior, speech, or body odors. Some examples would be unsteady gait, odor of alcohol on the breath, thick or slurring speech, aggressive or abusive language or behavior, disorientation or lethargy. Other factors to consider include employee's time and attendance patterns, on-the-job accidents, difficulty remembering instructions or conversations, poor relationships with co-workers and Supervisor, and other variations in productivity. Usually reasonable suspicion will be based upon a combination of these factors.

8. Such designated employees shall be subject to random testing for drug and/or alcohol use.

9. Violation of these rules may result in a disciplinary action up to and including termination of employment.

III. SUPERVISORY RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. Supervisors are responsible for determining through direct observation, whether an employee is capable of performing his/her assigned duties. Symptoms of being under the influence of alcohol and drugs include incoherent or belligerent speech, smell of alcohol, difficulty working, or erratic or unusual behavior uncommon to the

employee. (See #7 of Employee Responsibility Section).

2. Supervisors who suspect that an employee is under the influence of alcohol or drugs must follow steps 4 & 5 below or face disciplinary action.

3. Employees who are suspected of being unfit for duty may not remain at the workplace. Such incidents and situations as described in #1 above should be witnessed and documented in writing immediately, and the department head or Village Manager consulted. Clearly, an employee who is impaired should not be allowed to drive home from the workplace. (See #5 below for further direction.)

4. Employees who are suspected of being unfit for duty as a result of alcohol or drug use should be directed for reasonable suspicion based drug and/or alcohol testing in accordance with Section 72 of the Civil Service Law. Supervisors should immediately bring their observations to the attention of their department head so that through· consultation with the Village Manager examination and/or testing arrangements can be made as soon as practical.

5. After reasonable suspicion testing issues have been resolved, the Supervisor should arrange to send the unfit employee home with a member of the employee's family, friend of the employee, or in a taxi at the employee's expense. If all other alternatives are exhausted, a Supervisor may allow an employee who is unfit for duty to be driven home in a village vehicle.

6. The fact that an unfit employee under the influence of alcohol or drugs was not allowed to remain at work is not considered a disciplinary suspension. After a removal is achieved, Supervisors and department heads should discuss the specifics of the situation with the Village Manager to review whether disciplinary charges and suspension or other administrative actions are appropriate. Each situation will be evaluated on a case-by-case basis.

7. When an employee displays dangerous, aggressive or abusive behavior which constitutes a danger to that employee or others and the employee resists voluntarily leaving the workplace, clearance to suspend under the disciplinary procedure should be immediately sought through appropriate channels from the Village Manager. In cases where the employee does not comply with disciplinary

suspension or due to the time of day disciplinary suspension approval could not be obtained *and* the employee continues to display aggressive and/or abusive behavior which constitutes a danger in the workplace, the Supervisor may have to contact Village Police to remove the employee from the work place. Law enforcement intervention should only be taken if it is believed an immediate danger to persons or property exists and the other measures described above were unsuccessful in controlling the situation.

8. An employee who reports to work unfit for duty and is sent home may use sick leave or leave with no pay to cover the absence, and may be subject to medical examination by a physician at the Village of Saranac Lake's expense as a condition of returning to work. In such cases, the Village Manager, in conjunction with the Union representative should be consulted for advice. (See #7 of the Employee Responsibilities Section.)

IV. MANAGEMENT RESPONSIBILITIES

It is the policy of the Village of Saranac Lake that:

1. A drug and alcohol free workplace be maintained through the efforts and personal example of management.

2. Appropriate corrective actions be taken with Managers and Supervisors who fail to perform their duties and responsibilities as outlined in this policy.

3. Managers and Supervisors discuss with subordinate employees any behavior or job performance factors that may indicate the use of drugs, alcohol or other violations of this policy and when appropriate suggest that employees seek appropriate assistance.

4. Managers will direct employees who operate village owned vehicles and equipment to mandatory pre-employment, pre-duty, reasonable suspicion, random, post-accident, return- to-duty and follow-up testing in accordance with this policy. Managers should also direct other employees believed to be unfit for duty for medical examination and possible alcohol and/or drug testing in accordance with Section 72 of the New York State Civil Service Law.

5. All employees and supervisors understand its Drug-Free Workplace policies and Drug Testing Procedures. The Village of Saranac Lake

will also train Supervisors how to recognize behaviors that indicate reasonable suspicion for requesting medical examinations, including drug and/or alcohol tests.

V. SUMMARY

In summary, it is the policy of the Village of Saranac Lake that all employees remain free of any drug and/or alcohol induced impairments while on duty, refrain from the use of illegal drugs and/or alcohol while on duty, and while operating any village vehicles or equipment, and undergo any drug and/or alcohol testing that is required.