



THE TOWN OF  
CORTE MADERA

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MARIN COUNTY CALIFORNIA

# **Employee Handbook**

**(2nd Edition, July 2018)**

**Town of Corte Madera**

**300 Tamalpais Drive, Corte Madera, CA 94925**

<http://www.townofcortemadera.org>

**(415) 927-5050**

# Introduction

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As an employee of the Town, regardless of your Department or the functions of your job, public service is a worthy vocation. You are part of a team of dedicated and skillful individuals working to ensure that the citizens of the Town receive the highest quality services possible.

We hope that this Handbook will answer some of your questions about working for the Town. Please keep it as a resource. This Employee Handbook provides you with basic information about the Town, its organizational structure, some of your responsibilities as an employee and what you can expect from the Town. It also provides important information on the Town's commitment to diversity, our policies on creating and maintaining a harassment-free workplace, expectations regarding workplace conduct, and information on salaries and benefits.

Every attempt has been made to include a variety of topics, and to ensure the accuracy of the information. However, Town personnel policies are not detailed in this Handbook. There are policies that are not mentioned but which may apply to particular situations. If there is a discrepancy between this Handbook and the officially adopted policies (such as ordinances, resolutions, policy manuals, labor agreements, etc.), or if there are omissions from this Handbook, the official policies govern. This Handbook is not a contract, and it is subject to change by Town Administration.

We encourage your feedback about how we can make this a better resource for you. The Town's Administrative staff is here to assist you with your employment-related questions. Thank you for your commitment to public service and to the people of Corte Madera. No doubt you will serve with pride, dedication, and integrity.

Sincerely,



Todd Cusimano  
Town Manager

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# The Town of Corte Madera

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Corte Madera is located in Marin County, California. Incorporated in 1916, the Town is bordered by Mt. Tamalpais on the west and the San Francisco Bay on the east. Corte Madera comprises in an area of four square miles of land, plus surrounding bay tidelands. This is a small town of approximately 9,425 residents, located 8 miles north of the San Francisco Golden Gate Bridge. The Town generally feels sunshine as it peeks through the fingers of fog that flow over Mt. Tamalpais. Hiking, biking, boating and scenic drives provide some of the most beautiful views in the western United States.

The Town has a wide diversity of neighborhoods, ranging from older hillside areas to newer bayfront subdivisions on San Francisco Bay. Corte Madera has a strong economic base, with some of the finest commercial centers in Marin County. Our community is proud of its neighborhoods and strives to preserve its small town character. The Town has a council-manager form of government.

## Town Departments

Town government services are provided by the Town Manager/Town Clerk's Office and five departments, including the Finance, Public Works, Planning and Building, Recreation and Leisure Services, and Emergency Services. Each department is managed by a Department Head, who reports to the Town Manager. The Town Manager serves at the will of the Town Council.

The five member Town Council acts as the governing of the Town and has all of the regulatory and corporate powers of a municipal corporation that are provided under California State law. In general, it directs the operation of the Town government by establishing/approving Town policies and programs.

Town Council members are elected by the electorate of the Town for a four-year term. The members are elected on a staggered-term basis. The elections are held in conjunction with statewide primaries (either June or March of even-numbered years). Each July the Mayor, who is a Council member, is chosen by the Council for a one-year term.

# Your Town Employment

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## Pre-Employment

Before starting employment, you will need to report to the Administrative Services Department so that they can brief you on the following:

- ✓ Employee Handbook. You'll receive a copy of this Handbook and be asked to sign an acknowledgement of receipt.
- ✓ Medical Examinations. Some employees are required to undergo a medical examination, psychological examination, tuberculosis test, and/or a drug test prior to beginning employment with the Town. These employees were made a conditional job offer, subject to satisfactory completion of these tests.
- ✓ Oath of Office. The California State Constitution requires all public employees to take an oath upon appointment. You must swear to support and defend the State of California and its Constitution, and the United States and its Constitution. You must also swear to faithfully perform your responsibilities as a Town employee.
- ✓ Eligibility to Work. Federal law requires the Town to verify that all new employees are citizens or are otherwise legally eligible to work in the United States of America. You'll need to provide documents verifying your eligibility to work. Please call the Administrative Services Department for a full list of acceptable documents.
- ✓ Fingerprinting. You may be fingerprinted, and a criminal records check may be performed to determine if you have been convicted of a crime that would affect your eligibility for employment.
- ✓ Direct Deposit Authorization. Your paycheck is deposited directly into your savings or checking account. You will receive a Direct Deposit Authorization form.
- ✓ Employee Organization Membership. If applicable, you may receive information about your ability to join a recognized employee organization, and a copy of the labor agreement ("Memorandum of Understanding" or "MOU") for your bargaining unit.
- ✓ Benefits Enrollment. Regular (non-hourly) employees should pick up information about insurance benefits available to them from the Administrative Services Department. These employees must enroll in their benefits no later than 31 days after the start of employment. Benefits are effective the first of the month following the start of your employment.

## Employee Orientation

Each department is responsible for providing you with specific department information and briefings, a safety orientation, introductions to coworkers, familiarization with Town resources, and assistance in adapting to your new environment and work assignments.

## Recruitment & Promotion

Because the Town wants to enhance your career growth and development potential, we encourage you to consider other job opportunities with the Town that appeal to you. Current job announcements are posted on the Town's website. There are two kinds of Town employment.

- ✓ "Classified" - Most regular (non-hourly) employees are in "classified" positions. Under the Personnel Policies and Procedures, employees must be appointed and promoted based on merit. Special rules apply to appointment, promotion, and transferring to these positions.

People who are used to private sector employment practices may find these special rules very different from what they have experienced in the past. For example, you must submit an application for every classified recruitment for which you want to be considered. No one will automatically consider you, even if you applied for the same job in the past. You will also need to pass an examination process to show that you meet the qualifications for the job. A director or supervisor cannot just hire you for a classified position, even if they think you would do a good job.

Examinations are conducted by Human Resources to evaluate the qualifications of applicants. An examination may include an application screening panel, written tests, "oral board" panel interviews, performance tests, etc. Once the examination is over, passing applicants are placed on an eligibility list, which may be used to fill current vacancies in that job classification, and also future vacancies that come up in that classification for one year, or up to two years with Town Manager approval. Only the three highest ranking candidates on the eligibility list are referred to the department for consideration for filling a position. The selection decision will then usually be based on another interview, or series of interviews, at the hiring department.

- ✓ "Unclassified" - Other regular positions, mostly those in a management, supervisory, confidential, or in a part-time capacity are unclassified. These positions are not covered by merit system rules, so departments do not need to follow any special recruitment requirements. Hourly employment is usually in unclassified positions.

## Probationary Period

**Classified:** When classified employees are hired, they are conditionally appointed subject to a probationary period of one year of actual service. The probationary period is considered the last part of the examination process. During the probationary period, the supervisor will evaluate the employee's performance and determine the employee's suitability for the job. If the department certifies that the employee has successfully completed the probationary period, the employee's status will change from a probationary employee to a regular classified employee. Employees who have passed probation in one classified position and then were promoted to a new position may be reinstated to their former classification if they do not successfully complete the probationary period in the new position. Probationary periods may be extended with good cause upon request of the Department head and concurrence of the Town Manager; provided, however, that not probationary period shall exceed eighteen (18 months).

**Unclassified:** Unclassified employees have no official probationary period, because they are not covered by merit system rules. Unclassified status is similar to "at-will" employment status in the private sector.

## Hourly Employment

The broad category of unclassified "hourly" employment includes seasonal employment, limited-term ("temporary") employment, and part-time year-round employment averaging less than 19.2 hours per week (1,000 hours per fiscal year). Because of the short-term or limited hour nature of hourly employment, hourly employees do not have the same privileges, benefits, and tenure as regular employees. If you are an hourly employee who desires more regular employment, you are encouraged to apply for regular jobs.

## Labor Agreements – Memorandum of Understanding and Mid-Management and Department Director Resolutions

The Town of Corte Madera recognizes employees' right to form, join, and participate in the activities of employee organizations for the purpose of representation on wages, benefits, hours and other terms and conditions of employment. No Town employee may be interfered with, intimidated, restrained, coerced, or discriminated against for exercising these rights.

Represented units currently recognized by the Town include:

- ✓ Service Employees International Union (SEIU), 1021
- ✓ Corte Madera Firefighters' Association, IAFF
- ✓ Fire Department Mid-Management Employees

Represented employees are covered under a labor agreement called a “Memorandum of Understanding” or “MOU.” Each MOU contains agreements reached between the Town and the labor organization during collective bargaining about the pay, work hours, benefits, and other working conditions that apply to members represented by that organization. Mid-Management and Department Head employees are not covered under an MOU; however, the Town has Resolutions that contain some of the same information. MOUs and the Resolutions are posted on the Town’s Website.

## Hours of Work/Overtime

The hours Town offices, public counters, and operations are open to the public vary between departments. Most are closed on Fridays. The days and hours opened are posted on the Town’s website. Employees in these offices and operations work 40 hours per week or 80 hours every two weeks. Most staff work flexible hours, rather than from 8:00 – 5:00. Some Town services are provided 24 hours a day, seven days a week, or on other non-standard schedules, so there is considerable variation in working days and hours depending on individual assignments and public service needs. Overtime and compensatory time-off entitlement are defined in the various collective bargaining agreements (MOUs).

## Compensation

Each employee is assigned to a job classification, which is based on job duties, minimum qualifications, and levels of responsibility. Each regular classification is assigned a salary range approved by the Town Council. Generally, a new employee is hired at the minimum of the salary range, and may progress each year based on merit as evidenced by a satisfactory performance review. Salary increases, sometimes referred to as Cost of Living Adjustments (COLA’s) are different from merit increases within salary ranges. They generally provide a percentage increase to the salary range for a classification, and to all employees in that classification. Salary increases are negotiated with employee organizations and approved by the Town Council.

## Payroll

The Town is on a biweekly payroll schedule. Each pay period lasts for two weeks, from Monday through Sunday. There are 26 pay periods in a year. The pay date for a pay period falls on the Thursday, four days after the end of the pay period.

- ✓ Timesheets: You must sign and submit a timesheet to your department every other Monday morning accurately showing the days and hours that you worked and the hours you were absent. The timesheet must also be signed by your supervisor. Falsification of time records is a serious violation of Town policy, and may result in discipline.

- ✓ **Mandatory and Voluntary Deductions:** Certain deductions will be taken from your paycheck. Mandatory deductions include things like taxes (based on the last W-4 form you submitted), Medicare contributions, court-ordered wage garnishments, employee organization dues and your required PERS retirement contributions. Voluntary deductions may be taken for insurance benefits, etc.
- ✓ **Holidays:** If the payday falls on a holiday, paychecks are issued on the preceding business day.
- ✓ **Direct Deposit:** You will sign up for direct deposit, where the Town automatically deposits the net amount of your paycheck into your bank account, eliminating the need to stand in line at the bank. You will get a pay stub showing all of the same pay and deduction information that comes with a paper check.
- ✓ **Mistakes:** Every effort is made to ensure that paychecks are accurate, but mistakes may occur. Please review your paycheck or pay stub each payday to make sure it is correct. If you believe it is not, please inform your supervisor or the Administrative Services Department so that it can be corrected.

## **Personnel File**

Your official Town personnel file is maintained by the Administrative Services Department. It includes information about you as an employee, such as your application materials, salary changes, promotions and transfers, performance reviews, and disciplinary records. Only administrative staff members and your direct supervisor/department head have access to your personnel file. Other managers, supervisors or authorized outside consultants may view your personnel file only on a need-to-know basis, as determined by Administrative Services. Medical information is not kept in your Town personnel file.

All changes to your name, address, telephone number, emergency contacts, and beneficiary should be reported to the Administrative Services Department immediately to ensure that your department, Human Resources, Benefits, and Payroll have accurate records.

You may view the contents of your personnel file by visiting the Administrative Services Department during normal working hours, by appointment.

## **Performance Review**

As a probationary employee, you may receive feedback about your job performance, conduct, and overall capacity for learning and developing in your new assignment at any time. You will generally receive your first formal evaluation at or before six months of employment. Following your probationary period you will receive a formal performance review on an at least an annual basis. As with probationary evaluations, annual performance evaluations will have a direct bearing on your employment, including your eligibility for salary advancement. Your supervisor can tell you when to expect your next performance review.

## Disciplinary Action and Appeal

Occasionally an employee must face discipline for actions that fail to conform to the conduct or performance expected of a Town employee in the employee's position. Only a small percentage of employees ever become involved in such actions.

Examples of misconduct would include excessive tardiness, failure to notify of an absence, insubordination, use of rude or abusive language in the workplace, failure to follow Town policies, dishonesty, fraud or theft.

There are two levels of discipline: informal and formal. Informal discipline includes: counseling, Memoranda of Concern, and written reprimand. These are not considered disciplinary and the memo, if given, will not be placed in your personnel record. Formal discipline includes a salary step reduction, suspension, demotion, and dismissal. Informal discipline cannot be appealed. A regular non-probationary employee in a classified position may appeal formal discipline.

The primary objective of the Town of Corte Madera's disciplinary process is to communicate expectations and correct the problem. For first infractions that are less serious in nature, your supervisor may counsel you and/or provide you with a Memoranda of Concern.

Prior to any formal discipline, a permanent classified employee, other than at-will employee, will be afforded an opportunity to present his/her side of the issue. An investigation is conducted to determine if there is just cause. An investigation could involve interviews of witnesses and an interview of the employee suspected of the wrongdoing. Employees who are involved in an administrative investigation are required to answer questions relative to events pertaining to workplace misconduct. Failing to cooperate in an investigation can be considered insubordination and lead to additional discipline, up to and including dismissal.

Disciplinary procedures are administered in a corrective, progressive and lawful manner in accordance with any applicable MOU's and legally guaranteed rights. In the event of significant discipline, a Skelly hearing will be held to allow an employee to respond to the allegations prior to the imposition of any actual disciplinary action.

### *Skelly hearing:*

- ☐ An opportunity to respond to the proposed discipline before the discipline is imposed
- ☐ An opportunity to refute allegation(s)
- ☐ An opportunity to mitigate severity of penalty

*Who may attend:*

- ☒ the Department Director or designee
- ✓ a representative from Human Resources (at the Town's option)
- ✓ the Town attorney (at the Town's option, generally in the case of dismissal)
- ☒ the Town Manager/Personnel Officer
- ☒ the employee being disciplined
- ✓ the employee's representative or attorney

*What is discussed in a Skelly hearing:*

- ☒ prior discipline history
- ☒ progressive discipline, if appropriate
- ☒ performance evaluations
- ☒ commendations
- ☒ tenure
- ☒ personal issues that may have contributed to the misconduct, e.g., divorce, death, health, PTSD, burnout, etc.
- ☒ alternatives
- ☒ last chance agreements/demotion

*Skelly hearing outcome:*

- ☒ Generally no decision will be at the Skelly hearing. Ideally, the Town will consider all the information and make a final decision as soon as possible.
- ☒ Potential outcomes of a Skelly hearing:
  - an additional investigation based upon the employee's statements sustaining the level of discipline
  - reducing the level of discipline
  - a settlement agreement

Due process does not apply to probationary, temporary, or unclassified employees. Rejecting an employee during probation is not discipline, and there is no appeal.

## **Lateness/Absenteeism**

There are times when each of us is unable to report to work, is delayed in getting to work, or has to go home early unexpectedly for health or personal reasons. A certain amount of unscheduled absenteeism is normal and expected. However, unscheduled lateness and absenteeism should be kept to a minimum in that they create an added burden on your coworkers and affect services to the community.

An employee must report a work absence to the appropriate supervisor at least thirty (30) minutes after his/her scheduled starting time. In a valid emergency, where an employee is reasonably unable to call in, an employee is expected to report in (or have someone else do it) as soon as possible. If an employee fails to report an absence within these guidelines, the absence will be deemed "unauthorized".

No sick, vacation, or holiday pay shall accrue or be paid to an employee for unauthorized leave, and the employee will be responsible for full payment of the employee and employer portions of insurance premiums. With reasonable notice to an employee, the

Town reserves the right to treat an extended unauthorized and unexplained absence as an implied job abandonment/ resignation from Town employment.

Excessive or unauthorized lateness or absenteeism may subject an employee to performance counseling or discipline.

## **Separation from Employment**

Most separations from employment are voluntary. If you need to resign from Town employment, you should file a written resignation stating the last day you will work and the reasons for your resignation at least two weeks in advance, if possible. If you separate from employment, you are encouraged to schedule an exit interview with an Administrative Services staff member prior to your last day to discuss your final paycheck, continuation of your benefits (COBRA), and the status of your retirement contributions. You'll also be given the chance to provide verbal and/or written feedback about your Town work experiences. Involuntary separation includes probationary termination, layoff, and dismissal.

## **Employment of Relatives**

Eligibility for Town employment will not be affected by whether or not the applicant has a relative employed by the Town, with certain exceptions. For business reasons of supervision, safety, security or morale, the Town may (1) refuse to place a spouse/domestic partner or relative under the direct supervision of the other spouse or a relative, or (2) refuse to place two spouses/domestic partners or relatives in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for spouses/domestic partners/relatives than for other people.

If two Town employees marry or become registered domestic partners, the Town will make reasonable efforts to assign job duties to minimize problems of supervision, safety, security, or morale. However, if the Town Manager is unable to make an acceptable accommodation to minimize these problems, the two employees will need to decide which one will resign from Town employment.

# Benefits

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## Health & Welfare

The Town provides a comprehensive health and welfare benefits system for regular (non-hourly) Town employees and their dependents, including registered domestic partners. Town-paid benefit amounts may include:

- ✓ Medical Insurance
- ✓ Dental Insurance
- ✓ Vision Insurance
- ✓ Basic Life Insurance
- ✓ Long-term Disability Insurance

The details of insurance coverage are explained during Town Employee Orientation and in materials available from the Administrative Services Department. New employees must register for insurance benefits no later than 31 days after their hire date. Benefits are effective the first of the month following employment. Every year, during the fall Open Enrollment, employees may make new health insurance selections for the upcoming calendar year.

## Employee Assistance Program (EAP)

The Town provides coverage for all regular and hourly employees under the Employee Assistance Program (EAP). A brochure will be provided at your Town orientation session. The purpose of this program is to provide limited confidential counseling services to help employees and their dependents deal with various on- and off- work issues. Such issues may include:

- |                            |                         |                            |
|----------------------------|-------------------------|----------------------------|
| ✓ Single Parenting         | ✓ Eating Disorders      | ✓ Dual Careers             |
| ✓ Depression               | ✓ Death & Dying         | ✓ Aging Parents            |
| ✓ Anxiety                  | ✓ Life Transition       | ✓ Marital Problems         |
| ✓ Alcohol or Drug Problems | ✓ Career Change         | ✓ Financial/Legal Concerns |
| ✓ Compulsive Gambling      | ✓ Parent-child Conflict | ✓ Physical Abuse           |
| ✓ Stress                   | ✓ Job "Burnout"         | ✓ Retirement Concerns      |
| ✓ Work-Related Problems    | ✓ Sexual Problems       | ✓ Problems of Adolescence  |

This program provides free confidential sessions with a trained/licensed counselor. Additional counseling sessions are available for a fee at the employee's discretion. This program is separate from the psychological benefits that may be provided under the Town's medical insurance plans.

## Retirement

Regular employees and hourly employees who work 1,000 hours or more in a fiscal year are enrolled in the California Public Employees Retirement System (PERS).

There is a required employee contribution of 8% of wages for non-safety employees and 9% of wages for safety. Vesting in the PERS retirement plan requires five years of service in a PERS agency to retire. The employee must be at least fifty (50) years of age unless the retirement is for disability.

In addition, depending on the bargaining unit, employees may be responsible for contributing a percentage of their wages toward the employer contribution to PERS.

## Retiree Health

The Town contributes toward medical plans for retirees. The contributions vary according to the date the employee was hired, whether the employee has dependents, and whether the retiree is eligible for Medicare. Details are provided in the MOU's and Resolutions.

Town employees are required to participate in Medicare, but do not participate in Social Security. To determine how this might affect your eligibility for Social Security benefits, contact the local Social Security office.

## Town Holidays

Regular and probationary full-time employees shall be entitled to take the following authorized holidays at full pay, not to exceed eight (8) hours for any one (1) day:

July 1st, Floating Holiday (not available to Sworn Fire personnel)

Independence Day

Labor Day

Columbus Day

Veteran's Day

Thanksgiving Day

Friday following Thanksgiving

Christmas Day

Christmas or New Year's Eve

New Year's Day

Martin Luther King's Birthday

Lincoln's Birthday

Washington's Birthday

Memorial Day

### *Exchange of Designated Holidays for Floating Holidays*

July 1st, Columbus Day and Lincoln's Birthday are floating holidays and may be taken off on the date of the holiday or subsequent to the date of the holiday. Such floating holidays must be taken during the fiscal year in which the holiday was earned and if not taken, shall be forfeited. Employees must be in a pay status at the time the July 1st, Columbus Day and Lincoln's Birthday holidays occur in order to have earned such holidays.

### *Holidays on Saturday or Sunday*

When a holiday falls on Sunday, the following Monday shall be observed. When a holiday falls on Saturday, the previous Friday shall be observed.

### *Holiday-In-Lieu Pay for Shift Personnel*

Safety employees who are working shifts are not eligible for holiday leave. In lieu of time off for holidays, shift Personnel receive holiday-in-lieu pay. The holiday-in-lieu pay shall be 156 straight time hours or 5.357%. Such pay shall be received in the amount of six (6) hours of straight time pay with each regular bi-weekly paycheck.

## **Sick Leave- Use of Paid Leave**

Non - Shift employees accrue 96 hours of sick leave per year. Shift employees accrue 144 hours of sick leave per year.

Sick leave may be used only for:

- ✓ An employee's own illness;
- ✓ To attend to the illness of a child, parent, spouse, domestic partner, or child of a domestic partner as provided under the Family Sick Leave Policy (Limited to 48 hours per year for full-time employees, and prorated for part-time employees);
- ✓ Doctor's appointments.

Employees who miss five or more consecutive days of work due to illness (or 3 full 24-hour shifts for Fire Suppression staff) are required to bring in a physician's statement as evidence of illness.

Sick leave must never be used in lieu of, in addition to, or as vacation. Excessive use of sick leave may lead to discipline for poor attendance. However, legitimate use of sick leave banks for leave under the FMLA/CFRA Family Medical Leave Policy, or for pregnancy disability leave, will not be counted against attendance for disciplinary purposes.

## **Medical, Family Medical, and Pregnancy Leaves of Absence**

### **Eligibility**

Under the California Family Rights Act (CFRA) and the federal Family Medical Leave Act (FMLA), if you have more than 12 months of service with the Town and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, you may have a right to a family care or medical leave ("FMLA/CFRA leave"). FMLA/CFRA leave may be taken for maternity or parental bonding leave related to the birth, adoption, or foster care placement of your child, or for your own serious health condition, or for the serious health condition of your child, parent, spouse, or domestic partner.

## **Protection**

Both the FMLA and CFRA contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to some exceptions. They also protect you from discrimination against you for exercising your right to such leave. To secure protection for this leave, you must comply with the notice, certification, and other requirements of the Town's "*FMLA/CFRA Family and Medical Leave Policy*". Forms for this purpose are available from your supervisor or the Administrative Services Department.

## **Duration**

FMLA/CFRA leave may be up to 12 workweeks in a 12-month period.

Even if you are not eligible for FMLA/CFRA leave, if disabled by pregnancy, childbirth, or related medical conditions, you are entitled to take a Pregnancy Disability Leave of up to four months, depending on your period(s) of actual disability. Pregnant women who are CFRA-eligible have certain rights to take up to 4 months of Pregnancy Disability Leave PLUS up to 12 additional weeks of CFRA leave for parental bonding.

## **Intermittent Leave**

When medically necessary, leave may be taken on an intermittent or a reduced work schedule. If you are taking a parental bonding leave for the birth, adoption or foster care placement of a child, the basic minimum duration of the leave is two weeks and you must conclude the leave within one year of the birth or placement for adoption or foster care.

## **Notice**

If possible, you must provide at least 30 days advance notice for foreseeable events (such as the expected birth of a child or a planned medical treatment for yourself or of a family member). Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy. For events which are unforeseeable, you must notify the Town, at least verbally, as soon as you learn of the need for the leave.

## **Certification**

The Town requires certification from your health care provider before authorizing a protected leave for pregnancy or your own serious health condition. The Town requires certification from the health care provider of your child, parent, spouse, or domestic partner who has a serious health condition before allowing you a leave to take care of that family member. Medical certification forms are available from the Administrative Services Department.

## **Pay and Benefits**

The Town may require you to use sick, vacation or other accrued time, consistent with policies for use of such time, before taking the remainder of your FMLA/CFRA leave as an unpaid leave. Members of some bargaining units may also be eligible to supplement their leave with short-term disability insurance or state disability insurance and paid family

leave (SDI/PFL) payments. The Town will continue to pay the employer contribution to your health benefits while you are on FMLA/CFRA leave.

### **Military Family Leave**

Eligible employees are entitled to up to 12 weeks of leave under the federal Family Medical Leave Act (FMLA) because of any qualifying requirement arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member.

### **Other Leaves of Absence**

Special notification periods or other requirements may apply in order to be eligible to take a non-medical leave of absence under one of the policies listed below.

#### **Jury Duty**

For regular (non-hourly) employees, jury duty that keeps you from your regularly assigned work schedule will be considered leave with pay. Some shift workers may be temporarily reassigned to day shift for the duration of jury duty to avoid having to both work and complete jury duty. You must remit any compensation you receive for the jury duty to the Administrative Services Department. If you do not serve a full work shift of jury duty, you are expected to call in and report back to work as instructed by your supervisor.

#### **Bereavement Leave**

Regular (non-hourly) employees are eligible for paid leave to cope with the death of an immediate family member. Specific bereavement leave guidelines may be found in the applicable MOU or Resolution.

#### **School Participation Leave**

An employee who has custody of a child (parent, guardian or grandparent) may take unpaid\* leave to participate in an activity at a child's school or licensed child day care facility up to forty (40) hours per child, per year. Such leave may be limited to 8 hours per month.

## **Domestic Violence Leave**

An employee who is a victim of domestic violence work may take unpaid\* leave to obtain relief or attempt to obtain relief to help ensure his or her health, safety, or welfare, or that of his or her children.

## **Military Leave**

A regular Town employee with at least one year of Town or military service may receive a military leave of absence of up to 180 calendar days when called to active military duty. Military leave of up to 90 calendar days will not be considered a break in continuous service. The first 30 calendar days of any such absence, not to exceed thirty 30 calendar days in any July-June fiscal year, will be paid leave\*. The Town Council may approve special rules during times of active conflict.

*\* Where a leave is unpaid, in most cases, employees may use their available paid leave balances (vacation, personal leave, compensatory time) for salary replacement.*

# Town Values and Requirements

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## Accommodation of Disabilities

The Town of Corte Madera will make reasonable efforts to accommodate qualifying disabilities in employment, in participation in Town government, and in the provision of Town services in the manner required by the Americans with Disabilities Act (ADA) and other state and federal laws.

## Employment

A qualified applicant or employee with a disability has the right to request that the Town make reasonable accommodations to allow the person to apply for a position, to effectively perform the essential functions of a position, or to enjoy equal benefits and privileges of employment with the Town. You may request a reasonable accommodation at any time, and may request additional reasonable accommodations if your needs change. Human Resources Staff are trained to assist you and your supervisors to evaluate the effectiveness of various types of accommodations.

## Town Programs

The Town is committed to ensuring that people with disabilities are able to take part in, and benefit from, the whole range of public programs, services, and activities offered by the Town. If you find that a member of the public requires an auxiliary aid or service for effective communication (e.g. sign language interpretation, etc.), or a modification of policies or procedures in order to participate in a Town program, service, or activity, notify your supervisor or the Administrative Services Department.

## Accommodation for Lactation

Upon advanced request, the Town will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The employee may use her regular paid break periods for this purpose, or may use her paid leave banks (vacation, personal leave, or compensatory time) or unpaid leave. The Town will make reasonable efforts to provide the employee with the use of a room or other location (other than a toilet stall), in close proximity to the employee's work area, for privacy.

## Safety and Risk Management

Employee and citizen health and safety are Town priorities. All employees share responsibility for safety. Department Heads and the Administrative Services Department are responsible for maintaining and applying the Town's health and safety programs, to ensure safe working and operating conditions, and employees are responsible for supporting and participating in health and safety programs. You should receive all the

training that you need in order to be able to do your job safely and respond in the event of an emergency. Quarterly safety meetings are held to discuss safety issues.

The Town has a zero-tolerance policy for acts of violence or threatened acts of violence in the workplace. Acts of violence include grabbing, pushing, striking, pinching, groping or fondling another person; fighting or challenging another person to a fight; engaging in horseplay, or any behavior which needlessly risks the safety of one's self or another person; stalking or following another person; accosting or harassing another person in an intimidating way whether face-to-face, by telephone, fax, mail, computer or other form of communication; illegally possessing, displaying, threatening to use, or using a firearm, knife or other weapon. A weapon is any item used to threaten or enact damage or injury.

The Town's Illness and Injury Prevention Program, available in all departments and on the Administrative Services Portal site, details these policies and procedures. If you have a situation that you believe poses a safety threat to you or someone else, or if you experience or witness an accident, injury, act of violence, or threatened act of violence, contact your supervisor immediately. If you are not successful in having the issue addressed, contact Administrative Services and Human Resources.

## Conflicts of Interest

A public employee may not use public assets or public office for personal gain. All City employees are covered by certain City conflict of interest policies, and also by state statutes and common law rules. The consequences of actions prohibited under conflict of interest prohibitions can range from invalidation of important City contracts to monetary fines or criminal penalties against the person with the conflict.

It is your responsibility to recognize conflicts of interest you might have. No one can anticipate every situation that might constitute a conflict of interest, and there are a number of special exceptions that may apply, but some of the key ethical points are:

- ✓ Do not participate in making, or use your official position to influence, any contract, decision, application, or proceeding when it is reasonably foreseeable that the decision could have a material effect on your financial interests (or other strong personal interest). Your "financial interests" are broadly defined, and include those of your spouse and dependent children.
- ✓ Aside from your City wages and benefits, do not accept any compensation, reward, or gift (or the promise of future compensation, reward, or gift) from any source where it appears to be in exchange for your service, advice, assistance or other influence over the City's governmental processes.
- ✓ Do not disclose privileged or confidential information, particularly to enhance your financial interests or the financial interests of others.

The State Attorney General's Office offers public employees an online ethics tutorial covering conflicts of interest. In addition, the State of California's Fair Political Practices Commission has a website <http://www.fppc.ca.gov/> and hotline 1 (866) ASK-FPPC.

## Gifts

Town employees may not accept personal or family gifts from anyone with whom the Town does business. The receipt of such gifts tends to undermine the objectivity that needs to be maintained in the relationships with our various constituents. This does not preclude the acceptance of a non-personal gift of nominal value (e.g., under \$50) that is offered to a work unit when the gift can be shared by all employees in that unit (i.e., a box of candy or a fruit basket).

## Drugs & Alcohol

The presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours, jeopardizes the safety of employees and the public, and the efficiency of Town operations. The use, possession, manufacture, dispensation or distribution of drugs and/or alcohol is prohibited:

- ✓ Whenever you are in the workplace;
- ✓ Whenever you are on Town time;
- ✓ Whenever you are in Town vehicles or facilities (except as defined in the Town's facilities use policies); and
- ✓ Prior to coming to work, to the extent that your work performance is impaired.

This policy applies to alcohol and all substances, drugs, or medications, whether legal or illegal, which impair an employee's ability to effectively and safely perform his/her job duties. If you are taking a legal substance for medical reasons, it is your responsibility to ask your physician whether the medication could impair your ability to effectively and safely perform your job duties, and to ask your physician to certify you to be absent from the workplace if it could. If use of the substance is for a disability, you may request reasonable accommodation of the disability in advance through Human Resources.

The Employee Assistance Program (EAP) is available to assist those employees who voluntarily seek help for alcohol or drug problems (as well as for a variety of other personal problems). Employees may seek confidential assistance from the EAP counselor. The Town is also committed to providing reasonable accommodation to those employees whose past drug or alcohol problems classify them as disabled under the law.

Drivers and other employees in certain positions or bargaining units may be subject to pre-employment drug testing and/or to drug and alcohol testing (random, post-accident, or "reasonable suspicion") during employment.

## Open Meeting Issues

Town Council Members, Board Members and Commissioners are covered by a law called the Brown Act ("Sunshine" law), which guarantees the public's right to attend and participate in the meetings of local legislative bodies. Local government decision-making

must be conducted, with a few exceptions, in an open and public manner and not through behind-the-scenes meetings. It would not be possible to give comprehensive advice about compliance with this law in this document. However, if you work directly with the Town Council or its Boards and Commissions you should become familiar with the public meeting rules. The Town Clerk's Office can help you with this.

## **Public Records and Information Security**

The right to inspect public records is generally regulated by the California Public Records Act (CPRA). The Legislature declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in the state. On the other hand, some information regarding citizens, Town employees, or Town business is sensitive and confidential in nature, and not subject to public disclosure. The general policy of the CPRA favors disclosure, and a refusal to disclose records must be justified by the specific exceptions enumerated in the CPRA.

Since documents, files and emails you create could be subject to disclosure to the public, you should always be responsible and professional in creating these records. A document does not have to be in written form to be a "public record." A public record may consist of any medium that contains information, such as a computer disc or video or recording, or computer files and email stored on Town computers or on the network.

When there is a request for a public record, the Town is required to provide those documents covered under the CPRA within 10 days, unless the record meets a specified exemption. Any and all requests for Town records that are not routinely provided as part of the department's usual course of business should be referred to management immediately. Employees are not authorized to communicate, disclose, divulge, or otherwise use, directly or indirectly, confidential and/or sensitive information they may have access to at work including, but not limited to, personal information about a citizen or coworker, without authorization from their manager.

The Town is also required to keep certain records for fixed periods of time, and the Town Council must approve the destruction of certain types of records in advance. You should work with your supervisor to learn what types of records you may or may not discard.

## **Disaster Services Assignments**

Public employees play an enhanced role in the event of a disaster or other emergency in our communities. In the event of a disaster or other emergency, first make sure that your family is safe and secure, then report to your assigned emergency location. If you are unable to get to your assigned location or to call, volunteer your services to the nearest government agency until you are able to contact or report to work with the Town.

Hourly employees generally do not receive disaster services assignments.

## Harassment-Free Workplace Policy

The Town of Corte Madera is committed to providing a work environment for all employees that is free from sexual harassment and other types of discriminatory harassment. Employees are expected to conduct themselves in a professional manner and to show respect for their co-workers.

Corte Madera's commitment begins with the recognition and acknowledgment that sexual harassment and other types of discriminatory harassment are unlawful. To reinforce this commitment, the Town of Corte Madera has a policy against harassment and a reporting procedure for employees who have been subjected to or witnessed harassment. This policy applies to all work-related settings and activities, whether inside or outside the workplace, and includes business trips and business-related social events. Corte Madera's policy against harassment covers employees and other individuals who have a relationship with the Town of Corte Madera which enables the Town to exercise some control over the individual's conduct in places and activities that relate to Corte Madera's work including directors, officers, contractors, vendors, volunteers, etc.

Corte Madera's property including telephones, copy machines, facsimile machines, computers, and computer applications such as e-mail and Internet access may not be used to engage in conduct that violates this policy.

### Prohibition of All Types of Discriminatory Harassment:

It is against the Town of Corte Madera's policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, gender, religion, sexual orientation, age, national origin, disability, or other protected category (or that of the individual's relatives, friends, or associates) that: (1) has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Depending on the circumstances, the following conduct may constitute discriminatory harassment: (1) epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to race, color, gender, religion, sexual orientation, age, national origin, or disability; and (2) written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, sexual orientation, age, national origin, or disability and that is circulated in the workplace, or placed anywhere in the Town's premises such as on an employee's desk or workspace or on the Town of Corte Madera's equipment or bulletin boards. Other conduct may also constitute discriminatory harassment if it falls within the definition of discriminatory harassment set forth above.

It is also against the Town of Corte Madera's policy to retaliate against an employee for filing a complaint of discriminatory harassment or for cooperating in an investigation of a complaint of discriminatory harassment.

## **Prohibition of Sexual Harassment:**

The Town of Corte Madera's policy against sexual harassment prohibits sexual advances or requests for sexual favors or other physical or verbal conduct of a sexual nature, when: (1) submission to such conduct is made an express or implicit condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual who submits to or rejects such conduct; or (3) such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, humiliating, or offensive working environment.

While it is not possible to list all of the circumstances which would constitute sexual harassment, the following are some examples: (1) unwelcome sexual advances -whether they involve physical touching or not; (2) requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment; or (3) coerced sexual acts.

Depending on the circumstances, the following conduct may also constitute sexual harassment: (1) use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; (2) sexually oriented comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess; (3) displaying sexually suggestive objects, pictures, cartoons; (4) unwelcome leering, whistling, deliberate brushing against the body in a suggestive manner; (5) sexual gestures or sexually suggestive comments; (6) inquiries into one's sexual experiences; or (7) discussion of one's sexual activities.

While such behavior, depending on the circumstances, may not be severe or pervasive enough to create a sexually hostile work environment, it can nonetheless make co-workers uncomfortable. Employees who experience unwelcome behavior, should tell the perpetrator to stop; that the advances or other unwanted behaviors are unwelcome. Even if the behavior described above does not constitute sexual harassment, such behavior is inappropriate and may result in disciplinary action regardless of whether it is unlawful.

It is also unlawful and expressly against The Town of Corte Madera's policy to retaliate against an employee for filing a complaint of sexual harassment or for cooperating with an investigation of a complaint of sexual harassment.

## **Reporting of Harassment:**

If you believe that you have experienced or witnessed sexual harassment or other discriminatory harassment or behavior by any employee of the Town of Corte Madera, you should report the incident immediately to your supervisor, department director or to the Town Manager or the Town Manager's designated representative, immediately. This procedure shall apply to allegations of harassment and to discrimination in regard to application, recruitment, appointment, training, promotion, retention, discipline, or other aspects of employment because of race, creed, color, ancestry, gender, religion, sexual orientation, age, national origin, or physical or mental disability, medical condition, marital status, sexual orientation or identification, or age. Possible harassment by others with whom the Town of Corte Madera has a business relationship, including customers and vendors, should also be reported as soon as possible so that appropriate action can

be taken. An employee making a complaint under this procedure is not entitled to, and shall not be required to, utilize regular grievance procedures. This procedure is an alternative to regular grievance procedures.

The Town of Corte Madera will promptly and thoroughly investigate all reports of harassment as discreetly and confidentially as practicable. The investigation would generally include a private interview with the person making a report of harassment. It would also generally be necessary to discuss allegations of harassment with the accused individual and others who may have information relevant to the investigation. The Town of Corte Madera's goal is to conduct a thorough investigation, to determine whether harassment occurred, and to determine what action to take if it is determined that improper behavior occurred.

If the Town of Corte Madera determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which can include counseling, warnings, suspensions, and termination. Employees who report violations of this policy and employees who cooperate with investigations into alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the investigator will inform the employee who made the complaint of the results of the investigation. Any malicious or false allegations may however, result in disciplinary action against the employee for making such allegations.

Compliance with this policy is a condition of each employee's employment. Employees are encouraged to raise any questions or concerns about this policy or about possible discriminatory harassment with their Department Director, Town Manager, or Human Resources.

## Dating Policy

Dating and physical relationships (1) between two employees, (2) between employees and vendors, and (3) between employees and customers can have an impact on the workplace. Keep in mind, too, that unwanted sexual advances and requests for sexual favors that are a condition of employment are prohibited under the Town's Harassment-free Workplace Policy.

It is the Town of Corte Madera's policy to provide an equal opportunity in hiring, employment, promotion, compensation and all other employment-related decisions without regard to race, color, being over the age of 40, religion, sex, marital status, national origin, citizenship, veteran status, sexual orientation, being a qualified person with a disability; or any other basis set forth in the applicable laws or regulations relating to discrimination in employment.

The Town does not tolerate unwelcome or offensive conduct or conduct that creates a hostile work environment that is in any way based upon or related to a person having any of the characteristics described above.

Please be advised of the Town's expectations in the event that employees enter into a personal relationship with each other.

1. That the relationship is entirely voluntary.
2. That the relationship will not have a negative impact on the employee's work.
3. That the employees will not engage in any public displays of affection or other behavior that creates a hostile work environment for others, or that makes others uncomfortable.
4. That the employees will act professionally towards each other at all times, even if/when the relationship ends.
5. That the employees will not participate in any of the Town's decision making processes that could affect the other's pay, promotional opportunities, performance reviews, hours, shifts, or career.
6. That if the relationship ends, the employees will respect the other person's decision to end the relationship and not pursue that person or seek to resume the relationship or engage in any other conduct towards the other person that could violate the Harassment-Free Workplace Policy.
7. That the employees understand that, if/after the relationship ends, one of the employees may choose to date others in the workplace, and that you will not react with jealousy or spite or in any manner that is less than professional with respect thereto.

## Computer, Email and Internet Acceptable Use Policy

The Town of Corte Madera (Town) has a responsibility to help make the Internet a safe, secure and productive business tool for our employees, customers, and the public. It is the policy of the Town that employees whose job functions require or justify use of the Internet be provided access. The network and server are limited resources and excessive downloading, streaming, and storage of large files can interfere with the ability of other employees to perform their work and increases computer infrastructure costs to the Town. Downloading of inappropriate materials subjects the Town and the employee to potential legal action. All employees accessing the Internet—whether doing business for the Town or for personal uses—on Town equipment, a Town-owned domain name, or on a Town Internet access account shall practice proper network etiquette and agree to the conditions and requirements of this policy.

### Policy Overview

This Acceptable Use Policy is designed to help our employees understand the Town's requirements and expectations for the use of the Town's technology equipment including the telephone system (including voice mail), facsimile machines, scanning devices, and photocopier. Personal use is allowed provided it in no way interferes with the intended business uses of the Town's resources, Internet, and technology equipment or incurs unnecessary costs to the Town without prior authorization. All personal use must also be in accordance with the restrictions and requirements established in this policy.

The Internet is a business tool. Access is for business-related purposes, i.e., to research relevant topics; communicate with the public, vendors, contractors, and regulators; and to obtain useful business information. You are required to conduct yourself appropriately on the Internet. Proper use requires that you respect all copyrights, software licensing rules, property rights, and the privacy of others, just as you would in your day-to-day business activities. You must also remain security-conscious and ensure that any files you receive electronically are scanned for virus contamination. You are cautioned not to use the Internet for any purpose that would reflect negatively on the Town or its employees.

### Policy Provisions

1. No user should have any expectation of privacy as to Internet usage.
2. Employees' personal mobile devices (smart phones, tablets, laptops, etc.) will only be monitored or searched if they have gained access to Town equipment, including Wi-Fi, and/or there is a reasonable suspicion based on specific and articulable facts that the search would produce evidence that the employee has violated the terms of Town policy. Monitoring and searches will be limited in scope and not otherwise excessively intrusive
3. The purposeful display of any kind of sexually explicit or discriminatory image or document on any Town computer or other device is a violation of this policy. In addition, none such files may be archived, stored, distributed, edited, or recorded using Town resources.

4. If you find yourself connected incidentally to a site that contains sexually explicit or offensive material, you must disconnect from that site immediately.
5. Inappropriate uses of the Town's equipment, hardware, software, and Internet connectivity include:
  - a. Uploading, downloading, or otherwise knowingly accessing or transmitting in any fashion:
    - i. abusive, hateful, degrading, demeaning, derogatory or defamatory materials, information, or communications as it pertains to race, color, religion, national origin, gender, sexual orientation, political beliefs, or disability.
    - ii. pornographic, obscene, sexually explicit, indecent, or vulgar materials, information, or communications.
    - iii. any confidential records of the Town, its citizens, vendors, or contractors without adequate authority to do so.
    - iv. any participation in unauthorized political or religious activities.
    - v. any rude or abusive language, or negative characterizations of others or of the Town.
    - vi. chain letters, distasteful jokes, gambling of any nature
    - vii. any virus, worm, Trojan horse, or trapdoor program code.
    - viii. any attempt to disable or overload any computer system or to circumvent any system intended to protect the privacy or security of another user.
  - b. Vandalizing, damaging, disabling, or gaining access to another entity's computer files or data.
  - c. Excessive use of online shopping, social networking sites for personal use, or excessive use of streaming media such as downloading and/or listening to music, playing online games or other non-work related files for entertainment during work hours. Personal mobile devices used at work impact the Town's internet bandwidth. An employee's inappropriate/excessive use may negatively affect other employees' speed of access or storage space for work.
  - d. Engaging in any other activity restricted by local, state, federal, or international laws. Use of any Town resources for illegal activity will be grounds for immediate dismissal. The Town will cooperate with any legitimate law enforcement activity.
6. Any files downloaded via the Internet or transmitted onto a Town computer or other device becomes the property of the Town. Any such files may be used only in ways that are consistent with applicable licenses or copyrights.
7. Personal views cannot be presented as though they are those of the Town. Unless authorized to do so in the performance of your duties, employees may not speak or write in the name of the Town.
8. Subscribed services, whether free or on a cost basis (i.e., newsgroups, listservs, etc.), and participation in chat sessions will require prior Town approval.
9. Any program or file that is downloaded must be scanned for viruses before it is executed or accessed.

## Enforcement

Violations of this policy may result in disciplinary actions. Depending on the severity or frequency of the violations, this could include:

- Memo of concern and counseling for policy violations.
- Discipline up to and including a termination of employment depending on severity of the infraction
- Personal liability under applicable local, state, federal, or international laws.

## **Policy on Fraud Prevention and Detection**

The Town of Corte Madera recognizes its responsibility to identify and promptly investigate any possibility of fraudulent or related dishonest activities against the Town by Town employees, representatives, consultants, suppliers, vendors, subcontractors, customers, agents, etc. and when appropriate, to pursue legal remedies available under the law. The Town of Corte Madera will take appropriate disciplinary and legal action against any party that commits fraud. Appropriate action includes discipline up to and including terminating employment (if the perpetrator is a Town employee), pursuing restitution, and forwarding information to the appropriate authorities for criminal prosecution. This policy is designed to inform Town employees of their responsibility for detecting and reporting suspected fraud. It also is intended to clarify acts that are considered to be fraudulent and describe the steps to be taken when fraud or other related dishonest activities are suspected.

The objectives of this policy are to increase the awareness of all Town employees of the possibility of fraud; establish responsibility for detection, reporting and examination of suspected fraud; establish guidelines for processing allegations of fraud consistently throughout the Town in a non-confrontational environment; ensure that the Town Council receives proper notification, documentation and reporting of all authenticated cases of fraud at the Town and; establishing the Town as a leader in the creation and implementation of a policy that provides for strict adherence to the highest standards of morals and ethics.

### **Fraudulent or Dishonest Activities-Defined**

Fraudulent or related dishonest activities include, but are not limited to:

- a. Theft of funds, securities, supplies or any other asset (including furniture, fixtures, or equipment);
- b. Embezzlement;
- c. Bribery/rebate/kick-back;
- d. Misapplication, destruction, removal or concealment of property;
- e. Illegal or fraudulent handling or reporting of money transactions;
- f. Forgery or alteration of documents (checks, promissory notes, time sheets, independent contractor agreements, purchase orders, budgets, etc.);
- g. Acceptance or solicitation of any gift, favor or service that might reasonably tend to influence the employee in the discharge of his or her official duties;
- h. Destruction or disappearance of records, furniture, fixtures, or equipment where theft is suspected;
- i. Authorizing or receiving payments for hours not worked;
- j. Authorizing or receiving payments for goods not received or services not performed;

- k. Disclosing confidential information that the employee is routinely privy to;
- l. Any violation of Federal, State, or local laws related to dishonest activities or fraud, and;
- m. Any similar or related activity.

## **Responsibility and Where to Report Fraud**

All employees and agents of the Town who suspect that fraud has occurred, is occurring, or will occur within or in relation to the Town must report the matter through the employee's immediate supervisor, the Town's Director of Administrative Services/Town Treasurer or the Town Manager. Reporting actual or potential fraud will not be considered an act of disloyalty, but as an action that shows your sense of ownership, responsibility and loyalty to the Town and its stakeholders.

All reports will be taken seriously and will be investigated. Any investigation resulting in the finding of fraud or corruption will be referred to the Town Council for action and the Town will fully cooperate with the appropriate law enforcement agency.

## **Whistleblower Protection**

The Town will not take action against a person making an allegation in good faith. A report of a breach may be made by an employee without fear of harassment, demotion, dismissal, disciplinary action, remedial action, suspension, threats or any method of discrimination or retaliation by the Town (whether employees, third party agents, representatives, consultants, suppliers, vendors, subcontractors, customers, partners, agents, etc.). No act of victimization against a whistleblower will be tolerated and the identity of the whistleblower will be kept in the strictest confidence. Any malicious or false allegations may however, result in disciplinary action against the employee for making such allegations.

## **Deterring Fraud and Corruption**

New employees, including temporary and contract employees, may be subject to background investigations to include a criminal background check, depending on the classification. The Town will also verify all applicants' employment history, education and personal references prior to making an offer of employment.

All vendors, contractors and suppliers must be active, in good standing and authorized to transact business in the Town. Vendors, contractors and suppliers are subject to screening, including verification of the individual's or company's status as a debarred party.

All contractual agreements with the Town of Corte Madera will contain a provision prohibiting fraudulent or corruptive acts and will include information about reporting fraud and corruption.

All Employees will receive an Employee Handbook that provides information regarding the Fraud Detection and Prevention Policy. New employees will receive said Handbook as part of orientation at the commencement of employment.

## **Corrective Action**

Final determination regarding action against an employee, vendor, recipient or other person found to have committed fraud or corruption will be made by the Town Manager in conjunction with the Town Council. Offenders at all levels of the Town will be treated equally regardless of their position or years of employment. Determinations will be made based on a finding of facts in each case, actual or potential damage to the Town, cooperation by the offender and legal requirements.

Depending upon the seriousness of the offense and the facts of each individual case, action against an employee can range from written reprimand and a probationary period to legal action – either civil or criminal. In all cases involving monetary losses to the Town, the Town will pursue recovery of losses.

## Employee Travel Policy

1. This policy is to establish uniform and standard procedures for approving all expenditures and reimbursements to Town employees for travel and business expenses incurred in connection with service performed on behalf of the Town of Corte Madera.
2. All requests to travel on Town business outside of the San Francisco Bay Area shall be approved by the employee's department director or by the Town Manager.
3. Travel expenses include air and ground transportation, Town automobile usage, personal automobile usage, car rentals for business purposes, meals and tips, lodging, parking, tolls and other related expenses. Original itemized receipts are required for all expenses except for meals which are discussed below. For Town of Corte Madera credit card usage, original itemized receipts must be attached to a copy of the monthly statement. Original itemized receipts for reimbursement of personal funds used to pay for expenses for approved travel/training must be submitted with a request for reimbursement.
4. Air travel - Air travel will be paid by the Town of Corte Madera credit card. Town approved air travel will be arranged by the employee. Every efforts should be made to travel at the lowest cost.
5. Personal vehicle usage - With approval of a department director or Town Manager, employees may drive their own car for their own convenience. Reimbursement for mileage driven may not exceed the cost of appropriate air fare and related ground transportation. The current approved rate will be the prevailing IRS mileage allowance rate which is available at [www.irs.gov](http://www.irs.gov) or by contacting the Finance Department. No employee shall operate his or her privately owned vehicle on Town business without proof of automobile insurance and a current California driver's license. The Town does not provide automobile insurance for employees who are driving their own vehicles on Town business.

For employees receiving a monthly automobile allowance, reimbursement is not available for any trip of 100 miles or less, round trip. Employees receiving a monthly automobile allowance are eligible to receive reimbursement for mileage in excess of 100 miles round trip and must deduct the first 100 miles prior to calculation of mileage reimbursement.

6. Automobile rental - When traveling, vehicles should be rented with the company offering the best price. The rental of a vehicle should only be for dates of Town business or training. Employees should purchase additional liability, medical payments and uninsured motorist insurance offered by the rental agency. Vehicles should be rented with a Town issued credit card. Original itemized receipts of all rentals of vehicles shall be submitted with the monthly credit card statement.
7. Ground transportation – taxi, shuttle or other transportation ground transportation incurred by a business related purpose is reimbursable. Original itemized receipts must be submitted for reimbursement.
8. Parking and tolls – parking and tolls incurred for business travel are reimbursable.
9. Meals – employees travelling on Town business or training will be granted a per diem meal and incidental allowance of \$74.

The per diem rates are based on the following rates taken from the U.S. General Services Administration ([www.gsa.gov](http://www.gsa.gov)).

Breakfast	\$17
Lunch	\$18
Dinner	\$34
Incidentals	\$ 5

The above rates are effective for the fiscal year 2018 ([www.gsa.gov](http://www.gsa.gov)).

The rates are subject to change in accordance with U.S. General Services Administration per diem rates for San Francisco (highest rate) that are set each fiscal year and made available by October 1 of each year.

Employee will not need to submit receipts in connection with the per diem allowance. The above rates are the suggested cost for each meal but employees may spend the total per diem in other combinations.

For meals other than those associated with travel, original itemized receipts are required for all meal expenses. If a meal expense is incurred for other persons as a business related purpose, this should be stated on the receipt. The purposes and parties involved should be stated. Reimbursement for alcoholic beverages is not allowed. Any meals provided at trainings, conferences, seminars, etc will not be reimbursed as these meals are covered by the registration fee.

10. Actual lodging expense for accommodations (in suitable quality facilities at the lowest price available) is reimbursable.
11. All reasonable expenses such as tips for bellhops and shuttle drivers, and WIFI for work purposes are reimbursable. Personal expenses are not reimbursable. Business meals are reimbursable if the meeting is for an actual business purpose.

## Travel Reimbursement

As a Town employee, you may need to travel between Town facilities, or for meetings, seminars, training, or conferences. All travel plans must be approved in advance by your supervisor.

Employees will exercise good judgment in the expenditure of public funds when making travel plans. The Town will reimburse employees for reasonable travel-related costs they might incur when traveling on behalf of the Town.

When you use your own car on Town business, whether just traveling locally, or for longer distances, the Town reimburses for travel mileage at the flat rate set by IRS regulations. This rate is adjusted annually. You will not be reimbursed for travel related expenses when travelling between your home and the worksite during normal business hours.

## Credit Card Use Policy

1. This policy pertains to Town of Corte Madera credit cards issued to Town employees.
  2. Credit cards are to be used for Town business only. Any incidental personal expenses incurred in connection with business travel must be reimbursed before the bill is paid.
  3. The credit card limit is \$5000 and may not be increased without written authorization from the Town Manager or his designee.
  4. If the Town credit card is lost or stolen, the employee to whom it was issued is responsible for reporting the card's loss. The employee shall promptly call the credit card company at 800-344-5696. In addition, the employee must report the loss to the Town Finance Department within one business day of the loss.
  5. The Town Manager may require the return of a Town credit card without notice. If asked to return the credit card to the Town, the employee shall do so immediately. The employee must return the card upon terminating Town service.
  6. Employees in possession of a Town credit card shall use all reasonable diligence to protect the Town's card from unauthorized use and inappropriate disclosure of account information.
  7. Employees with credit cards are responsible for ensuring the statement and supporting receipts are approved, reconciled to the statement and submitted to the Town finance department in a timely manner which ensures that penalties are not incurred.
  8. For meal, lodging, travel and similar expenditures, on each credit card receipt or payment documentation the following should be clearly written:
    - The names of the individuals present for the meeting or expense.
    - The type of business discussed or conducted
    - The date of the expenditure (this should be on the receipt)
    - The purpose of the expenditure (for instance a copy of the training or seminar brochure)
    - Each receipt should be itemized, stating the specific charges. A receipt showing only a total is not adequate.
- Meals associated with travel will be reimbursed on a per diem basis and receipts are not required.
9. If the employee disputes the validity of any charges on a credit card statement, the employee shall notify the credit card company in writing and submit a copy to the Finance Department when submitting the reconciled statement for payment.
  10. Approved uses:
    - Approved travel expenses
    - Hotel expenses for approved travel
    - Meals for approved travel
    - Automobile rental for approved travel
    - Conference and seminar registration
    - Local meeting expenses
    - Business meals

- Office, department and computer supplies
- Publications
- Postage and delivery
- Maintenance and repairs performed at vendor's site
- Other expenses as approved by the Town Manager

11. Town employees may be issued a separate gasoline credit card if the Town Manager deems it necessary. Gasoline credit cards are to be used only for fuel for Town vehicles conducting Town business.
12. The employee should sign the credit card statement, acknowledging the validity of the charges. The employee's supervisor should also sign the statement, acknowledging approval.

# Your Suggestions

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This Employee Handbook was developed for the benefit of all employees. If you have suggestions about how we can improve the Handbook, please send email your ideas to Rebecca Vaughn, Town Clerk/Assistant to the Town Manager, at [rvaughn@tcmmail.org](mailto:rvaughn@tcmmail.org).