

Personnel Policy
Town of Calais, Vermont
Adopted: March 12, 2012
Most recent update: April 27, 2026

Section 1: Title and Authority

This document shall be known as the Town of Calais Personnel Policy. It has been adopted by the Town of Calais Selectboard pursuant to 24 V.S.A. §§ 1121 and 1122.

The Selectboard reserves the right to amend any of the provisions of this personnel policy for any reason and at any time, with or without notice.

This personnel policy will be administered by the Town Administrator and Selectboard.

Section 2: Persons Covered

This personnel policy applies to full-time, part-time, and seasonal employees of the Town of Calais. Except by separate written agreement, elected officers and their statutory assistants, members of town boards, committees and commissions, volunteers, and persons who provide the Town with services on a contract basis are not covered by this policy.

For the purposes of this policy, a full-time employee is an employee who works at least 30 hours per week on a regular and continuing basis. A part-time employee is an employee who works fewer than 30 hours per week on a regular and continuing basis.

When a conflict exists between this policy and any collective bargaining agreement or individual employment contract, the latter shall control. No provision in this personnel policy is intended to, or will be used to interfere with employees' protected activity rights under labor laws.

Section 3: Equal Employment Opportunity

The policy of the Town of Calais is to provide equal opportunity to all employees and applicants without regard to race, color, religion, sex, national origin, age, disability, sexual orientation, ancestry, marital status, veteran's status, HIV status, place of birth, gender identity, crime victim status, health insurance coverage status or any other protected class under state or federal law.

Section 4: Probationary Period

All new employees will be required to complete a 180-day probationary period. The purpose of this probationary period is to determine whether the employee is suited for the job. During the probationary period, an employee may be terminated at any time at the sole discretion of the Town. Notwithstanding any other provision of this policy, an employee terminated during the probationary period will have no right to appeal such termination.

An employee shall not take vacation days during the probationary period and if employment terminates

during the probationary period, the employee will not be entitled to compensation for any vacation time accrued during that period.

Section 5: Conduct of Employees

All employees are considered representatives of the Town and as such are expected to conduct themselves in a courteous, helpful, and respectful manner in all their interactions with the public and other employees. All employees are expected to faithfully execute the duties and responsibilities of their office to the best of their ability and in compliance with the provisions of this personnel policy.

Section 6: Hours of Service and Pay

Schedules will be established by the employee's supervisor. Regular Town Office hours shall be at least from 10 to 4, Monday through Thursday.

Regular work hours shall be 40 hours per week and shall include a 15-minute break for every 4 hours worked and a 30-minute paid lunch for shifts lasting at least six hours.

Employees may work remotely with permission from and at discretion of their supervisors, whose permission may be withdrawn or altered. Employees who will be absent from work are expected to notify their supervisor in advance whenever possible. Employees who call in sick are expected to notify their supervisor as soon as possible but no later than 7 a.m.

The pay period may be weekly, biweekly, or monthly at the discretion of the Selectboard.

Section 7: Gratuities and Gifts

Employees may not directly or indirectly ask, demand, exact, solicit, accept, or receive a gift, gratuity, act or promise beneficial to that individual, or another, which could influence any action or inaction associated with their official duties on behalf of the Town, or create the appearance of impropriety in connection with any actions or inactions associated with their official duties on behalf of the Town.

However, small gifts of food may be accepted. Other small non-monetary gifts may be accepted provided that they are reported to and approved by their supervisors.

Section 8: Outside Employment

The primary occupation of all full-time employees shall be with the Town. Employees may not engage in any outside business while at work. Employees may not use town equipment, supplies or facilities for any outside employment. Employees are prohibited from undertaking outside employment that interferes with their job schedules, performance or constitutes a conflict of interest.

Prior to accepting any outside employment, employees will disclose their intent to their supervisor in writing and obtain prior clearance from the supervisor that such employment does not constitute a conflict of interest.

See the Town of Calais Conflict of Interest Policy. (Attachment)

Section 9: Political Activity

No employee may use his or her official authority for the purpose of interfering with or affecting the nomination or election of any candidate for public office, or demand or solicit from any individual direct or indirect participation in any political party, political organization, or support of any political candidate. Employees are prohibited from using town facilities, equipment, or resources for political purposes and from pursuing political activities while working.

This personnel policy is not to be construed to prevent employees from becoming or continuing to be members of any political party or organization, from attending political party or organization meetings or events, or from expressing their views on political matters, so long as these views are clearly articulated as being those of the individual and not of the Town, and these activities do not interfere with the individual's ability to effectively perform his or her duties and take place or are expressed during non-working hours. Nor is this personnel policy to be construed as prohibiting, restraining or in any manner limiting an individual's right to vote with complete freedom in any election.

Section 10: Nepotism

The Town, in recognition of the potential for a conflict of interest to occur in the workplace where a close relative is responsible for supervising or evaluating the work performance of another close relative, prohibits the hiring or transferring of relatives, when doing so will result in a close relative supervising or evaluating another close relative, or a close relative supervising or evaluating the immediate supervision of another close relative.

A close relative includes a spouse, civil union partner, romantic co-habitant, parent, stepparent, grandparent, child, stepchild, grandchild, sibling, aunt or uncle, niece or nephew, parent-in-law and sibling-in-law.

Section 11: Alcohol and Drug Use

The Town intends to maintain a drug-free workplace and workforce. The use of alcohol or illegal drugs and the abuse of prescription drugs are not tolerated in the workplace or at work-related events.

As a Town employee, you are prohibited from working, or presenting yourself for work, while under the influence, or severe after-effects, of illegal drugs, controlled substances, and/or alcohol. This Policy is designed to promote our goal of providing a safe, healthy, and productive work environment. This Policy covers all employees, including drivers and other employees who are also subject to drug testing programs performed in accordance with Federal Department of Transportation (DOT) requirements.

It is the policy of the Town to prohibit the manufacture, distribution, transfer, display, transportation, sale, dispensation, possession, consumption, or use of illegal drugs, controlled substances, and/or alcohol by Town employees at the workplace and/or during work hours. Prohibited behavior includes manufacturing, distributing, transferring, displaying, transporting, selling, dispensing, possessing, consuming, using, or being under the influence of illegal drugs, controlled substances, and/or alcohol during work hours, on work premises, while engaged in work activities away from work premises, and/ or during work-related events.

For the purposes of this Policy, the term "illegal drug" includes both: (a) all state and/or federally

controlled substances, including look-alike and designer drugs, and drug paraphernalia, and (b) prescription medications that have not been prescribed for current use by an authorized medical practitioner or that are being used contrary to the prescribing medical practitioner's instructions. Controlled substances include but are not limited to the following substances: marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP), barbiturates, benzodiazepine, methadone, methaqualone, and propoxyphene.

Prohibited Conduct:

The following actions are prohibited in the workplace, on municipal property, while using municipal equipment, or during any time period in which you are on municipality business:

- Possessing, consuming, or using illegal or controlled substances, as defined by federal, state, and local statutes. (Controlled substances may be taken pursuant to a properly issued prescription, provided the controlled substance is taken as, and in the amount, prescribed and so long as the medication does not adversely affect the employee's ability to perform the essential functions of their job).
- Distributing, transferring, displaying, transporting, selling, or possessing with the intent to distribute illegal or controlled substances.
- Possessing or using drug paraphernalia except when used for legal substances and in a legally prescribed manner.
- Being under the influence of illegal or controlled substances as demonstrated by actions and/or other evidence.
- Growing and/or manufacturing any illegal drug or controlled substance.
- Possessing or using alcohol.
- Being under the influence of alcohol.

An employee must notify the Selectboard in writing if they are convicted of a violation of a criminal drug statute occurring in the workplace and must do so no more than five (5) calendar days after the conviction.

The limited, responsible consumption of alcohol on or off municipality premises at a Town-sponsored business or social function is permitted, but only if it has been authorized in writing and in advance by the Selectboard. The Town expects all attendees at such a function to behave in a professional manner and in accordance with Town policies.

The Town reserves the right to search and inspect all areas of the workplace and its premises for the purposes of maintaining a safe and healthy workplace.

The illegal use of prescription drugs is prohibited. If an employee is legally taking prescription drugs that affect the employee's ability to safely perform any of the essential functions of their job, their supervisor or the Selectboard will determine whether the employee should continue to perform their functions until concerns regarding safety can be addressed. Medical certification may be required.

Violations of this Policy may subject employees to disciplinary action, up to and including termination of employment and referral for prosecution. The Town also may provide information and recommendation to participate in an appropriate drug assistance or rehabilitation program.

In addition to this Policy, employees who operate commercial motor vehicles (CMVs) for the Town

are also subject to the provisions of the Town's CMV Drug and Alcohol Policy.

Section 12: Tobacco Use

In recognition of the hazards that tobacco poses to the health of employees, and in accordance with 18 V.S.A. §§ 1421 et seq., §§ 1741 et seq., and §4230a, the Town hereby prohibits the use of tobacco in any form, including electronic cigarettes, in all publicly owned buildings and in all town vehicles.

Section 13: Performance Evaluations

Employees may be provided with job performance evaluations at such times and in such manner as the Selectboard or its authorized representative deems reasonable. The results of such evaluations will be submitted to the employee, the employee's supervisor, and the Selectboard and will become a part of the employee's personnel file.

Section 14: Personnel Records

Personnel records will be maintained for each employee of the Town. In accordance with Vermont's Public Records Law, any employee or the employee's designated representative may inspect or copy his or her personnel file at a mutually agreeable time during regular office hours. The Town reserves the right to have its representative present at the time its files are examined or copied.

Section 15: Use of Town Equipment

Except as provided in Section 16, the use of town equipment or property for personal use is strictly prohibited. Employees should have no expectation of privacy regarding anything stored in or on town-owned property or town-owned equipment, including but not limited to desks, filing cabinets, lockers, and vehicles. Employees should expect that such areas may be searched at any time to retrieve work-related materials or to investigate suspected violations of workplace rules.

Section 16: Use of Town Computer System

The town computer system is to be used by employees for the purpose of conducting Town business. Occasional, brief, and appropriate personal use of the town computer system is permitted, provided it is consistent with this policy and does not interfere with an employee's job duties and responsibilities.

Employees should have no expectation of privacy regarding anything created, sent or received on the town computer system. The Town may monitor any and all computer transactions, communications and transmissions, without notice to the employee, to ensure compliance with this policy and to evaluate the use of its computer system. All files, documents, data and other electronic messages created, received or stored on the town computer system are open to review and regulation by the Town and are subject to the provisions of Vermont's Public Records Law.

Employees may not introduce software from any outside source on the Town's computer system without explicit prior authorization from their supervisor. Employees may be held responsible for any damages caused by using unauthorized software or viruses they introduce into the town computer system.

Employees who have a confidential password to access the Town's operating system should be aware that this does not mean the computer system is for personal confidential communication, nor does it suggest that the computer system is the property of that person. Confidential passwords shall not be shared with others and must be provided to the Selectboard upon direction, including after suspension or dismissal from employment.

Transmission of electronic messages on the town computer system shall be treated with the same degree of propriety, professionalism, and confidentiality as written correspondence. The following are examples of uses of the town computer system which are prohibited:

Communications that in any way may be construed by others as disruptive, offensive, abusive, discriminatory, harassing, or threatening;

- Communications of sexually explicit images or messages;
- Transmission of chain letters or solicitations for personal gain, commercial or investment ventures, religious or political causes, outside organizations, or other non-job-related solicitations during or after work hours;
- Access to Internet resources, including web sites and news groups, that are inappropriate in a business setting;
- Any other use that may compromise the integrity of the Town and its business in any way.

E-mail messages that are intended to be temporary, non-substantive communications may be routinely discarded. However employees must recognize that e-mails sent, received, or stored on the town computer system are subject to Vermont's Public Records Law and may be covered by the State of Vermont's retention schedule for municipal records.

For purposes of this section, computer system means all computer-related components and equipment including, but not limited to, host computers, file servers, workstation terminals, laptops, software, internal or external communication networks, the world wide web (www), the Internet, commercial online services, bulletin board systems, backup systems and the internal and external e-mail systems accessed via the Town's computer equipment.

Section 17: Personal Use of Social Media

This section applies to employees using social media in their personal, non-official capacity. Personal or non-official use of social media means day-to-day use of social media by employees that is unrelated to their official work duties. Employees' personal or non-official use of social media may occur during work or off-duty hours. Consistent with Section 16, occasional, brief, and appropriate personal use of social media is permitted during work hours provided it is consistent with this Policy, does not interfere with an employee's job duties and responsibilities, and does not have a detrimental effect on employee productivity or the Town's operations.

Employees using social media in their personal capacity are expected to be truthful, courteous, and respectful toward supervisors, co-workers, residents, customers, and other persons or entities associated with or doing business with the Town.

When posting content or commenting on Town business in their personal capacity, employees must use a disclaimer which establishes that their posted content or comments represent their own opinions and do not represent those of the Town. Employees must not attribute personal statements or opinions

to the Town when engaging in the use of social media and if, through their identification or posts, any confusion as to whether their statements might be attributable to the Town arises, they must clarify that their posts are their own and not those of the Town.

Personal use of social media should not be tied to the Town's business and employees must not use their Town email account or password in conjunction with a personal social media platform.

Personal use of social media that adversely or negatively affects or impacts the workplace is prohibited. The following is a non-exhaustive list of examples, situations, or activity when personal use of social media may adversely or negatively affect an employee's duties or the workplace:

- Name calling and personal attacks or other such demeaning behavior;
- Friendships, dating or romance between co-workers;
- Cyber-bullying, stalking, or harassment;
- Release of private or confidential data;
- Unlawful activities;
- Misuse of Town social media;
- Inappropriate use of the Town's name, logo, or the employee's position or title;
- Using town-owned computer systems or equipment for extensive personal social media use; or
- Violating federal, state, or local law.

Section 18: Eligibility for Benefits

For the purposes of Sections 19-28 of the Policy, the following definition shall apply: "eligible employee" means an employee or an elected official of the Town who: (a) is age 18 or older; (b) works an average of 18 or more hours per week during the year; and (c) is expected to work more than 20 weeks in a 12-month period. This definition includes newly hired employees and those who are still in their probationary period of employment. This definition does not include an individual who: (i) works on a per diem or intermittent basis; (ii) works only when he or she indicates that he or she is available to work; (iii) is under no obligation to work for the Town; and (iv) has no expectation of continuing employment with the Town.

Section 19: Insurance and Retirement Benefits

The Town offers group life, health, dental, disability, and retirement programs for the benefit of its eligible full-time employees. Benefits become effective on the first of the month following employment. Part-time employees will receive only those benefits required by state or federal laws.

An eligible full-time employee may enroll themselves, their spouse or domestic partner, and/or their dependents in the Town's health insurance program. The Town will contribute to a Health Reimbursement Arrangement (HRA) plan to partially defray out-of-pocket health care costs. An eligible full-time employee may enroll themselves, their spouse or domestic partner, and/or their dependents in the Town's dental insurance program. Spouses, domestic partners and dependents are not eligible for the life insurance or retirement programs.

Employees who wish to voluntarily opt out of the Town's health insurance plan must provide proof of other insurance to the Town. Employees choosing this option will receive an opt-out payment of 45% of the cost of the Town's health insurance premium contribution. This payment will be divided

and distributed equally per paycheck throughout the year with taxes/FICA withheld.

The Town reserves the right to change insurance carriers, or to add, delete or amend insurance benefit programs in its sole discretion. The Town also reserves the right to change the amount or percentage of its contribution to the cost of any group health insurance program. Employees will be provided with advance notice of any change in the contribution rate.

Section 20: Holiday Leave

Eligible employees will receive the following paid holiday leave:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (3rd Monday in January)
- Town Meeting Day (1st Tuesday in March)
- Memorial Day (last Monday in May)
- Juneteenth (June 19)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Indigenous People's Day (second Monday in October)
- Veterans' Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- Friday after Thanksgiving
- Christmas Day (December 25)

Employees will receive holiday leave pay for the number of hours in the employee's typical workday on which the holiday falls, at the employee's regular rate of pay. Part-time employees will receive pro-rated holiday leave pay based on the number of hours the employee is regularly scheduled to work.

A non-exempt employee who is required to work on a holiday will be compensated at the rate of one and one-half times the employee's regular rate of pay.

An employee may choose to take another day off with pay within 30 days if so elected and approved by their supervisor.

Holidays falling on a Saturday will be observed the preceding Friday, or Thursday if Friday is normally a non-work day. Holidays falling on a Sunday will be observed the following Monday.

If a non-exempt employee is not required to work on a holiday, hours paid for the holiday will not be counted as hours worked when determining overtime compensation.

Holidays that fall during an employee's vacation leave will not be charged as vacation leave.

Section 21: Vacation Leave

Eligible employees will accrue vacation at the annual rates listed below beginning from date of hire and calculated at the start of every calendar year and credited in two equal portions on January 1 and July 1. Employees reaching their 1st, 5th and 9th anniversaries will be awarded a prorated portion of

additional vacation leave increment on their anniversary date. Vacation will be prorated for employees starting employment part way through the year. Full-time employees will receive vacation leave pay at the employee's regular rate of pay. Part-time employees will receive prorated vacation leave pay based on the number of hours the employee is regularly scheduled to work in a week.

<u>Years of Service</u>	<u>Annual Accrual Rate</u>
0 - 1	80 hours
2 - 5	96 hours
6 - 9	136 hours
10+	176 hours

Employees are strongly encouraged to take an annual vacation. Requests for vacation should be submitted to the supervisor for approval as soon as possible but not less than one week in advance of the requested time off.

If an employee does not use all of the employee's accrued vacation leave in a year, the employee may carry unused, accrued vacation leave forward to the next year up to a maximum of 30 vacation days. Any unused, accrued vacation leave that exceeds that amount will be forfeited.

An employee who resigns from employment with the Town will be compensated for unused vacation leave, provided that the employee gives at least two weeks' written notice of the resignation.

Section 22: Sick Leave

Eligible employees will earn one hour of paid sick leave for every twenty-one hours regularly scheduled to be worked by that employee and not counting overtime hours, equivalent to 96 hours per year for a full-time employee. Such leave will be awarded to employees in a lump sum at the beginning of the annual period.

Newly hired employees who are eligible to earn leave will be awarded a pro-rated amount of sick leave hours on the first day of their employment based on the quantity of the time remaining in the calendar year. An employee may take sick leave during the employee's probationary period.

Sick leave may be used for any of the following purposes, with the understanding that the employee has made reasonable effort to schedule appointments outside of regular working hours:

- The employee is ill or injured.
- The employee obtains professional diagnostic, preventive, routine, or therapeutic health care.
- The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, including helping that individual obtain diagnostic, preventive, routine, or therapeutic health treatment, or accompanying the employee's parent, grandparent, spouse, or parent-in-law to an appointment related to their long-term care.
- The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking. As used in

this section, “domestic violence,” “sexual assault,” and “stalking” shall have the same meanings as in 15 V.S.A. § 1151.

- The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, because the school or business where that individual is normally located during the employee’s workday is closed for public health or safety reasons.
- A funeral not eligible under Section 23.

If an employee does not use all of his or her sick leave in a year, the employee may carry forward a maximum of 240 sick leave hours to the next year; part-time employees may carry forward a pro-rated amount based on the number of hours the employee is regularly scheduled to work in a week.

Upon separation from employment, an employee will not be compensated for unused sick leave. If an employee has unused sick leave exceeding 240 hours, the employee will not be compensated for that excess unused leave.

Section 23: Bereavement Leave

Eligible employees shall receive up to three (3) days paid bereavement leave per occasion. Employees may use bereavement leave for the death of a member of the immediate family or household, to include spouse, parents, spouse’s parents, grandparents, spouse’s grandparents, children, stepchildren, grandchildren, the employee’s siblings, and spouse’s siblings. Pay for bereavement leave will be at the employee’s regular rate of pay.

If additional time off is needed, or if time off is needed for the funeral of a friend or relative who is not included above, the employee’s supervisor may grant, on a case-by-case basis, the use of a reasonable amount of accrued sick leave, if available, or unpaid leave, if unavailable. The amount of such time off, if approved, will depend on the individual circumstances such as the distance to be traveled, closeness of the employee’s relationship with the person, and the employee’s level of responsibility in making funeral or other arrangements.

Paid bereavement leave does not accrue and thus, when not used, is not carried forward into the next year nor compensated upon separation from employment.

Section 24: Short-Term Family Leave

In accordance with the Vermont Short Term Family Leave Law, eligible employees may be entitled to take unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours in any 12-month period for the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement of the employee’s child, stepchild, foster child, or ward;
- To attend or accompany the employee’s child or other family member to routine medical or dental appointments;
- To accompany the employee’s parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being; or

- To respond to a medical emergency of the employee's family member.

The Town may require that leave be taken in a minimum of two-hour segments. At the option of the employee, accrued paid leave may be used. An employee shall make a reasonable attempt to schedule appointments for which leave may be taken outside of regular work hours. An employee shall provide the Town with the earliest possible notice of the intent to take short-term family leave, but in no case later than seven days before leave is to be taken, except in the case of an emergency.

Section 25: Crime Victim Leave

In accordance with 21 V.S.A. § 472c, eligible employees who are crime victims may be entitled to take unpaid leave for the purpose of attending a deposition or court proceeding related to:

- a criminal proceeding when the employee has a legal right or obligation to appear at the proceeding;
- a relief from abuse, neglect, or exploitation hearing when the employee is the plaintiff; or
- hearings concerning an order against stalking or sexual assault, when the employee seeks the order as plaintiff.

A “crime victim” is a person who has:

- obtained a relief from abuse order against a family or household member;
- obtained a court order against stalking or sexual assault;
- obtained a court order against abuse of a vulnerable adult; or
- sustained physical, emotional or financial injury as the direct result of the commission or attempted commission of a crime or act of delinquency and is identified as a crime victim in an affidavit filed by law enforcement official with a prosecuting attorney. This includes the victim’s child, foster child, parent, spouse, stepchild or ward of the victim who lives with the victim, or a parent of the victim’s spouse, provided that the individual is not identified in the affidavit as the defendant.

At the option of the employee, accrued sick leave, vacation leave, or any other accrued paid leave may be used.

Section 26: Leave of Absence without Pay

All requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the employee's supervisor and must set forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return. Such requests may be subject to the Town’s sole discretion.

If a leave of absence without pay is granted, the employee may, at the Town's sole discretion, continue the employee's group health plan coverage by paying the required premium in accordance with the payment schedule established by the Town. Other employee benefits (e.g. sick leave, vacation, seniority, etc.) will not accrue during the unpaid leave period.

Section 27: Military Leave

The Town will comply with the requirements of the Uniformed Services Employment and

Reemployment Rights Act (USERRA), 38 U.S.C. §§ 4303 et seq., and 21 V.S.A. §§ 491 et seq. Employees who take military leave subject to the provisions of these laws will be granted leave without pay. At the option of the employee, any paid leave accrued prior to the commencement of the leave may be used.

Section 28: Jury Leave

The Town will compensate employees for their service as jurors or witnesses. In accordance with 24 V.S.A. § 499, employees will otherwise be considered in the service of the Town for purposes of determining seniority, benefits, credit towards vacations, sick leave, and other rights, privileges, and benefits of employment.

When Town employees are called to serve as a witness in a court proceeding due to their status as an employee of the Town, the Town will compensate the employee for the difference between their regular rate of pay and their compensation as a witness. The Town will pay the difference only when the employees' regular rate of pay exceeds their compensation as a witness.

Section 29: Overtime

In accordance with the federal Fair Labor Standards Act (FLSA), the Town compensates nonexempt employees at the rate of one and one-half hours for each hour actually worked in excess of forty hours in any workweek. Holidays, sick time, and vacation days do not count as hours worked for purposes of calculating either overtime eligibility.

There will be no compensatory time off.

Section 30: Employment Discrimination

The Town is committed in all areas to providing a work environment that is free from unlawful harassment and discrimination. Vermont and federal law prohibit employment discrimination or retaliation based on race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, crime victim or veteran status, any other category of person protected under federal or state law, or against a qualified individual with a disability with respect to all employment practices. Vermont law also prohibits discrimination based on sexual orientation, ancestry, HIV status, and place of birth. It is unlawful to retaliate against employees or applicants who have alleged employment discrimination.

Examples of harassment include the following: insulting comments or references based on a person's race, color, religion, sex, gender identity, marital status, national origin, age, pregnancy, genetic information, health coverage status, crime victim or veteran status, disability, sexual orientation, ancestry, HIV status, place of birth; aggressive bullying behaviors; inappropriate physical contact or gestures; physical assaults or contact that substantially interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment; retaliation against an employee for complaining about the behaviors described above or for participating in an investigation of a complaint of harassment. Petty slights, annoyances, and isolated incidents (unless serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

The Town will not tolerate unlawful harassment based on a person's race, color, religion, sex, gender

identity, marital status, national origin, age, pregnancy, genetic information, crime victim or veteran status, disability, sexual orientation, ancestry, HIV status, place of birth, or membership in a classification protected by law. Likewise, the Town will not tolerate retaliation against an employee for filing a complaint of harassment or for cooperating in an investigation of harassment.

All employees, including supervisors and other management personnel, are expected and required to abide by this Policy. Employees who are found to have engaged in harassment may face disciplinary action up to and including termination. Any employee who believes that they have been the target of this type of harassment, or who believes they have been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

Any employee who wishes to report harassment should file a complaint with:

Teegan Dykeman-Brown
townclerk@calaisvermont.gov
802-456-8720

Kari Bradley
townadmin@calaisvermont.gov
802-456-8720

A prompt, thorough, and impartial investigation will be conducted, and confidentiality will be protected to the extent possible. If it is determined that unlawful harassment has occurred, the Town will take immediate and appropriate corrective action. No person will be adversely affected in employment with the Town as a result of bringing a complaint of unlawful harassment.

Complaints of harassment or retaliation may also be filed with the following agencies:

Civil Rights Unit
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609-1001
Tel: (802) 828-3657 (voice)
(888) 745-9195 (Toll Free VT)
(802) 828-3665 (TTY)
Fax: (802) 828-2154
Email: ago.civilrights@vermont.gov
Online: <http://ago.vermont.gov/about-the-attorney-generals-office/divisions/civil-rights/>

Equal Employment Opportunity Commission
JFK Federal Building
475 Government Center
Boston, MA 02203
Tel: 1 (800) 669-4000 (voice)
1 (800) 669-6820 (TTY)
1 (844) 234-5122 (ASL Video)
Fax: 617-565-3196
Email: info@eeoc.gov
Online: www.eeoc.gov

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe unlawful harassment occurred, they may take a case to court.

Section 31: Sexual Harassment

Sexual harassment in the workplace is illegal under federal and Vermont law and is strictly prohibited. The Town is committed to providing a workplace free from this unlawful conduct. All employees have the right to work without being subjected to insulting, degrading or exploitative treatment on the basis of their gender. It is against the policies of the Town for any individual, male or female, to sexually harass another individual in the workplace. In accordance with 21 V.S.A. § 495h, the Town has adopted the following sexual harassment policy. All employees are required to read this policy before signing the employee acknowledgement form.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- The conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include, but are not limited to, the following when such instances or behavior come within one of the above definitions:

- Either explicitly or implicitly conditioning any term of employment (e.g., continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- Touching or grabbing a sexual part of an individual's body;
- Touching or grabbing any part of an individual's body after that party has indicated, or it is known, that such physical contact was unwelcome;
- Continuing to ask an individual to socialize on- or off-duty when that person has indicated he/she is not interested;
- Displaying or transmitting sexually suggestive pictures, objects, cartoons or posters if it is known or should be known that the behavior is unwelcome;
- Continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- Referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- Retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g., ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- Derogatory or provoking remarks about or relating to an employee's sex;

- Harassing acts or behavior directed against a person on the basis of his or her sex;
- Off-duty conduct that falls within the above definition and affects the work environment.

It is also unlawful to retaliate against employees for filing a complaint of sexual harassment or for cooperating in an investigation of sexual harassment.

Any individual who believes that he or she has been the target of sexual harassment, or who believes he or she has been subjected to retaliation for having brought or supported a complaint of harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop.

If the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the person with the complaint is encouraged to report the situation as soon as possible to

Teegan Dykeman-Brown
townclerk@calaisvermont.gov
802-456-8720

Kari Bradley
townadmin@calaisvermont.gov
802-456-8720

It is helpful to an investigation if the employee keeps a diary of events and the names of people who witnessed or were told of the harassment, if possible.

Once the Town receives a complaint of sexual harassment, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. If sexual harassment is found to have occurred, the Town will take appropriate action, ranging from a verbal warning to dismissal.

If the complainant is dissatisfied with this employer's action, or is otherwise interested in doing so, she or he may file a complaint by writing or calling any of the following state or federal agencies:

Vermont Attorney General's Office
Civil Rights Unit
109 State Street 11
Montpelier, VT 05609-1 001
Tel: (802) 828-3171 (voice/TODD)

Equal Employment Opportunity
Commission 1 Congress Street
Boston, MA 02114
Tel: (617) 565-3200 (voice), (617) 565-3204 (TODD)

These agencies may conduct impartial investigations, facilitate conciliation, and, if they find that there is probable cause or reasonable grounds to believe sexual harassment occurred, they may elect to take a case to court.

Section 32: Employee Discipline

The Town will determine, in its sole discretion, when employee conduct must be addressed by discipline. Most often, employee conduct that warrants discipline results from unacceptable behavior,

poor performance, or violation of the Town's policies, practices, or procedures. However, discipline may be issued for conduct that falls outside of these identified areas. The Town also reserves the right to impose discipline for off-duty conduct that adversely impacts the legitimate interests of the Town.

The Town will normally adhere to the following progressive disciplinary process: (1) verbal warning; (2) written warning; (3) suspension; and (4) termination. In connection with issuing discipline, the Town may consider prior disciplinary action, regardless of whether the prior discipline was for the same or similar employee conduct. Additionally, the Town may bypass one or more steps of progressive discipline when it reasonably determines circumstances warrant, most often based on unusually or extremely serious conduct. Bypassing progressive discipline may also be warranted, for example, when employee conduct irretrievably damages credibility or destroys the confidence of supervisors or management in the employee's ability to continue effectively in the position.

Employees are prohibited from engaging in the conduct listed below and may receive discipline, up to and including termination, for doing so. This list has been established to provide examples of behavior that could warrant a range of disciplinary sanctions. This list is not exhaustive.

- Engaging in any illegal activity.
- Refusing to do assigned work.
- Being inattentive to duty, including sleeping on the job.
- Falsifying a timecard or other record or giving false information to anyone whose duty is to make such record.
- Being repeatedly or continuously absent or late, being absent without notice or satisfactory reason or leaving one's work assignment without appropriate authorization.
- Conducting oneself in any manner that is offensive, abusive or contrary to reasonable community standards and expectations of public employees.
- Engaging in any form of unlawful retaliation or discrimination, including sexual harassment.
- Misusing, misappropriating, or willfully neglecting Town property, funds, materials, equipment or supplies.
- Unlawfully distributing, selling, possessing, using or being under the influence of alcohol or drugs when on the job or subject to duty.
- Fighting, engaging in horseplay or acting in any manner which endangers the safety of oneself or others. This includes acts of violence as well as threats of violence.
- Stealing or possessing without authority any equipment, tools, materials or other property of the Town or attempting to remove them from the premises without approval or permission from the appropriate authority.
- Marking or defacing walls, fixtures, equipment, tools, materials or other Town property, or willfully damaging or destroying property in any way.
- Failure to search for or disclose public records upon request.
- Willful violation of Town rules or policies.

Section 33: Employee Termination Process

The Town has adopted an employment termination process.

Probationary employees are not subject to the Town's termination process. Notwithstanding any other provision of this Policy, an employee terminated during the probationary period will have no right to these procedures including no right to appeal such termination.

An employee being considered for termination will be provided with written notice. The notice will contain a brief statement of the reasons termination is being considered and the date, time and place of a pre-termination meeting with Town representatives. At the pre-termination meeting, the employee will be afforded an opportunity to present the employee's response to the reason(s) termination is being considered. If the employee declines to attend the pre-termination meeting, the employee may submit a written response to the pre-termination notice not later than the scheduled date of the meeting.

Within seven calendar days of the date of the meeting, which time period may be extended if necessary, the Town will provide the employee with a written notice informing the employee whether they have been terminated. If the employee has been terminated, the notice will provide the general reasons therefore and will also inform the employee of the opportunity to request a post-termination hearing before the Selectboard by giving written notice to the indicated Town representative within seven calendar days. The employee will be informed that the employee's failure to make a timely request for a post-termination hearing will result in such hearing being waived.

If a request for a post-termination hearing is made, the Selectboard will provide the employee with a notice informing the employee of the date, time, and place of the post-termination hearing before the Selectboard. The notice will inform the employee of their right to be represented by counsel and of the hearing process described below.

The Selectboard may hold the post-termination hearing in executive session, but the employee can elect for the hearing to be held in open session. A Town representative will present the evidence and grounds supporting termination, and the employee or their attorney may cross-examine witnesses presented by the Town. The employee or their counsel may then present the employee's witnesses and evidence, subject to cross-examination by the Town. Opening and/or closing statements will be accepted. The Selectboard will decide any evidentiary objections or disputes. After the hearing and Selectboard meeting are adjourned, the Selectboard, under the authority granted by 1 V.S.A. § 312(e), will deliberate over matters presented in the hearing.

The Selectboard will render a written decision within fourteen calendar days after close of the hearing, which time period may be extended if necessary.

The Town also retains the right to unilaterally eliminate a position and thus terminate employment or reduce the work hours for some or all employees due to economic conditions, shortage of work, organizational efficiency, changes in departmental functions, and/or reorganization or reclassification of positions resulting in the elimination of a position or for other related reasons. In such cases, this termination process does not apply.

Calais Personnel Policies
ADOPTED this 27th day of April 2026.

Selectboard
Christy Mihaly
Barbara McAndrew
Bill Davis
Jamie Moorby
Jordan Keyes

SIGNATURE OF CALAIS SELECTBOARD MEMBERS



The image shows four handwritten signatures in cursive script, each written on a horizontal line. From top to bottom, the signatures appear to be: Jordan Keyes, Bill Davis, Barbara McAndrew, and Christy Mihaly. The lines are evenly spaced and extend across the width of the page.

April 27, 2026

- Approved March 12, 2012
- Clarifications April 22, 2013 on page 7 (vacation accrual rate; sick and vacation accrues from employment date)
- Additions made upon advice from Dina Atwood, Human Resource Attorney, August 28, 2013
- Amended to clarify benefits' start date, November 23, 2015, Section 17, page 6.
- Amended to add direct deposit and payroll period, June 13, 2016
- Readopted January, 2023
- Amended and updated April 8, 2024.
- Amended and adopted April 27, 2026

ADDENDUM A: Personnel Acknowledgement

I, _____, acknowledge that:

- A. I received a copy of the Town's Personnel Policy on _____ and it is my responsibility to familiarize myself with its contents;
- B. I understand that it is my responsibility to ask questions if there is anything in the Policy that I do not understand;
- C. I understand that the language used in this Personnel Policy is not intended to create, nor should it be construed to create, a contract or agreement for employment between myself and the Town;
- D. I understand that this Policy replaces any and all prior versions and that the Town reserves the right to add, amend, or discontinue any of the provisions of this Policy for any reason or none at all, in whole or in part, at any time, with or without notice.

Employee's Signature

Date