

Town of Kernersville

Personnel Policy



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HISTORY OF THE TOWN OF KERNERSVILLE

In the early 1770's, William Dobson, an emigrant from Ireland, bought 400 acres of beautiful, rolling woodland. He built an inn and a store where two roads crossed (now the corner of Main and Mountain Street). On June 2, 1791, President George Washington stopped at Dobson's Inn, known as Dobson's Crossroads, and had breakfast on his way to Guilford Battleground after a brief stay in Old Salem.

In 1817, Joseph Kerner purchased the Inn and 1,032 acres. The Inn and the property surrounding it became known as Kerner's Crossroads. Over the following fifty years, the Kerner Plantation began to take on the appearance of a community, with other families gradually buying land around the plantation.

In 1871 the community was incorporated as the Town of Kernersville with a population of 147. Today, the Town has a population of over 23,000. Estimates from the Kernersville Post Office indicate that approximately 60,000 people live in the Kernersville Zip Code area, with over 1.3 million people living in the Piedmont Triad Metropolitan Region. The Town's economic profile is diversified with manufacturing, logistics, health services, and commercial services as the major employers. Kernersville, with its location in the center of the Piedmont Triad Metropolitan Region, is a highly desirable location for people to live and work. Because of its location in the Piedmont Triad area and its quality of life, there is no doubt that Kernersville will continue growing in the future.

DESCRIPTION OF TOWN GOVERNMENT

The Town of Kernersville operates under the Council/Manager form of government. This form of government provides for a Board of Aldermen which is composed of five members and the Mayor, all of whom are elected by the people for a term of two years. The Board of Aldermen determines the policy and goals which the Town is to follow in providing services to the public, and appoints a Town Manager to carry out this policy.

The Town Manager is chosen by the Board of Aldermen and is responsible for assisting the Board of Aldermen in achieving policy goals and objectives. The Town Manager also provides professional leadership in administering and executing the day-to-day affairs of Town Government and for informing and advising the Board about administrative concerns of the Town and its financial condition and needs.

The Town does its work through departments, each specializing in a particular service, such as fire and police protection, street maintenance, garbage collection, etc. As an employee, you will be working in one of these operating or service departments. Every job is important and all have a definite place in our objective of providing the best service possible to the citizens of Kernersville.

TOWN OF KERNERSVILLE

PERSONNEL POLICY

I. THE PERSONNEL SYSTEM

1.0 Purpose. The purpose of the personnel policy is to establish a personnel system which will recruit, select, develop, and maintain an effective and responsible work force for the Town of Kernersville. This policy covers conditions of employment, employee advancement, training and career development, retirement, benefits, promotion, demotion and dismissal, work rules, grievance procedures, position classification and pay administration under the supervision of the Town Manager. The policy is established under the authority of Chapter 160A-164 of the General Statutes of the State of North Carolina. The approval and issuance of this personnel policy does not constitute a contractual relationship with employees nor alters the fact that employees are employees at-will of the Town. The Town has the right to change or suspend any provision of this policy.

2.0 Coverage. This policy shall cover interns and all regular, temporary, part-time and probationary employees except as specifically exempted. Members of the Town Board of Aldermen, Planning Board and other task force, advisory board or commission are exempted from these policies unless specifically stated.

3.0 Definitions. (listed alphabetically)

Anniversary Date. The employee's original date of employment with the Town in a regular, full-time or regular, part-time position.

Anniversary Month. The month which is identified as being the month in which performance evaluations are conducted for employees serving their original probationary period, promotional probationary period, or disciplinary period. The anniversary month is usually the month in which the employee was hired, unless the employee has been demoted, promoted, transferred, or reclassified, at which time the anniversary month will be changed to the month in which the personnel action took place.

Annual Evaluation Period. The period of time beginning August 1st and ending October 31st, during which annual performance evaluations are completed, for all employees subject to the requirements of Section 4.0 (B) of Article IV (Employment Standards) of this policy.

Class (Classification). Positions or groups of positions having similar duties and responsibilities requiring similar qualifications, which can be properly designated by one title indicative of the nature of work performed, and which carry the same pay range.

Demotion. The reassignment of an employee to a position or a classification having a lower pay grade than the position or classification from which the reassignment was made.

Developmental Pay Range. The range of pay in each pay grade between the minimum and the midpoint of the range.

Disciplinary Probation. The status of an employee, who has completed the original probationary period, who has been placed on probation to correct deficiencies in performance or conduct. The employee will maintain this status until successful completion of the probationary period upon receiving a performance evaluation that meets or exceeds the standard and/or expected performance of the position, or until the employee is dismissed for failure to correct the deficiencies in performance or conduct.

Grievance. Matters of concern or dissatisfaction arising from working conditions of an employee, subject to the control of the Town.

Hiring Rate. The salary or wage paid to an employee when hired into Town service, normally the probationary rate.

In Loco Parentis. Type of relationship in which a person has assumed the status and obligations of a parent without adoption, as defined in Fact Sheet #28C (issued in July 2015) by the United States Department of Labor, including amendments

Intern. Individuals seeking to increase their knowledge of governmental operations on a paid or unpaid basis. These individuals will not be eligible for fringe benefits but shall abide by the rules set forth in this Personnel Policy.

Market Adjustment. An annual adjustment that may be made by the Board of Aldermen to all pay ranges effective July 1 of each year and awarded to existing employees upon meeting or exceeding the expected performance of the assigned position during the annual evaluation process.

Maximum Pay Rate. The maximum pay authorized by the pay plan for an employee within an assigned pay grade.

Merit Increases. An increase in pay based on job performance that exceeds the expected performance of the assigned position.

Midpoint Pay Rate. The rate of pay that is halfway between the Probationary Pay Rate and the Maximum Pay Rate of a pay grade. This rate of pay represents the market rate of each position.

Minimum Pay Rate. The minimum pay authorized by the pay plan for an employee.

Original Probationary Period. A period of time established for all new employees during which the new employee is required to demonstrate through performance, the ability to perform required work and the general fitness and suitability as an employee of the Town. The employee will maintain this status until successful completion of the probationary period upon receiving a performance evaluation that meets or exceeds the expected performance of the assigned position,

or until the employee is dismissed for failure to meet or exceed the expected performance of the position.

Pay and Classification Plan. A plan approved by the Board of Aldermen that assigns classes to the appropriate pay grade which includes a schedule of pay ranges arranged by sequential rates including a minimum, midpoint, and maximum rate for each class assigned to a salary range.

Pay Range. The minimum and maximum pay levels for a given classification.

Performance Evaluation System. A review of an employee's performance, designed to recognize performance as the basis for pay increases within the established pay ranges and to facilitate an equitable system of evaluating the job performance based on job-related criteria, with the goals of improved performance and greater accountability for results and to encourage communication between supervisor and employee in regard to work expectations, responsibilities, and accountability.

Position. A group of current duties and responsibilities requiring the full or part-time employment of one person.

Promotion. A move from one position class to another that is assigned to a higher pay grade.

Promotional Probation. A period of time established for all newly promoted employees during which time the employee is required to demonstrate through performance, the ability to perform work required and the general fitness and suitability of the employee for the position. Normally, the employee will be required to serve a six month probationary period, unless otherwise stated, and is required to successfully complete the probationary period by receiving a performance evaluation that meets or exceeds the standard and/or expected performance of the newly assigned position. Sworn Law Enforcement Officers and Firefighting Suppression personnel will be required to serve a twelve month probationary period.

Regular, Full-Time Employee. An employee in an established position who is regularly scheduled to work 40 hours or more per work week and is designated by the Board of Aldermen as a full-time position.

Regular, Part-Time Employee. An employee in an established position who is regularly scheduled to work less than 40 hours per work week and is designated by the Board of Alderman as a part-time position.

Safety Sensitive Positions. Positions having responsibilities where improper performance of duties could result in substantial danger to life or property. Such positions include, but are not limited to, those involving the control, use or potential use of weapons, fire suppression, the routine operation of a town vehicle, work within hazardous building and/or construction zones, the operation of heavy or dangerous equipment, or the handling of hazardous materials, which may place the employee, fellow employees, and the general public at risk.

Temporary Employee (also Seasonal Employee). An employee hired to serve in a position for a definite duration which may or may not require attendance by a person for a full work day or workweek.

Transfer. A lateral move from one department, division, or work unit to another, without change in position class or pay grade.

4.0 Merit Principles. The Town embraces the following merit principles in administering its personnel program:

- A. Applicants and employees shall be assured of fair treatment in all aspects of personnel administration, without regard for political affiliation, religious creed, sex, national origin, color, race, age, or disability. Individuals shall likewise be treated with proper regard for their privacy and constitutional rights as citizens.
- B. Employees shall be recruited, selected, trained, and advanced on the basis of their job related ability, knowledge, and skill.
- C. Employees shall be retained on the basis of their job performance. They shall be guided in ways to correct inadequate performance and separated when performance cannot be corrected and brought to standard.
- D. Employees shall receive pay commensurate with pay and classifications systems that may be developed from time to time.
- E. Employees shall be protected against all coercion, including but not limited to, political purposes.

5.0 Statement of Equal Employment Opportunity Policy. It is the policy of the Town of Kernersville to foster, maintain, and promote equal employment opportunity. The Town shall select employees on the basis of applicants' qualifications and without regard to age, sex, race, color, creed, religion, disability, genetic information, political affiliation, or national origin, except where specific age, sex, or physical requirements constitute a bona fide occupational qualification necessary for job performance. Applicants with physical handicaps shall receive equitable consideration based on ability to meet the physical demands of the job.

All personnel responsible for recruitment and employment shall continue to review regularly the implementation of this policy and relevant practices to assure that equal employment opportunity, based on reasonable performance related job requirements, is being actively observed. Notices with regard to equal opportunity employment matters shall be posted in accordance with local, state, and federal guidelines.

6.0 Responsibility of the Board of Aldermen. The Board of Aldermen shall establish and amend the personnel policy and shall establish, by policy, a personnel classification and pay plan.

7.0 Responsibility of the Town Manager. The Town Manager shall be responsible to the Board of Aldermen for the administration and direction of the personnel system. The Town Manager shall employ, dismiss and suspend employees in accordance with the policies and procedures provided for in this policy manual. Employment, dismissal, and suspension policies shall apply to all employees, including Department Heads, except where the same may be superseded by State Law, in which case State law takes precedent. The Town Manager shall be responsible for interpreting policies when necessary and recommending policy changes to the Board of Aldermen. The Town Manager shall also be responsible for determining conditions of employment commensurate with this Personnel Policy and Pay and Classification System as established by the Town and policies adopted by the Board of Aldermen.

8.0 Responsibility of the Human Resources Director. The Human Resources Director has the responsibility to carry out the day-to-day activities associated with the provisions contained in this policy and subject to the direction and supervision of the Town Manager.

The Human Resources Director maintains the official personnel files which include, but are not limited to the following: employment applications, conditions of employment, reference checks, performance appraisal forms, disciplinary actions taken, commendations received, and any documentation of other personnel actions as deemed pertinent.

The Human Resources Director, under the direction of the Town Manager, is responsible for establishing and maintaining a roster of all positions of the Town and setting forth each person's title, salary, date of employment, and any other information deemed necessary for each position as established by N.C.G.S 160A-168. The Human Resources Director is also responsible for developing and administering such recruiting programs as may be necessary to obtain an adequate supply of competent applicants. The Human Resources Director shall develop such interdepartmental training and education programs as deemed necessary and work with Department Heads, as needed, in meeting individual departmental training requirements.

II. CLASSIFICATION AND PAY

1.0 The Position Classification Plan. A description of each position employed by the Town is included in the Position Classification Plan. Employees are invited to review this plan to help achieve better understanding of the requirements and responsibilities of his/her job.

To maintain a current position classification plan, a Department Head is responsible for informing the Town Manager about changes affecting the classification of existing positions and the need for new classifications. The Department Head will initiate his/her request for a change by completing a "Position Review Request" (Appendix F). Such requests for revisions to the plan are subject to further review, evaluation, and approval by the Town Manager.

2.0 Comprehensive Pay Plan. The Pay Plan is a companion to the Position Classification Plan. There are currently two separate pay plans utilized for all regular full-time and part-time positions, which are the General Pay Plan and the Management Pay Plan. The movement by an employee through his/her pay range is a result of potential increases, which may be part of the Developmental Pay Plan or as a result of merit increases recommended by a Department Head and approved by the Town Manager.

- A. The General Pay Plan consists of a series of numbered pay grades. Each position is assigned a pay range with a minimum, midpoint and maximum rate of pay (Appendix G), and is approved annually by the Board of Aldermen.
- B. The Management Pay Plan covers all Department Heads. Each position in this range is assigned a minimum and a maximum rate of pay and a market point, which is determined by reviewing the average pay paid for similar jobs in the labor market (Appendix G).

The purpose of developmental pay is to enable employees to reach the job market rate (midpoint) of their pay range within 5 years. This plan allows the Town to increase employees rates of pay each year until reaching the job rate. The developmental range is defined as the range of pay in each pay grade between the minimum and the midpoint of the range.

To evaluate pay levels and benefits, the Town conducts periodic wage surveys of local businesses, industrial establishments, and other North Carolina local units of government. As part of this process each Town position will be evaluated at least once every 3 years. The information obtained from such surveys, along with other economic indicators, form the basis for the Town Manager's proposed salary recommendations for maintaining a Pay Plan that is current and competitive.

3.0 Beginning Pay Rates for Employees covered by the General Pay Plan. Normally an employee will start work at the Minimum Rate for a six-month probationary period, except Sworn Law Enforcement Personnel and Firefighting Suppression Personnel who serve a twelve-month Probationary Period (see Recruitment and Appointment, Article III, 1.0).

A. Beginning Pay Rates Other Than at Minimum Rate.

1. Entrance Above the Minimum Rate – An employee may start work above the Minimum Rate, upon the approval of the Town Manager when deemed necessary in the best interest of the Town, based on such factors as superior qualifications of the applicant, a shortage of qualified applicants available at the minimum rate, or the refusal of qualified applicants to accept employment at the minimum rate.
2. Entrance Below the Minimum Rate – The Town Manager may designate a selected applicant as a “Trainee” and hire at a pay rate lower than the minimum rate for the following reasons:
 - a. An applicant does not meet all the minimum requirements for the position and qualified applicants for the position are not available, or
 - b. If hiring the applicant at the Minimum Rate would create internal pay inequity within the department or organization.

If Trainee status is requested, the pay rate for the new employee shall be no more than two grades below the minimum pay rate established for the position’s classification. If an employee is designated as a trainee, he/she will receive the lower pay until he/she meets the position’s minimum requirements and the Department Head concurs that the “Trainee” is qualified to assume the full responsibilities of the position.

Should during any particular year a new Pay Plan be adopted which conflicts with an earlier Pay Plan which adversely affects an employee, the Town Manager shall have the discretion to make an administrative pay adjustment to the employee’s pay.

4.0 Pay Day. All employees shall be paid on a bi-weekly basis. Should a regular payday fall on a holiday, paychecks shall be issued on the workday that precedes the holiday. Every effort will be made to issue checks on scheduled paydays barring unforeseen circumstances.

An employee may request early issuance of his/her paycheck in accordance to the Finance Policy.

Direct deposit is the method of payment for employee compensation. Employees have the option to deposit their pay into either a checking or savings account at the financial institution of their choice. Human Resources staff will assist with initial enrollment and with subsequent changes of banks and/or accounts. An electronic copy of earnings and deductions is accessible each payday via the Town’s Employee Self Service software.

Employees are encouraged to examine electronic paychecks and report any questions to the Human Resources Department as soon as possible after a payroll check has been issued. An explanation of payroll deductions is available upon request of an employee to the Human Resources Department.

III. RECRUITMENT AND APPOINTMENT

1.0 Statement of Equal Employment Opportunity Policy. Please refer to Article I. “The Personnel System”, section 5.0.

2.0 Posting of Vacancies. When job vacancies occur within the town, vacancy notices shall be distributed to employees by all means necessary.

If selections cannot be made from current employees or applications on file, the Human Resources Director shall send via the media, advertisements, or other means as necessary, employment opportunities to the general public. The Human Resources Director shall assist Department Heads with the recruitment of qualified applicants.

3.0 Priority to Current Employees for Filling Vacancies. It is the Town's policy to provide career opportunities for its employees whenever possible and when it is in the best interest of the Town. Therefore, present Town employees will be given priority consideration in filling vacancies provided that they meet the qualifications for the job if it would represent an opportunity for advancement. Employment of a current Town employee to a vacant position may be done without advertising the vacancy other than internally.

In cases of internal notification of a vacancy to current employees, notification shall include posting the notice on employee and departmental bulletin boards and distribution of the vacancy notice to all departments. Internal notifications of vacancies shall be posted for a period of no longer than five business days.

4.0 Recruitment. Recruitment for vacant positions shall be conducted in a fair and equitable manner. When job vacancies occur, the Department Head shall notify the Human Resources and the Town Manager of the need to fill a vacancy and request the Town Manager's approval to fill the vacancy. Upon the Town Manager's approval, the Human Resources Director shall determine if there are current employees qualified and/or interested in applying for the vacancy by posting and distributing a notice of the vacancy. If there are no applicants from current employees, the Human Resources Director shall be responsible for notifying the general public of the job vacancy.

All external job vacancy announcements shall be posted for a minimum of seven (7) calendar days at (1) Town Hall and (2) the local office of the Employment Security Commission. Optional recruiting publicity shall be carried out through the media, as appropriate. Job vacancy announcements shall contain, at a minimum, (1) the title, the pay grade, and the location of the position; (2) the closing date of the announcement; (3) a summary of the duties of the position; (4) a summary of the basic qualifications; (5) the procedures for making applications; and (6) a statement of equal employment opportunity.

5.0 Applications for Employment. All persons applying for employment with the Town shall be required to complete an official Town employment application. All information provided on the application must be true and correct. Providing false information will be grounds for elimination from consideration and/or dismissal from Town employment.

All positions requiring a commercial driver's license are considered safety sensitive by the Town of Kernersville, Department of Transportation and Federal Motor Carrier Safety Administration (FMCSA). Applicants for positions under the jurisdiction of the FMCSA will be required to establish an account in the FMCSA Clearinghouse website and provide electronic consent for the Town of Kernersville to conduct a full query. Successful applicants shall be currently cleared without restriction for any alcohol or drug violations in the Clearinghouse to immediately perform FMCSA Safety Sensitive duties as a DOT regulated Driver under 49 CFR parts 382 & 391.

6.0 Acceptance of Applications. While the Town is not required to notify the general public of vacancies, applications are accepted only when a specific vacancy exists. Persons desiring to complete an application when a vacancy does not exist will be encouraged to submit a job interest card with the Human Resources Department.

7.0 Testing. Applicants for certain positions may be required to take various tests which measure ability, aptitude or skill. All tests given to applicants shall be administered and evaluated by qualified individuals. All tests administered will conform to all applicable legal regulations and must be approved by the Human Resources Director prior to administration of the test.

8.0 Interview Process. Applicants who are considered to be qualified for the position applied for may be interviewed by the Department Head or designee of the department where the vacancy exists. The Human Resources Director or designee will participate in individual or departmental interviews. Applicants may be required to undergo more than one interview which may include interviews by a committee and/or the Town Manager.

9.0 Recruiting Area and Residence Requirements. Candidates for employment shall be recruited from a geographic area as wide as necessary to assure obtaining well-qualified applicants.

Sworn law enforcement officers and fire fighting personnel must live within reasonable commuting distances as specified by departmental standard operating procedures. Any residence of sworn law enforcement officer and firefighting personnel located outside the prescribed distance must be approved by the Town Manager prior to employment upon recommendation by the Police Chief or Fire Rescue Chief. However, relocation within the residency area, as defined by departmental standard operating procedures, shall be made prior to completion of the probationary period. In the event that the Personnel Policy and departmental standard operating procedures conflict, the Personnel Policy shall supersede.

Department Heads are encouraged to live within the Town Limits of Kernersville. All Department Heads employed after June 2, 1987, shall be required to live within a reasonable commuting distance as determined by the Town Manager for proper performance of duties as required by the Town Manager.

10.0 Medical Examination and Drug Testing. The Town reserves the right to require newly hired employees subject to a conditional employment agreement to undergo a medical

examination and/or drug test to determine whether or not the applicant is physically and mentally capable to perform the work as described in the job description, and is not under the influence of illegal drugs. Medical examination shall be conducted at the expense of the town and by a physician selected by the town. Drug testing shall be conducted at the expense of the Town and by a laboratory and physician selected by the Town. All such examinations and medical records resulting from the examination and/or drug test shall be conducted and kept confidential in accordance with North Carolina General Statute 160A-168 and the Americans with Disabilities Act of 1990, as amended, and the "Personnel Records" section (Article XV) of this Personnel Policy.

This policy incorporates the Department of Transportation (DOT) and Federal Motor Carrier Safety Administration (FMCSA) regulations (49 CFR, Part 40 and 49 CFR, Part 655) governing the use of drugs and alcohol by employees who hold a Commercial Driver's License (CDL) and drive a commercial motor vehicle.

11.0 Identification. Those persons applying for positions requiring the operation of motor vehicle must present a valid driver's license issued by the state in which the applicant resides. In the case of an employee having a driver's license other than North Carolina, the employee will be required to produce a certified copy of their driving record upon request.

All new employees of the Town shall present proof of identification before they are placed on the Town's payroll. New employees are required to present documents recognized by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services. The Human Resources Director shall be responsible for obtaining adequate identification for satisfying the requirements of the Immigration Reform and Control Act of 1986.

12.0 Employment. It is the policy of the Town to employ according to merit and fitness. The Town shall use all available means to attract qualified candidates for employment, and make such investigations and examinations as are deemed appropriate to assess fairly the aptitude, education and experience, knowledge and skills, character, physical fitness and other qualities required for positions in the service of the Town.

After an investigation of the qualifications and experience of the applicants, the Department Head shall make a recommendation to the Town Manager regarding the applicant to be hired, including the completion of a Personnel Action Form to be submitted to the Town Manager. The Town Manager shall make the decision to hire after receiving recommendations from the Department Head, supervisor, and Human Resources Director. The Town Manager shall also be responsible for determining conditions of employment commensurate with this Personnel Policy and Pay and Classification System as established by the Town and policies adopted by the Board of Aldermen. Once the Applicant has been approved by the Town Manager, the completed Personnel Action Form shall be forwarded to the Human Resources Director.

IV. EMPLOYMENT STANDARDS

1.0 Original or Promotional Probationary Period. All new employees and employees promoted or assigned to a new position, excluding sworn police officers and fire suppression personnel, serve a probationary period of six months. A sworn police officer or fire suppression personnel serves a 12-month probationary period.

An important purpose of the probationary period is to provide an opportunity for the probationary employee to adjust to the new job. Likewise, it serves as a trial period during which one must prove his/her ability to perform the work, accept additional responsibility, develop a desirable attitude, and work well for the public and with his/her fellow employees. Any employee serving a probationary period following initial employment may be dismissed at the discretion of the Town Manager at any time during the probationary period. Further, initially meeting the requirements of the probationary period does not guarantee an employee continued employment after the probationary period.

An employee serving a probationary period shall be entitled to all benefits provided in accordance with this Personnel Policy, except as follows:

- A. An employee may accumulate vacation leave, but shall not normally be eligible to take paid vacation leave during the first six months of employment. The Town Manager may allow paid vacation during the initial six months of employment when he/she determines that such is required to relieve a particular hardship situation.
- B. An individual whose employment is terminated for any reason during the initial six months of employment shall not be eligible for compensation for any accumulated vacation.
- C. Any employee whose employment is terminated during the original probationary period shall not be subject to the provisions of the Grievance Procedure.

An original probationary period may be extended in duration for up to six additional months. However, if continued employment is considered not to be in the best interest of the Town, employment may be terminated during the probationary period without adverse judgment against the employee.

A performance evaluation must be completed before the employee is considered to have successfully completed the probationary period. If the Department Head or supervisor has not completed the evaluation during the probationary period, the employee may request that the Town Manager, or designee, conduct the evaluation.

2.0 Temporary and Seasonal Employment. Temporary and Seasonal employees may be hired and paid, subject to the availability of funds, at a rate that is competitive with the local labor market and the Town's Pay Plan upon approval by the Town Manager.

3.0 Employment of Relatives. Two members of the immediate family shall not be employed within the same division or department if such employment will result in one member directly supervising the other or in one member occupying a position that has direct influence over the other's employment, promotion, salary administration, or related management or personnel considerations. No member of any employee's immediate family shall be employed without prior approval of the Town Manager.

Immediate family refers to the degree of closeness of relationship that may create problems within the work unit. In general, this refers to the wife, husband, mother, father, sister, brother, daughter, son, aunt, uncle, niece, nephew, grandmother, grandfather, granddaughter, grandson, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepmother, and stepfather of the employee.

4.0 Performance Evaluations. If the Department Head or supervisor has not completed the evaluation during the probationary period, the employee may request that the Town Manager, or designee, conduct the evaluation.

- A. Original or Promotional Evaluations. At least twice during the original and promotional probationary period, the Department Head shall complete a formal evaluation of the employee's performance using such format and procedures as set forth in the Town's Performance Evaluation Policy. The evaluation form must be completed, and the employee must obtain an overall minimum rating of "Successful Work", on the final probationary period evaluation, in order to successfully complete his/her probationary period.
- B. Annual Evaluations. All regular full-time and part-time employees shall be evaluated at least once annually, and such evaluation shall be utilized to determine the basis for the pay increase for which he/she is eligible in accordance with the pay plan in effect at the time of the performance appraisal.
- C. Disciplinary Evaluations. An employee who is placed on probationary status due to disciplinary action due to the employee's poor job performance or misconduct shall have at least one formal evaluation, depending on the length of the probationary period, completed by the Department Head to determine the employee's progress in meeting job expectations or correcting conduct. The performance evaluation must be completed in order for the employee to be considered to have successfully completed the probationary period.

The performance evaluation system provides a history of work progress of the individual employee with the Town. The complete performance evaluation shall be placed in the employee's personnel file. The performance evaluation should be utilized by the Department Head or supervisor as a tool to determine eligibility for promotion and as a basis for demoting or dismissing an employee. The supervisor should use the performance evaluation system as a tool for counseling with employees and as a communications piece for discussing goals and objectives, work progress, problems, and opportunities. Generally an evaluation will be conducted within the scheduled annual evaluation period, or at the end of the designated probationary period.

While the work progress of an employee is formally evaluated on a periodic basis (as defined in the Performance Evaluation Policy), the supervisor should continuously counsel employees with regard to work progress, job expectations, performance, employee strengths, and weaknesses. This serves to open communications between the supervisor and the employee and build a better work environment.

5.0 Promotion. A promotion is defined as a move from one position class to another that is assigned to a higher pay grade.

It shall be the policy of the Town to seek qualified applicants for vacant positions, giving first consideration to promoting from within and across departmental lines. In the absence of qualified candidates for promotion, vacancies shall be filled by recruiting from the outside.

Employees shall be considered for promotion on the basis of job-related experience, skill, knowledge and ability, and a review of the quality of past performance and general suitability for the higher-level position. Factors, which are not job related, such as political preference, religion, age, sex, color, race, national origin or disability, shall not be considered in judging eligibility for promotion.

When the promotional qualifications of two or more employees are judged to be equal, the one with the longest service with the Town may be promoted. However, an employee is normally expected to have served one year or more in his/her current position before being considered for promotion.

A Department Head's recommendation to promote an employee must be reviewed and approved by the Town Manager. Upon promotion, an employee shall receive a 5 percent increase in pay, or be moved to the minimum of the new pay grade, whichever is greater. The date of promotion shall become the employee's anniversary date. Except that in the event of promotions received as a result of increased certifications, the date of promotion will be the employee's current anniversary date.

Promoted employees will serve a probationary period as stated in section 1.0 of this Article.

6.0 Temporary Promotions: Temporary promotions shall be used when there is an extended vacancy within a Department and the person recommended to fill the position, on a temporary basis, is someone in a lower salary grade. The Department Head may request approval for temporary promotions from the Town Manager if the need to fill the position is greater than 45 consecutive calendar days.

Upon promotion, an employee shall receive a 5 percent increase in pay for the duration of the assignment. The date of temporary promotion shall not change the employee's anniversary date.

7.0 Transfer. A transfer is defined as a lateral move from one department, division, or work unit to another, without change in position class or pay grade.

It is the policy of the Town to transfer employees temporarily or long term from one department to another when doing so will serve the Town's best interest, as determined by the Town Manager.

This policy permits maximum utilization of manpower during unanticipated emergency situations, peak workloads, and the shifting of help to where it is needed most.

8.0 Demotion. A demotion is defined as the reassignment of an employee to a position or a classification having a lower pay range than the position from which the reassignment was made. The Town reserves the right to demote an employee as a result of certain, non-routine circumstances, including, but not limited to the following:

- A. When an employee becomes partially disabled and is unable to perform the essential job functions of the assigned position, with or without special accommodations, yet the employee is able to perform in a lower level position, with or without special accommodations, in a manner that will not jeopardize either the safety of the employee or co-workers. Any such action shall be undertaken in compliance with the requirements of the Americans with Disabilities Act; or,
- B. When an employee is dissatisfied with or unable to meet the requirements of the position for which the employee was hired; or,
- C. When the appropriate Department Head and/or Town Manager determine that a demotion is a suitable action based on employee misconduct or performance.

In most situations, demotion shall result in a minimum of a 5% reduction in pay, however greater reductions may be required. Salary reduction for a demotion, resulting from a disciplinary action, shall equal 5% per pay grade difference from the original position to the newly assigned position. All such pay reductions must be approved by the Town Manager and the Department Head. Under no circumstances shall the pay for a demoted employee exceed the maximum pay established for the pay grade to which the employee is demoted. All pay reductions resulting from a demotion done to comply with the American with Disabilities Act shall comply with provisions of that act.

V. RESPONSIBILITIES OF EMPLOYMENT

1.0 Responsibility of Employee. An employee is expected to perform his/her duties and to conduct himself/herself both on and off the job so as to reflect positively on the Town and on fellow employees.

- A. Performance of Duties - The following are examples of unsatisfactory performance of duties, but are in no way intended to be all-inclusive.
1. Inefficiency or incompetency in the performance of duties.
 2. Negligence in the performance of duties.
 3. Physical or mental incapability for performing duties.
 4. Careless, negligent, or improper use of Town property or equipment.
 5. Failure to maintain harmonious working relationships with the public and/or employees.
 6. Absence without approved leave.
 7. Improper uses of sick leave privileges.
 8. Failure to report for duty at an assigned time and place.
 9. Violation of written departmental regulations.
 10. Failure to obtain or maintain a current license or certificate required by law as a condition for performing the job.
 11. Habitual tardiness.
 12. Deliberate damage to, or destruction of, Town or private property including the property of other employees.
 13. Taking or refusing to surrender any Town-owned property when directed to do so by a supervisor.
 14. Sleeping on the job.
 15. Violation of established safety rules.
 16. Failure of an injured employee to report a personal injury to their supervisor in accordance with the Town's Safety Policy.
 17. Failure to report damage to Town-owned property, including but not limited to vehicles, motorized equipment, hand-held tools, buildings and other structures owned, leased or in control of the Town to their supervisor in accordance with the Town's Safety Policy.
 18. Leaving a job or work area without permission of the supervisor.
 19. Refusal to accept a reasonable and proper assignment from a supervisor (insubordination).
 20. Violating the privacy of records under the responsibility of a fellow employee or supervisor without express permission.
 21. Habitual or excessive absenteeism.
 22. Releasing confidential information. Confidential information shall be deemed to include any information established as private by North Carolina General Statute.

B. Personal Conduct - The following are examples of unsatisfactory personal conduct, but are in no way intended to be all-inclusive.

1. Conviction of a felony; the conviction, or admission of any crime involving moral turpitude; or, the association with any crime, given the totality of the circumstances, that results in the loss of trust in the employee by superiors and/or affects the safety, reputation, or well-being of any member of staff, citizens, or patron of the Town.
2. Improper use of Town funds.
3. Falsifying job information to secure a position.
4. Misrepresentation and/or falsification of any records including attendance reports.
5. Participation in any action that would in any way seriously disrupt or disturb the normal operation of the department, or causing disharmony or strife within the department.
6. Deliberate damage or destruction of Town or private property or the property of other employees.
7. Acts that would endanger the lives or property of others.
8. Possession of unauthorized firearms or dangerous weapons on the job.
9. Brutality in the performance of duties.
10. Refusal to accept any assignment from a supervisor (insubordination).
11. Failure to comply with the Town's Substance Abuse Policy.
12. Guilty of giving or accepting any consideration or thing of value in exchange for "favors" or "influence."
13. Betrayal of information from official records that are allowed by law or policy to be confidential or to be released by specified persons.
14. Taking part in political management of or campaigning for Town officials.
15. Violation of written departmental regulations.
16. Violation of the Town's financial policy, Fiscal Operating Policies and Practices (Appendix M).
17. Abusive and/or threatening language or action(s) to a supervisor, fellow employees, or the general public.
18. Acts during or outside of duty hours, which are incompatible with responsible public service.
19. Fighting with fellow employees.
20. Failure to maintain harmonious working relationships with the public and/or employees.

A Town employee who is guilty of any of the above infractions listed in section A or B may be reprimanded, demoted, suspended, or dismissed, depending upon the severity of the infraction. In the event an employee has been charged with a civil or criminal matter pending resolution in a court of law, the employee may be dismissed, or suspended with or without pay depending on the severity of the civil or criminal matter and the ability of the employee to perform assigned duties. Upon resolution of the matter, the Town Manager shall have the authority to reinstate the employee to full-time status, suspend the employee with or without pay, or dismiss from employment.

A Supervisor shall be responsible for counseling employees about performance related problems or refer the employee to the Town's Employee Assistance Program provider. The Supervisor has the discretion to refer employees to the Employee Assistance Program for counseling if it is thought that the performance related problems are caused by personal problems, or if it is thought by the Supervisor that the employee would benefit from counseling. Furthermore, the Supervisor has the discretion to issue oral or written warnings depending upon the severity of the performance related problem and if the problem is a reoccurring one. If a written warning is issued, the Supervisor shall describe the performance related issues in a letter to an offending employee which will also state why the disciplinary action is warranted. The employee may exercise his/her right to appeal in accordance with the Town's grievance procedure. Article XIII (Disciplinary Actions) prescribes the method to be followed by all supervisory persons in dealing with improper performance or unacceptable conduct.

2.0 Responsibility of the Department Heads. A Department Head shall meet his/her responsibilities as directed by the Town Manager, being guided by the Charter, ordinances, programs and policies. The Department Head will require other supervisors to meet their responsibilities by:

- A. Dealing with all employees in a fair and equitable manner and upholding the principles of equal employment opportunities;
- B. Developing and motivating employees to reach their fullest potential through continued education and training;
- C. Making objective evaluations of individual work performance and discussing this evaluation with each employee so as to bring about needed improvements;
- D. Keeping employees informed of their roles in accomplishing the work of their units and of conditions or changes affecting their work;
- E. Making reasonable effort to resolve employee problems and grievances and advising employees of their rights and privileges.

3.0 Attendance. Because Town services are essential and continuous, an employee shall avoid unnecessary habitual or excessive absenteeism and habitual tardiness. Attendance and punctuality are important responsibilities of the employee, which may influence his/her future eligibility for a performance pay increase, promotion, or continued employment. Due to the nature of various jobs within the Town, unacceptable attendance/tardiness may vary from department. Each employee should check with his/her supervisor regarding the policy for their Department/Division.

The employee shall be required to notify his/her supervisor when illness prevents him/her from reporting to work, or when the employee expects to be late for work because of unusual and unavoidable circumstances. Due to the necessity of having minimum staffing requirements for certain Town services, each department may have a different notification procedure. Each employee should check with his/her supervisor.

If an employee is away from his/her job for two (2) consecutive workdays without notice, it shall be assumed that the employee has resigned. However, the Department Head or supervisor shall make reasonable attempts to contact the employee to assess the nature or reason for the absences.

4.0 Inclement Weather. All Town employees are to presume that all Town offices and departments will be open at the regularly scheduled time, regardless of conditions or circumstances. As such, employees shall be expected to make every reasonable effort to report to work. Town offices and Departments shall be closed only at the discretion of the Town Manager or designee.

Employees in "critical" positions are required to report to work regardless of conditions or circumstances. Employees in "non-critical" positions who, for reasons of inclement weather, are unable to report to work, given safety considerations and road and weather conditions, shall be required to use accumulated compensatory, vacation or holiday leave or leave without pay. Employees who cannot report to work because of inclement weather are required to notify their Department Head or supervisor of their intended absence from work within one hour after the scheduled start of the workday. It is the responsibility of the Department Head to make sure that his/her department is adequately staffed given the weather conditions and workload of the department.

It is the responsibility of each Department Head to prepare and submit to the Town Manager a current roster containing the name and classification of each employee and whether the employee's classification is designated as "critical" or "non-critical". Examples of "critical" classifications include those classifications involved in public safety, street maintenance, or the provision of other critical or essential Town services. Examples of "non-critical" personnel include office and non-office personnel who do not provide public safety, critical or essential services. All employees will be given notice as to whether their position is considered "critical" or "non-critical" as it relates to this section upon employment in a new position.

5.0 Secondary Employment. The work of the Town takes priority over other employment interests of employees. All outside employment for salaries, wages, or commission and all self-employment must be reported to the employee's Department Head or Town Manager before such work is to begin. The Department Head and/or Town Manager will determine whether the outside work would create a conflict of interest or otherwise be incompatible with Town services.

6.0 Political Activity. The Town encourages an employee to exercise civic responsibility in supporting good government at all levels by voting for the political candidates and issues of his/her choice.

An employee may join or affiliate with political organizations, attend political meetings, support partisan or nonpartisan candidates of their choice, and advocate and support political principles and policies in accordance with the Constitution and laws of the State of North Carolina and of the United States of America.

However, an employee shall not:

- A. Engage in political or partisan activity while on duty;

- B. Be required to contribute funds or support for political or partisan purposes as a condition of employment, pay raise, promotion, or tenure of office;
- C. Coerce, solicit or compel contributions for political or partisan purposes while on duty;
- D. Use Town-owned supplies, equipment, or facilities to display political signs, posters, or stickers, or for any other political or partisan purpose;
- E. Be a candidate for or hold an elected office on the governing board for the Town of Kernersville;
- F. Use official authority or influence for the purpose of interfering with or affecting the results of an election or a nomination for office.

Any violation of these provisions shall be deemed improper conduct and may result in disciplinary action, including dismissal. If conflicts with North Carolina General Statute 160A-169 and this occur, NCGS 160A-169 shall prevail.

7.0 Solicitations. Except as specifically approved by the Town Manager, no employee shall solicit pledges or contributions or promote sales for any cause during working hours. Solicitations of employees by persons who are not employed by the Town shall be prohibited on Town property.

8.0 Gifts and Favors. The conduct of an employee in Town service shall be free from influence arising from gifts, favors, or special privileges. Refer to the Ethics and Conflicts of Interest (Article XVII).

9.0 Workplace Bullying. The Town of Kernersville is committed to providing a safe and healthy work environment in which all employees are treated fairly, with dignity and respect. Workplace bullying is defined as repeated inappropriate behavior conducted by one or more persons against another. It is unacceptable and will not be tolerated.

Bullying behaviors may take many different forms, from the obvious (direct) to the more subtle (indirect).

- A. Direct Bullying: The following are examples, but are in no way intended to be all-inclusive:
 1. Abusive, insulting or offensive language;
 2. Spreading misinformation or malicious rumors;
 3. Behavior or language that frightens, humiliates, belittles or degrades, including over criticizing, or criticism that is delivered with yelling or screaming;
 4. Displaying offensive material;
 5. Inappropriate comments about a person's appearance, lifestyle, their family or sexual preferences;
 6. Teasing or regularly making someone the brunt of pranks or practical jokes.
- B. Indirect Bullying: The following are examples, but are in no way intended to be all-inclusive:
 1. Unreasonable overloading a person with work, or not providing enough work;

2. Setting timeframes that are difficult to achieve, or constantly changing them;
3. Setting tasks that are unreasonable below, or above, a person's skill level;
4. Deliberately excluding or isolating a person from normal work activities;
5. Withholding information that is necessary for effective work performance;
6. Deliberately denying access to resources or workplace benefits (Ex, training, leave, etc.);
7. Deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular employee(s).

Managing the organizational structure and staff does not constitute workplace bullying, as long as it is performed in a reasonable manner.

Every employee is encouraged and expected to report incidents of bullying or intimidation if they have knowledge of its occurrence or existence in the work place. Employees are encouraged and expected to report the incident to their immediate supervisor, unless the supervisor is involved or complaints go unheeded and, in such instances, the employee should report the situation to the Human Resources Office. However, employees are not limited to this procedure and may file the complaint directly with the Human Resources Office. An investigation into allegations will be conducted and advise the employee and appropriate management officials of the outcome of the investigation. Bullying constitutes unsatisfactory job performance and is subject to disciplinary action, up to and including dismissal.

10.0 Workplace Harassment. The Town of Kernersville is committed to providing a work environment free from harassment. Workplace Harassment is defined as unwelcomed conduct based upon a person's protected class (age, race, sex, color, religion, disability, genetic information, national origin, political affiliation, and marital status). It is the duty of every employee to ensure that the work place is free from harassment of fellow employees.

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or the effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Every employee is encouraged and expected to report incidents of harassment if they have knowledge of its occurrence or existence in the work place. Employees are encouraged and expected to do the following: (1) tell the person offending them to cease, and (2) report the incident to their immediate supervisor, unless the supervisor is involved or complaints go unheeded and, in such instances the employee should report the situation to the Human Resources Office. However, employees are not limited to this procedure and may file the complaint directly with the Human Resources Office. An investigation into allegations will be conducted and advise the employee and appropriate management officials of the outcome of the investigation. Harassment constitutes unsatisfactory job performance and is subject to disciplinary action, up to and including dismissal.

11.0 Age, Physical, and Psychological Limitations.

- A. Age Limitations: The minimum age for employment with the Town is 18 for all positions except for seasonal employment and law enforcement officers. Law enforcement officers must be 20. The Town will not require an employee to separate from the Town service because of age.
- B. Physical and Psychological Limitations: The Town does recognize that it is a disadvantage to the employee and to the Town if employees, regardless of age, are allowed to continue work who are not physically or mentally able to do so. Therefore, transfer, early retirement, disability retirement, or dismissal may be necessary if an employee is found physically or mentally incapable for the performance of his/her duties. The following procedure will apply in such cases:
 - 1. Upon request by a Department Head, the Town will designate a physician to perform a physical or psychological evaluation, at the expense of the Town. The Town shall make all necessary arrangements for the examination and inform the employee.
 - 2. The Human Resources Director, with the assistance of the Department Head, shall prepare a detailed statement of the duties, responsibilities, and essential job functions required for the position the employee occupies and forward it to the physician.
 - 3. Based upon medical evaluations, medical opinions, and duties of the job, the Human Resources Director and Department Head shall make a recommendation to the Town Manager regarding continued employment. The Town Manager shall have final authority in determining if the employee should be dismissed or retained.

12.0 Use of Town Vehicles. Vehicles, owned by the Town, shall be cared for by an employee in a reasonable way. Such vehicles are to be used exclusively for official Town business. By special approval of the Town Manager, an employee may be directed to take the vehicle home when the best interest of the Town can be served by assuring a prompt, prepared response to after-hour incidents, whether emergency or non-emergency, which necessitates that the employee be called back to work after his/her normal hours of service. This practice provides a convenience for the employee as well as the Town and should not be abused for personal reasons.

The following rules must be observed when using a Town vehicle:

- A. General
 - 1. No Town vehicle may be used for the conduct of any personal business, either during or after working hours. Direct routes to and from work should be used without side trips for personal reasons.

2. No one other than a Town employee should be in a Town vehicle, except for police and fire vehicles, and/or under certain circumstances other vehicles, to conduct Town business.
3. The rules of courtesy and safe driving should always be observed.
4. The Town recommends no personal possessions be left in a Town vehicle overnight. The Town assumes no responsibility for such personal items.
5. These rules apply to both marked and unmarked vehicles. Because of the nature of the duties of certain individuals, it is necessary that an unmarked vehicle be provided; however, the use of such unmarked vehicles is subject to these conditions and the personal use of such vehicles is expressly prohibited.
6. Employees shall follow the procedures set forth with regard to accidents occurring in the operation of Town vehicles.

B. Vehicles Taken Home – As previously stated, certain employees will be allowed to drive a Town vehicle home, subject to the following conditions:

1. In all such cases, all of the regulations of Sub A (above) apply. However, due to personal transportation limitations, personal use is allowed for obtaining meals.
2. As custodian of the Town vehicle, employees are expected to make efforts to protect that vehicle from accidents, vandalism, or other such damage, both during and after working hours.
3. Reference “Vehicle Taken Home – Authorized Positions (Appendix J) for a list of positions that are authorized to drive a Town vehicle home overnight:

Should any of these individuals listed in Appendix J be out of town, or expected to be absent, for more than three (3) workdays, the Town Manager is authorized to extend the use of a Town vehicle overnight to the person most likely to be called in lieu of the above-stated individuals. Department Heads may also temporarily designate employees in their department not listed in Appendix J when it is in the best interest of the Town for better provision of services or for employees who may be responding in emergency situations. A written statement shall be placed in the personnel file of each individual who is required to drive a Town vehicle home overnight. That written statement shall give the conditions under which the employee may be called out after his/her normal working hours, and contain other such information as is necessary.

13.0 Use of Town Property and Equipment. Town equipment, materials, tools, and supplies are not available for personal use, nor are they to be removed from Town property, except in the conduct of official Town business. Additionally, any employee who damages or loses Town

equipment, materials, tools or supplies, which may or may not be personally assigned to them, may personally be held financially responsible for the replacement or repair of the damaged or lost equipment, materials, tools or supplies. Reimbursement to the Town may be made directly by the employee by personal check or U.S. Currency, or by deducting the amount from the employee's paycheck. For electronic communication use, please refer to the Electronic Communications Policy (Article XVI).

14.0 Travel Reimbursement. All Town employees shall be reimbursed for travel and expenses for approved Town or job related business in accordance with the Finance Policy as established by the Board of Aldermen and Town Manager.

15.0 Hours of Work. Many of the services performed by Town employees are essential and some must be provided day and night, every day of the year. Therefore, Town employees may be required to work changing shifts and the number of hours per day may differ. The Town abides by all applicable rules of the Fair Labor Standards Act and its amendments. When the activities of a particular department require some other schedule to meet work needs, the Town Manager may authorize a deviation from the normal schedule.

- A. Non-Exempt: The Town will properly record all applicable overtime accrued for each covered employee. Overtime is applicable only to employees of the Town who are non-exempt under the Fair Labor Standards Act. Department Heads may decide to compensate employees for hours worked over their overtime threshold by accruing compensatory leave, in accordance with the FLSA. For additional information regarding Compensatory Leave, refer to Article VII Section 2.0 Compensatory Leave.

Employees must seek prior approval from their supervisor/Department Head prior to working hours outside of their regularly scheduled hours. Employees shall ensure all hours worked are accounted for in the Town's official timekeeping system prior to approval.

- B. Exempt: Employees classified as "Exempt" from the overtime provisions of the Fair Labor Standards Act are paid for the accomplishment of assigned accountabilities rather than being paid for the number of hours worked in a work week. Exempt employees shall work the hours necessary to ensure the satisfactory performance of their assigned accountabilities. Hours worked in excess of a regular scheduled work week by an exempt employee is considered accomplishment of assigned accountabilities for which there is no requirement for additional compensation whether in time off or pay.

Employees classified as "Exempt" will not need to use accrued leave for time away from work for 2 hours or less, as approved by the Department Head. Department Heads shall monitor this leave to ensure it is not being used excessively.

Employees will be allowed two breaks during the workday. Typically one break will be allowed to be taken during the first half of the day and one during the second half of the day, not to

exceed 15 minutes each. Please note, these breaks are not mandatory and are to be taken as permitted by the workload and staffing. Hours required to work may not be reduced by unused breaks.

VI. FRINGE BENEFITS

Unless mandated by the local, state or federal laws, the Town's contribution to the fringe benefits listed below is subject to the availability of funds.

1.0 Insurance and Disability Benefits. Certain insurance and disability benefits are available for Town employees. The Town may pay all or a portion of the costs of such benefits as provided in the annual Town budget. Part-time employees may be entitled to or eligible for such benefits on a pro-rated basis. Specific information regarding the plan benefits, Town contribution to any cost of the benefit, and employee cost for any benefit or supplemental benefit is available from the Human Resources office. These benefits include the following:

- A. Medical and Dental Care Insurance. These are available after the completion of an appropriate waiting period. Employees may elect to include coverage for their dependents in accordance with the provisions of the plan and must pay the cost for any such dependent coverage.
- B. Life Insurance. This is available after the completion of an appropriate waiting period and may include accidental death and dismemberment coverage. Employees can choose to purchase additional coverage.
- C. Disability Benefits. Short-term and long-term benefits are available after the completion of an appropriate waiting period.
- D. Employee Assistance Program. This program provides assistance, support and guidance to employee and their families and is available after the completion of an appropriate waiting period.

2.0 Retirement Benefits. Regular employees, whose duties require them to be scheduled to work at least 1,000 hours per year, shall be covered by the North Carolina Local Governmental Employees' Retirement System; and both the Town and the employee shall make contributions in shared amounts, as required by state law. Covered employees contribute, through payroll deduction, six percent (6%) of their gross salary each pay period to the system. The Town contributes an actuarially determined percentage of the gross payroll each pay period to the system. Retirement System benefits and active duty service requirements are established by the Retirement System and may be subject to change.

3.0 Unemployment Compensation. Employees who are laid off or dismissed from the Town service may apply for unemployment compensation through the local office of the Employment Security Commission. Eligibility for unemployment compensation will be determined by the Employment Security Commission.

4.0 Retired Employee Health Insurance Benefits. The provisions of this policy shall apply to all employees retiring after the adoption of this revised policy, effective November 1, 2003, with exclusions applying to employees hire after June 30, 2005. Employees who retired prior to November 1, 2003 shall receive the benefits as described in the policy in effect at the time of

their retirement. However, the Town retains the right to modify such benefits if it deems such modification to be necessary.

The purpose of the insurance provided hereunder is to extend to qualified retirees of the Town, both recent and future, health insurance through the Town's group insurance plan. The Town will offer, on the condition that the retiree meets the qualifications established in this section, health insurance coverage from the effective date of retirement until the earliest date of the following: (1) the retiree receives Medicare coverage through the Social Security Administration; (2) ninety (90) days after becoming eligible for Medicare; (3) becoming gainfully employed by another employer and covered by other group insurance; (4) voluntarily obtaining other insurance coverage. Retirees are not permitted to re-enroll in any portion of the Town's health insurance plan after disqualified by 1, 2, 3, or 4 above.

For the purposes of this policy, Group Insurance, or Insurance, shall mean major medical health insurance and dental insurance.

A. Qualifications for Retirement Health Insurance Benefits for Employees Hired Prior to July 1, 2005.

1. Retirement With Full Insurance Benefits. In order for a retired employee of the Town to qualify for "Retirement With Full Insurance Benefits", the retiree must meet the following criteria:
 - a. Qualify for "full", "reduced", or "disability" benefits through the North Carolina Local Governmental Employees' Retirement System; and,
 - b. Worked for the Town of Kernersville for at least ten (10) years.
2. Retirement With Reduced Insurance Benefits. In order for a retired employee of the Town to qualify for "Retirement With Reduced Insurance Benefits", the retiree must meet the following criteria:
 - a. Qualify for "full", "reduced" or "disability" benefits through the North Carolina Local Governmental Employees' Retirement System.
 - b. Worked for the Town of Kernersville for at least five (5) years.

B. Qualifications for Retirement Health Insurance Benefits for Employees Hired After June 30, 2005 and prior to February 3, 2015.

In order for retirees to receive any health insurance benefits from the Town of Kernersville, he or she must qualify for "full", "reduced", or "disability" benefits through the North Carolina Local Governmental Employees Retirement System. For the Town to contribute 100% of the employer's contribution toward health care premiums, the retiree must have completed at least 25 or more years of

service with the Town. To receive 75% of the employer's contribution, the retiree must have completed at least 20 years of service with the Town. To receive 50% of the employer's contribution, the retiree must have completed at least 15 years of service to the Town. Employees retiring with less than 15 years, but at least 5 years, of service may remain on the Town's insurance plan but with no employer contribution.

C. Qualifications for Retirement Health Insurance Benefits for Employees Hired After February 2, 2015.

In order for retirees to receive any health insurance benefits from the Town of Kernersville, he or she must qualify for "full", "reduced", or "disability" benefits through the North Carolina Local Governmental Employees Retirement System. For the Town to contribute 100% of the employer's contribution toward health care premiums, the retiree must have completed at least 25 or more years of service with the Town at any age. To receive 75% of the employer's contribution, the retiree must have completed at least 20 years of service with the Town and obtain age fifty (50) years of age or older. To receive 50% of the employer's contribution, the retiree must have completed at least 15 years of service to the Town and obtain age fifty (50) years of age or older.

D. Health Insurance Benefits for Retirees.

1. Retirement With Full Insurance Benefits. Retirees who qualify for full insurance benefits shall be entitled to the same major medical health and dental insurance at the same cost as all regular fulltime employees are entitled.

- a. Dependent Health Insurance Coverage. The retiree may elect to cover his/her family, and will pay the full cost of the dependent coverage. If a retiree wishes to cover his/her dependents, he/she may do so, at his/her expense, at the group rate for which the Town has contracted with the insurance company to provide to retirees.

2. Retirement With Reduced Insurance Benefits. Retirees who qualify for reduced insurance benefits shall be entitled to the same major medical health and dental insurance as all regular fulltime employees are entitled to, at the expense of the retiree. The retiree shall pay the same group rate for which the Town has contracted with the insurance company to provide to all retirees.

- a. Dependent Health Insurance Coverage. The retiree may elect to cover his/her family, and will pay the full cost of the dependent coverage. If a retiree wishes to cover his/her dependents, he/she may do so, at his/her expense, at the group rate for which the Town

has contracted with the insurance company to provide to all retirees.

- E. Payments of Premium. Retirees electing insurance coverage requiring payment of premiums must make their insurance payments a month in advance, as does the Town. Payment must be made in the manner directed and received by the end of the month preceding the month for which the insurance coverage is desired. Non-payment of premiums by the specified due date will result in termination of coverage without reinstatement.
- F. Enrollment. During pre-retirement counseling, the Human Resources Director shall be responsible for reviewing the personnel records of the employee who is considering retirement from the Town to determine which insurance benefits the retiree is entitled. Once it has been determined which coverage the retiree is eligible for, the Human Resources Director shall explain the retirement insurance benefits being offered to the retiree and have the retiree complete an election form explaining the benefits being offered to the retiree as well as the obligations of the retiree.

The Human Resources Director shall be responsible for completing the appropriate paper work with the insurance providers once the retiree has elected insurance coverage.

- G. Responsibilities of the Retiree. It shall be the responsibility of the retiree to notify the Human Resources Director of the following events:
 - 1. Becoming eligible for Medicare benefits.
 - 2. Receiving Medicare benefits.
 - 3. Becoming employed and receiving group insurance from another employer.
 - 4. Voluntarily obtaining other health insurance coverage.

If the Town, or Human Resources Director, discovers that the retiree is no longer qualified to receive retirement insurance benefits, the Human Resources Director shall notify the retiree of the discovery and inform the retiree that the retirement insurance benefits will be terminated back to the date of disqualification, unless the retiree can show proof that he/she has not become disqualified.

5.0 Social Security. The Town and its employees participate in and contribute to the Social Security program as required by state and federal laws.

6.0 Deferred Compensation. The Town may contribute a percentage of pay to a 401(k) plan on behalf of all employees who are members of the Local Governmental Employees' Retirement System. In addition, the Town provides these employees with the opportunity to voluntarily participate in a deferred compensation [401(k) and 457(b)] plan at his/her own cost.

7.0 Uniforms. The Town provides uniforms for personnel in certain departments deemed necessary by the Department Head and/or Town Manager. These employees are required to wear uniforms so they will be easily identified as Town employees while working on or near private property. In addition to the identification factor, clothing furnished by the Town represents a very significant financial benefit to the employee.

The employee who enjoys this benefit is responsible for the uniforms. Therefore, the costs of avoidable damage or loss of uniforms will be paid by the employee. An employee will wear his/her Town uniform properly, will not wear his/her uniform while working for an employer other than the Town, and will not allow other individuals to wear his/her uniform. Upon separation from Town employment, the employee shall return all uniforms to the Town in a reasonable condition before receiving terminal pay.

8.0 Annual Bonus. Bonuses will be given to all regular full-time employees, subject to the hereinafter-stated limitations. Those persons who are to receive said funds must still be employed and not working a notice at the time of disbursement. Employees working a notice due to a full, reduced, or disability retirement shall not be excluded from receiving their annual bonus.

Bonuses will be paid according to the following formula:

$$\begin{array}{ccccccc} \text{Annual Salary} & & & & \text{Number of Months Employed Since} & & \\ \text{as of} & & & & \text{Preceding November 1} & & \\ \text{November 1} & \times & 2 \% & \times & \frac{\quad}{12} & & \end{array}$$

In order to receive credit for a full month's service, an employee must have been hired on or before the 15th of the month. Overtime pay shall not be included for the purpose of computing this bonus.

9.0 Retirement Gift and Recognition. Upon full retirement from the Town, the employee shall receive a gift from the Town based on the employee's years of service according to the schedule located in Appendix H, which will be adjusted for inflation by the Town Manager based upon the rate of inflation. Additionally, the employee will receive a resolution by the Board of Aldermen recognizing the employee's years of service and contribution to Town government. In order for an employee to become eligible for the retirement gift or check, the employee must be eligible to receive either full, partial, or disability retirement benefits from the North Carolina Local Governmental Employees' Retirement System.

VII. LEAVES OF ABSENCE

1.0 Holidays.

- A. The Town observes eleven (11) official paid holidays each year as follows:

New Year's Day
Martin Luther King, Jr.'s Birthday
Good Friday
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving (2 days)
Christmas (2 or 3 days, determined by which day of the week on which Christmas day falls. If Christmas day falls on Tuesday, Wednesday or Thursday, the Town will observe 3 days for the holiday. If Christmas day falls on Friday, Saturday, Sunday or Monday, the Town will observe 2 days for the holiday)

When one of the authorized holidays falls on a Saturday, the preceding Friday will be observed as a holiday. When a holiday falls on a Sunday, the following Monday shall be observed as a holiday.

- B. Floating Holiday. The Town credits each regular, full-time employee and each regular part-time employee one floating holiday at the beginning of each fiscal year (July 1). The floating holiday will be taken by the employee at his/her discretion provided the employee has submitted a request to his/her supervisor and/or Department Head, at least two weeks prior to the desired day off. It is the supervisor and/or Department Head's responsibility to make sure his/her division or department is adequately staffed prior to approving the employee's request. If two or more employees request the same day off, either as vacation leave or as a floating holiday, the employee who submitted his/her request first shall be given the time off. The floating holiday must be used by the end of the fiscal year, June 30, or the employee will forfeit the holiday.

- C. Employees Who are Required to Work on Holidays.

1. If an employee is engaged in shift work and if the regular work schedule requires work on a holiday, the employee shall receive a subsequent day off as compensation for the holiday worked; likewise, if a holiday falls on one's scheduled day off, the employee shall receive an additional day off. The compensatory day off must be taken within one calendar year from accrual.
2. For non-shift work employees who must work on a holiday, who would normally be expected to observe the day off, the Department Head shall have the discretion to pay for hours worked in addition to holiday pay or

allow employees to receive a subsequent day off as compensation for the holiday worked.

Leave for one holiday equals the number of hours in one regular workday. Holiday pay is equal to what the employee is paid for a regular workday. Holiday hours will count as hours worked toward reaching the threshold for determining overtime compensation.

- D. Eligibility for Holiday Pay. In order for an employee to be eligible for holiday pay, the employee must work his/her regular shift on the workday before and the workday following the holiday, unless vacation leave is scheduled in advance with his/her supervisor or, in the case of sick leave, suitable proof is presented to and approved by his/her supervisor to qualify for the use of such leave. If these conditions are not met, the employee shall not be eligible for holiday pay.
- E. Regular Part-Time Employees Eligible for Holiday Pay. Regular part-time employees shall be eligible for holiday pay in the amount of .50 days per day recognized as a paid holiday by the Town and as established by the personnel policy.
- F. Temporary and Seasonal Employees. Temporary and Seasonal employees are not eligible to receive holiday pay.

2.0 Compensatory Leave. Department Heads may require employees to accrue compensatory leave, in lieu of paying overtime, on the basis of one and one-half hours for each hour worked over their overtime threshold. Employees shall be allowed to accumulate up to 80 hours of compensatory leave (160 hours for Sworn Law Enforcement Officers and Fire Suppression employees). In the event an employee reaches their maximum, overtime compensation must be paid.

- A. Use of Compensatory Leave. Accumulated compensatory leave may be taken as earned by a regular employee when mutually convenient for the Town and the employee; therefore, compensatory leave requests and scheduling are subject to approval by Department Head. Employees will not work for the Town at the same time that he/she is using paid compensatory leave, nor is an employee authorized to use compensatory leave accrued by another employee. Compensatory leave balance must be used prior to the use of accrued vacation leave. The amount of compensatory leave used shall not result in an employee exceeding their overtime threshold.
- B. Compensation for Accumulated Compensatory Leave upon Dismissal. An individual who leaves the Town will be paid for unused compensatory leave at the final regular rate received by the employee.

3.0 Vacation Leave. Accumulated vacation leave may be taken as earned by a regular employee when mutually convenient for the Town and the employee; therefore, vacation leave requests and scheduling are subject to approval by Department Head. Employees will not work

for the Town at the same time that he/she is on paid vacation, nor is an employee authorized to use vacation that is accrued by another employee. The amount of vacation leave used shall not result in an employee exceeding their overtime threshold.

Vacation leave accrual shall take place on the 15th day of the month.

An employee continues to accumulate vacation while on vacation and sick leave.

A. Regular Full Time Employees. Regular and probationary full-time employees shall earn paid vacation leave according to his/her length of service as follows:

1. All employees, except firefighting personnel and sworn police officers assigned to 12-hour shifts.

<u>Length of Service</u>	<u>Vacation Leave Equivalent</u>
0 through 4 years of service	8.00 hours/month
5 through 9 years of service	10.00 hours/month
10 through 14 years of service	12.00 hours/month
15 through 19 years of service	14.00 hours/month
20 or more years of service	16.00 hours/month

2. Sworn police officers assigned to 12-hour shifts.

<u>Length of Service</u>	<u>Vacation Leave Equivalent</u>
0 through 4 years of service	9.00 hours/month
5 through 9 years of service	11.25 hours/month
10 through 14 years of service	13.50 hours/month
15 through 19 years of service	15.75 hours/month
20 or more years of service	18.00 hours/month

3. All firefighting personnel.

<u>Length of Service</u>	<u>Vacation Leave Equivalent</u>
0 through 4 years of service	12.00 hours/month
5 through 9 years of service	15.00 hours/month
10 through 14 years of service	18.00 hours/month
15 through 19 years of service	21.00 hours/month
20 or more years of service	24.00 hours/month

B. Regular Part-Time Employees. Regular and probationary part-time employees regardless of hours worked, shall earn paid vacation leave at one-half the rate of full-time employees per month.

C. Temporary and Seasonal Employees. Temporary and Seasonal employees are not eligible to earn or receive paid vacation.

- D. Annual Vacation Leave Carryover. As of January 1st of each year, the maximum amount of leave carried over from the previous calendar year shall be 240 hours or the amount that an employee could accrue in a 24 month period based upon the schedule in A or B of this section, whichever is greater.
- E. Transfer of Vacation Leave to Sick Leave. As of January 1st of each year, either (1) any vacation balance in excess of 240 hours; or (2) any excess of the amount that an employee could accrue in a 24 month period based upon the schedule in A or B of this section (whichever is greater) shall be converted to sick leave and may be used in accordance with article VII. Leaves of Absence, Section 3.0 Sick Leave.
- F. Beginning Date of Accrual for New Employees. Vacation leave accrual shall be effective on the 15th of the month in which the leave was earned. Persons who are hired on or before the 15th day of the month earn vacation leave for that month; and those hired after the 15th day of the month begin earning vacation leave the following month.
- G. Previous Service Credit. The Town Manager may approve credit of prior service with the Town for an employee who separates in good standing and is reemployed. The total months of previous service time will be recognized at the end of 3 additional years of service.
- H. Acceptance of Service Time for Vacation Leave Accrual. To facilitate recruitment of qualified persons with appropriate governmental experience, the Town accepts service time certified with the immediately preceding state or local government employer towards vacation leave accrual. The service time shall be recognized after successfully completing the initial six (6) months of employment. Successful completion is recognized by receiving a “Successful Work” or “Exceptional Work” rating on the 6 month evaluation.
- I. Compensation for Accumulated Vacation Leave Upon Dismissal Before Completion of Original Probationary Period. An individual who leaves the Town before completing his/her original probationary period, or any extension thereof, is not eligible to be paid for accrued leave.
- J. Compensation for Accumulated Vacation Leave Upon Dismissal Other Than During Original Probationary Period. Employees are entitled to be paid for any accumulated vacation leave as of the date of his/her dismissal.
- K. Notification Before Use of Vacation Leave. No employee may take more than two (2) weeks of vacation leave (five shifts for firefighting suppression personnel) at any one time without prior approval by the Department Head and the Town Manager. The Town Manager shall give said approval only after a determination by the Department Head that the absence of such an employee for an extended period of time would not affect the overall operation of the department, leave the department short-handed, or create unnecessary financial burdens on the Town as

may be necessitated by paying overtime pay to assure proper manpower in that department.

The Department Head is responsible for assuring that his/her department is properly staffed at all times. To facilitate departmental planning regarding vacation, employees should give at least a two (2) week notice of desire to use vacation leave.

4.0 Sick Leave.

A. Sick Leave Accrual.

1. Regular Full Time Employees. Paid sick leave is accumulated to the credit of each probationary and regular employee at the rate of 8.00 hours for each calendar month of service, except that sworn police officers assigned to 12-hour shifts shall accrue sick leave at the rate of 9.00 hours for each calendar month of service and firefighting suppression personnel assigned to 24-hour shifts shall accrue sick leave at the rate of 12.00 hours for each calendar month of service.
2. Regular Part-Time Employees. Regular and probationary part-time employees, regardless of hours worked, shall accrue sick leave at one-half the rate of full-time employees for each calendar month of service.

Sick leave accrual shall be effective on the 15th day of the month for the month in which the leave was earned. Persons who are hired on or before the 15th day of the month earn sick leave for that month; and those hired after the 15th day of the month begin earning sick leave the following month.

An employee continues to accumulate sick leave while on vacation and sick leave. An employee must be on pay status or on approved FMLA leave in order to earn sick leave for that month.

If sick leave is not used, it shall accrue to the employee's account without limit while he/she is employed by the Town; and upon retirement the employee shall receive additional retirement credit at the appropriate rate established by the Local Governmental Employees' Retirement System and in effect at the time of retirement.

- B. Exhaustion of Sick Leave. If an employee exhausts all accrued sick leave, the employee must use all other accumulated leave prior to requesting leave without pay, per Leave Without Pay Policy (Section 10.0 of Article VII). The employee may request advancement of sick leave in accordance with the Sick Leave Advancement Policy (Section 5.0 of this Article).
- C. Use of Sick Leave. Sick leave with pay is a benefit that may be used for absences necessitated by routine medical, injury or illness to the employee or to a member of the employee's immediate family, maternity, required dental care, exposure to contagious disease, or leave as approved under FMLA. The immediate family is

defined as mother, father, legal guardian, step-mother, step-father, spouse, dependent child (son, daughter, step-son, step-daughter), or child to whom the employee stands “in loco parentis”. The Town Manager may extend privileges to cover others based on special circumstances. An eligible employee is defined as any regular full-time or regular part-time employee.

Sick leave is not to be abused and will be granted with pay only when the employee:

1. Calls his/her supervisor to give the amount of advance notice that the supervisor requires.
2. Tells his/her supervisor the nature and expected duration of the illness.
3. Keeps his/her supervisor informed daily, if necessary, of the status of the illness.
4. Permits and agrees to any medical examination and/or certification which the Town may consider necessary.

If the employee fails to notify the supervisor of the illness and fails to tell the supervisor when a return to work might be expected, the employee will be placed on leave without pay until the absence is explained. The supervisor has the authority to require proof of illness in whatever form that will meet his/her approval.

An employee will not work at the same time that he/she is on paid leave, nor will one employee give any of his/her accrued sick leave to another. In addition, an employee will not work outside employment on a date and time they are receiving paid sick leave. The amount of sick leave used shall not result in an employee exceeding their overtime threshold.

To claim paid sick leave under false pretenses is considered a flagrant abuse of a valuable benefit and a serious violation of Town policy that would be grounds for disciplinary action. No employee shall be paid for unused sick leave.

- D. Death of a Family Member. A maximum of three (3) days of sick leave with pay may be granted in the case of death of the employee's father, mother, husband, wife, son, daughter, brother, sister, grandfather, grandmother, grandchild, or parental guardian, or in-law, step, or adopted relation of those listed previously. In extreme situations, additional sick leave may be granted by the Town Manager where extended travel is required.
- E. Maternity Leave. A pregnant employee is entitled to leave as specified under the Family Medical Leave Act. Any combination of accumulated sick leave, vacation,

short-term disability insurance benefits (if provided by the Town), and leave without pay may be used to cover absence required for childbirth.

- F. Transfer of Sick Leave. To facilitate recruitment of qualified persons with appropriate governmental experience, the Town Manager may approve the transfer of all or part of unused sick leave that is certified as accumulated during employment with the immediately preceding state or local government employer. The amount of sick leave approved shall not exceed the same accrual rate as the Town and shall be recognized after successfully completing the initial six (6) months of employment. Successful completion is recognized by receiving a “Successful Work” or “Exceptional Work” rating on the 6 month evaluation.

5.0 Sick Leave Advancement Policy.

- A. Introduction: The purpose of this policy is to establish an employee benefit designed to provide extended sick leave benefits to eligible employees who have exhausted all accumulated sick, annual, holiday and compensatory leave due to a catastrophic illness or injury to the employee or any member of their immediate family, as defined in Section 3.0, C of this Article. An eligible employee is defined as any regular full-time or regular part-time employee.

The Town Manager shall have the authority to approve the advancement of sick leave to eligible employees upon the request of the employee and recommendation of the Department Head. All advanced sick leave will be restored to the Town by the employee through normal accrual upon the employees' return to work. Upon dismissal, any remaining advance sick leave shall be charged against the employee and deducted from the employee's final pay check.

- B. Procedures
1. This policy shall be used when an employee or immediate family member is confronted with a major or catastrophic illness or injury and has exhausted all accrued sick, annual, holiday, and compensatory leave.
 2. The Department Head shall consider the following factors when recommending sick leave advancement; length of service, nature of illness or injury, prior use of sick leave, and past job performance.
 3. The Department Head shall prepare a memorandum to the Town Manager routed through the Human Resources Director justifying the need for sick leave advancement in terms of the factors listed in section two (2) above and indicating the recommended number of hours needed for advancement. A doctor's statement indicating how long the employee will be out of work should be attached.

4. The Town Manager, based on information provided by the Department Head, shall make a decision on the number of hours, if any, to be advanced to the employee. This decision will be conveyed to the Department Head in writing with a copy to the Human Resources and Payroll offices.

6.0 Family and Medical Leave. The Town shall include coverage as mandated by state and/or federal laws.

- A. Qualifying Events. Under the provisions of the Family and Medical Leave Act of 1993 and the implementing regulations as revised effective March 8, 2013, the Town Manager may grant up to twelve (12) weeks (or 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) of paid or unpaid leave during any twelve (12) month period to an employee who has worked for the Town for at least twelve (12) months and has worked at least 1,250 hours during the past twelve (12) months for any one of the following six (6) reasons:
 1. To take medical leave when the employee is unable to work because of his/her own serious health condition;
 2. The birth and care of a newborn child of the employee;
 3. An employee's need to care for a child, spouse, or parent who has a serious health condition.
 4. The placement of a child with the employee for adoption or foster care for the newly placed child.
 5. The qualifying exigencies arising out of the fact that the employee's son, daughter, spouse or parent is on active duty or call to active duty status as a member of the Armed Forces who is deployed to a foreign country or being called up for deployment in a foreign country in support of a contingency operation.
 6. To care for a son, daughter, spouse, parent or next of kin who is a current member of the Armed Forces, including a member of the National Guard or Reserves, or a veteran with a serious injury or illness.
- B. Availability of Leave. For the purposes of determining the amount of leave available to an eligible employee under this section, the Town shall use the "rolling 12 months" method by reviewing the employee's attendance record for the prior twelve (12) months. Under no circumstances shall the amount of leave granted to an eligible employee during the preceding twelve (12) month period prior to taking the leave exceed twelve (12) weeks for reasons one through five mentioned above.

Leave granted for reason number six above, the amount of leave taken shall not exceed 26 weeks during a fixed 12 month period.

C. Definition of a Serious Health Condition. A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either:

1. Any period of incapacity (i.e., inability to work, attend school, or perform other regular daily activities) or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility; or
2. Continuing treatment by a health care provider, which includes:
 - a. A period of incapacity lasting more than three consecutive, full calendar days that also involves subsequent treatment or incapacity relating to the same condition that also includes
 - Treatment two or more times by (or under the supervision of) a health care provider (i.e., in-person visits, the first within 7 days and both within 30 days of the first day of incapacity; or
 - One treatment by a health care provider (i.e., an in-person visit within 7 days of the first day of incapacity) with a continuing regimen of treatment (e.g., prescription medication, physical therapy); or
 - b. Any period of incapacity related to pregnancy, or for prenatal care; a visit to the health care provider is not necessary for each absence; or
 - c. Any period of incapacity (or treatment thereof) due to a chronic serious health condition which continues over an extended period of time, requires episodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity (e.g., asthma, diabetes, epilepsy, etc.). A visit to a health care provider is not necessary for each absence; or
 - d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.). Only supervision by a health care provider is required, rather than active treatment; or
 - e. Any absences to receive multiple treatments for restorative surgery or for a condition that likely would result in incapacity of more than three consecutive days if left untreated.

Leave by an employee for a serious health condition may be taken intermittently (taking leave in separate blocks of time for a single qualifying reason) or on a reduced-time schedule, if medically necessary. The Town Manager may place the

employee in an alternate job that would better accommodate the recurring periods of leave than would the employee's regular job without reduction in pay and benefits of the employee in the alternate job. .

- D. Childbirth or Placement of a Child. The entitlement to leave for a birth or child placement expires one year after the date of childbirth or placement. Intermittent leave is subject to approval by the Town Manager.
- E. Qualifying Exigency Leave. Qualifying exigency leave applies to families of members of the Armed Forces when the covered military member is on active duty (deployed to a foreign country) or called to active duty (being called up for deployment in a foreign country) in support of a contingency operation. An employee whose child, spouse or parent has been notified of an impending call or order to active military duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be for one of the following:
1. Short-notice deployment
 2. Military events and activities
 3. Child care and school activities
 4. Financial and legal arrangements
 5. Counseling
 6. Rest and recuperation
 7. Post-deployment activities
 8. Additional activities that arise out of active duty, provided that the Town and the employee mutually agree on the timing and duration of the leave.
- F. Military Caregiver Leave. This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a child, spouse, parent or next of kin covered service member with a serious injury or illness that was incurred while on active duty and in the line of active duty.
- G. Notification of Leave.
1. Notification by Employee. Thirty (30) days written or verbal notice should be given to the immediate supervisor and forwarded to the Human Resources Director prior to the beginning of foreseeable or planned events such as, the birth or adoption of a child or the planned medical treatment of the employee or immediate family member. The employee is required to make a reasonable effort to schedule the foreseeable or planned event so as not to unduly disrupt the Town's operations. If the employee fails to give thirty (30) days notice for a foreseeable or planned leave with no reasonable excuse for the delay, the Town may deny the leave for at least thirty (30) days after the date the employee provides notice to the Town of the need for the leave. When the need for leave is not foreseeable, the employee must provide notice as soon as practicable under the facts and circumstances of the particular case.

2. Notification by the Town. Upon absences from work for more than three (3) consecutive calendar days for an illness or injury to the employee, or a qualifying family member, the employee's immediate supervisor shall contact the employee to determine if the employee's absence may qualify as a FMLA event. The supervisor shall then notify the Human Resources Department of the employee's condition whereby the Human Resources Department will make determination as to whether such leave may qualify as FMLA leave. If it is determined that the employee does not qualify for FMLA leave, the Human Resources Department shall notify the employee with the Notice of Eligibility and Rights & Responsibilities, outlining the reasons why FMLA leave is being denied. If it is determined that the employee does qualify for leave, the Human Resources Department shall notify the employee with the Notice of Eligibility and Rights & Responsibilities and an appropriate FMLA Certification based on the type of FMLA leave that is being requested. The completed certification is due back to Human Resources no more than 15 calendar days after the date of the certification. Failure to provide certification may result in a denial of leave. Fees charged by the health care provider for completion, copying or faxing of the Family and Medical Leave Act (FMLA) certification forms are the responsibility of the employee.

- H. Verification of Leave Requests-Employee. Upon receiving and reviewing the certification, Human Resources will make the determination if the leave will be counted as FMLA leave. The Town may directly contact the employee's health care provider for verification or clarification purposes, using a health care professional, an HR professional, leave administrator, or management official. The Town will not use the employee's direct supervisor for this contact. Before the Town makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPPA Medical Privacy rules, the Town will obtain the employee's permission for clarification of individually identifiable health information. Within five business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave.

Verification of Leave Requests-Qualifying Family Member. Upon receiving and reviewing the certification, Human Resources will make the determination if the leave will be counted as FMLA leave. The Town may directly contact the employee's family member's health care provider for verification or clarification purposes, using a health care professional, an HR professional, leave administrator, or management official. The Town will not use the employee's direct supervisor for this contact. Before the Town makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPPA Medical Privacy rules, the Town will obtain the employee's permission for clarification of individually identifiable health information. Within five business days after the employee has submitted the appropriate certification form, Human Resources will complete and

provide the employee with a written response to the employee's request for FMLA leave. If the employee is on FMLA leave to care for a family member with a serious health condition and the family member dies during the FMLA leave, the FMLA leave ends at that time.

Verification of Leave Requests-Serious Injury or Illness of Covered Service member for Military Family Leave. Upon receiving and reviewing the certification, Human Resources will make the determination if the leave will be counted as FMLA leave. Within five business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave.

Verification of Qualifying Exigency for Military Family Leave. Upon receiving and reviewing the certification, Human Resources will make the determination if the leave will be counted as FMLA leave. Within five business days after the employee has submitted the appropriate certification form, Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave.

The Human Resources Director may require the employee to obtain a second opinion from a second health care provider of the Town's choice. If the Human Resources Director requires a second opinion, the Town will bear the cost of obtaining the second opinion. If the second opinion conflicts with the original medical opinion, then the Town may require a third opinion, which shall be final and binding on the Town and employee.

- I. Employment and Benefits Protection. An employee who is granted Family and Medical leave is guaranteed the right to return to either the position left when the leave began, or to an equivalent position with the same benefits, pay, and other terms and conditions of employment. The employee, while on leave, shall be covered under the Town's group insurance plan. If the employee fails to return to work, the Town may recover premiums paid during the time of leave, unless the employee suffers a continuation of the serious health condition.
- J. Applicability of Sick and Annual Leave. An employee, who is granted leave under this section, shall use sick, holiday, compensatory, and annual leave accrued during his/her absence from work, unless the employee chooses to utilize the Town's disability insurance plan in conjunction with leave without pay. Any use of sick, holiday and annual leave shall be used concurrently with leave granted under this section. .

Leave taken for a workers' compensation injury, that qualifies as FMLA leave, shall count toward the employee's FMLA entitlement.

- K. Effect on Evaluation Date for Leave with or without Pay. If an employee is on a leave of absence for any reason at the time his/her annual evaluation is due, the

evaluation will be delayed until he/she returns to work. When he/she returns to work, and if the employee has worked six (6) of the previous twelve (12) months of the evaluation period, he/she will be evaluated immediately and the current evaluation anniversary will be maintained. If the employee has not completed six (6) months of work during the previous twelve (12) months of the evaluation, he/she will be required to work additional time to meet the six (6) month work requirement and the completion date will be his/her new annual evaluation date.

7.0 Parental School Leave. Town employees may take up to four (4) hours of leave per calendar year to attend or otherwise be involved in his/her child's school without adverse employment action. The leave is to be a mutually agreed upon time between the employee and the immediate supervisor and Department Head. The supervisor or Department Head may require a written request at least forty-eight (48) hours before the leave time sought is taken. The supervisor or Department Head may also require verification of the leave from the child's teacher or principal. Leave may be charged against the employees accrued annual leave or taken without pay.

8.0 Civil Leave. An employee called for jury duty, or as a court witness for the Federal or State government or a subdivision thereof by subpoena, shall be entitled to leave with pay for such duty in addition to keeping fees received for such duty.

9.0 Military Leave.

- A. Annual Military Training. An employee who is a member of an Armed Forces Reserve organization or the National Guard shall be granted fifteen (15) workdays of leave with pay per calendar year for required military training. While on military leave, benefits will accrue as though present for duty. The leave is not charged as annual leave; however, any salary payment which the employee receives from the military shall be deducted from the sum paid by the Town.
- B. Active Military Duty. An employee who is called to active military duty, other than for the annual military training, shall be granted leave with pay and shall accrue benefits as though present for duty for a period not to exceed ninety (90) calendar days. Any period of active military duty is not charged toward the employee's annual leave with the Town of Kernersville; however, any salary payment which the employee receives from the military shall be deducted from the sum paid by the Town. Active duty extending beyond ninety (90) calendar days is subject to the Town's policy regarding leave without pay (Article VII, 9.0) and the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA).

10.0 Leave Without Pay. To continue group insurance coverage the Town provides authorized leave without pay for appropriate special reasons. However, leave without pay is available only if all accumulated leave is exhausted and it is firmly established that the employee intends to return to the position from which he/she has taken leave. Leave without pay may include employees on:

- A. Annual Military Training leave in excess of fifteen (15) working days, or Active Military Duty in excess of 90 calendar days;
- B. Leave for maternity, after all paid leave has been exhausted;
- C. Leave for sickness, after all paid leave has been exhausted;
- D. Suspensions;
- E. Education leave;
- F. Leave as provided through the Family Medical Leave Act; and
- G. Other approved temporary absences.

The maximum term of leave without pay shall not exceed one year and all requests (with the exception of leave where the employee is receiving benefits from the Town's established fringe benefits and leave provided through the Family Medical Leave act) shall be subject to the approval of the Town Manager. In absence of an extension of leave without pay, the employee's services will be terminated.

Inclusive of the insurance continuation provisions of the Family and Medical Leave Act of 1993, the Town will continue to provide employee insurance benefits for a period not to exceed six months during any twelve month period. Following the exhaustion of this insurance continuation and, in the absence of any paid leave status, the employee benefits will be determined by standards established by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) for purposes of continuing the employee's health, dental, and employee assistance program benefits. When this occurs, the employee will be responsible for the insurance premium and administrative fees, if any, as established by COBRA, as amended.

11.0 Records of Vacation, Compensatory and Sick Leave Accumulation. It shall be the responsibility of the Human Resources Department to accurately maintain the official record of vacation, compensatory and sick leave accumulation based on the information furnished to them.

VIII. OTHER BENEFITS

1.0 Workers' Compensation. In accordance with North Carolina law, the Town provides workers' compensation benefits to all its employees who are injured or become ill as a result of a job related injury or incident while on duty. The Safety & Risk Manager is responsible for processing all claims for workers' compensation. Payments are made for medical expenses and wages for time lost from the job in accordance with provisions of the Act.

In addition to benefits paid according to the Workers' Compensation Act, the Town will do the following:

- A. An employee absent on account of disability that is compensable under workers' compensation statutes shall be eligible for 2/3 of their average weekly wage up to the maximum weekly benefit under the Workers' Compensation Act, after meeting the statutory seven (7) calendar day waiting period. A disabled employee may elect to take accrued leave to compensate for lost wages for any work days missed during this waiting period.

An employee who is disabled for a period of more than 21 calendar days will be eligible for benefits retroactive to the first week of disability. If the employee becomes eligible for this retroactive benefit and the employee used accrued leave during the waiting period, he/she will be required to reimburse the Town and the leave balance will be restored. If the employee has not chosen to use accrued leave, the employee will receive the statutory benefit.

In accordance with North Carolina General Statute 97-22, every injured employee, or a representative of that employee, shall immediately, or as soon as practicable, give written notice to his/her supervisor of any accident in which the employee is involved that occurs while the employee is working. Provisions of this statute could result in denial of benefits if notice is not given as required by the statute.

Such reports shall be made on North Carolina Industrial Commission Form No. 19. The Department Head shall provide all necessary assistance in completing appropriate accident reports.

The Small Pox Vaccination policy applies only to employees who receive an employment vaccination against smallpox in accordance with section 304 of the Homeland Security Act. Infection with smallpox or an adverse medical reaction resulting from an employee receiving an employment vaccination against smallpox in accordance with section 304 of the Homeland Security Act is considered an occupational disease and is covered by the Town's Workers Compensation Benefits (North Carolina General Statutes 97-53). If an employee that receives an employment vaccination is absent from work due to an adverse reaction from the vaccination, he/she shall be eligible for the disability benefit as described in this section.

2.0 Employee Assistance Program. The Town recognizes that a wide range of personal problems can affect an employee's job performance. Examples of such personal problems include alcohol and/or drug abuse, marital or family distress, or other problems, which cause

emotional instability. These problems may result in deterioration of job efficiency. In most instances, the employee will overcome such personal problems independently and the effect on job performance will be negligible. In some instances, normal supervisory assistance will serve either as motivation or guidance by which such problems can be resolved so the employee's job performance will return to an acceptable level. In some cases, however, neither the efforts of the employee nor supervisor have the desired effect on resolving the employee's problems and unsatisfactory performance persists over a period of time, either consistently or intermittently.

The intent of the Employee Assistance Program is to help the employee to overcome the problem and to restore that employee to full efficiency. The program is designed to identify the problem at the earliest possible stage, motivate the employee to seek help, and to direct the employee to appropriate assistance.

The Town believes it is in the interest of the employee, the employee's family, and the organization to provide service which deals with such persistent problems. For the Employee Assistance Program to be successful, the following must be implemented:

- A. Personal problems which affect work performance and attendance are legitimate concerns of management. Management recognizes that these problems can be successfully treated provided they are identified early and referral is made to the appropriate resource.
- B. Personal problems requiring assistance include alcohol abuse, drug abuse, marital or family issues, or other problems that cause emotional issues.
- C. The purpose of the Employee Assistance Program is to assure employees that if such personal problems are the cause of unsatisfactory job performance that they will receive an offer of assistance to help such problems in an effective and confidential manner.
- D. No employee will have their job security or promotional opportunities jeopardized because of voluntary participation in the program. Those decisions will be based solely upon knowledge, skill, ability and performance.
- E. Strict confidentiality is essential and will be maintained.
- F. Employees are encouraged to use the Employee Assistance Program voluntarily when they need professional help or guidance.
- G. If an employee has not sought help independently for a personal problem, it will be the responsibility of the supervisor and/or Department Head to follow a procedure which will reasonably insure that no employee with personal problems will fail to have the opportunity of assessment and referral.
- H. Any expenses incurred in seeking assistance, beyond that which is covered by medical insurance, will be the responsibility of the employee.

- I. It is the employee's responsibility to cooperate in the designated treatment or rehabilitation plan. After a reasonable opportunity for progress, disciplinary procedures, up to and including dismissal, will apply unless there is noticeable improvement in job performance.
- J. The program is also available to the family members living within the household of regular full-time and regular part-time employees.
- K. Time off for participating in the Employee Assistance Program will be granted in accordance with the section titled "Leaves of Absence" (Article VII) as it relates to doctor's appointments.
- L. Implementation of this policy will not require, or result in any special regulations, privileges, or exemptions from the Town's personnel policies.

IX. SAFETY PROGRAM

1.0 Safety Policy. Since it is to the benefit of both the Town and its employees that all Town activities be performed in a safe manner, the Town has established an accident prevention/safety program with the goal of preventing and reducing on-the-job accidents and injuries. The objectives of the program are to:

- A. Provide safe working conditions for all Town employees;
- B. Increase employees' level of awareness concerning safety and safe work practices;
- C. Record and monitor the Town's accidents for the purpose of designing accident prevention programs.

2.0 Safety Orientation. During new employee orientation, all new employees will be presented with general safety rules from their immediate supervisor.

3.0 Safety Committee. The Town shall have a Safety Advisory Committee (coordinated by the Safety & Risk Manager) consisting of six employees (appointed by the Human Resources Director) with supervisory job functions. The following departments shall be represented on this committee:

- Parks and Recreation Department
- Fire Rescue Department
- Police Department
- Public Services Department
- Town Hall (Administration, Finance, Human Resources, Community Development)

The responsibilities of the Advisory Committee are as follows:

- A. Establish and maintain Departmental Safety Committees;
- B. In conjunction with Departmental committees, review employee concerns;
- C. Provide monitoring and advisement to the Safety & Risk Manager;
- D. Review the Town's Safety Policies and Procedures;
- E. Review accident/injury statistics;
- F. Make written recommendations to the Safety & Risk Manager;
- G. Conduct monthly meetings and maintain written minutes. Minutes are available upon request from any Safety Committee member or the Safety & Risk Manager.

Each department within the Town shall have a Departmental Safety Committee. The committee shall consist of both supervisory and non-supervisory employees. The purpose of each Departmental Safety Committee is to assist departments/supervisors in the work-related accidents and injuries and to maintain compliance with applicable occupational safety and health standards.

In order to promote safety and enhance direct communications with employees, departmental/divisional safety committees shall be required in the following departments/divisions:

- Parks and Recreation Department
- Fire Rescue Department

Police Department
Public Services Department
Town Hall (Administration, Finance, Human Resources, Community Development)

4.0 Working Conditions. Department heads, supervisors and safety representatives shall be responsible for providing safe and suitable working conditions within their means and for making recommendations to the safety committee for the alleviation of unsafe or unsuitable conditions not within their means of correction. Employees have the responsibility to safely perform their duties, to practice safe working habits, and bring to the attention of the immediate supervisor any unsafe working condition or practice.

5.0 Personal Protective Equipment. The Town shall supply the safety equipment or clothing deemed necessary to safely perform the duties and responsibilities of the Town. The employee's supervisor and the employee shall be responsible for using safety apparel and equipment deemed necessary.

6.0 Evaluating Employee Safety. On annual evaluations the employee shall be evaluated as to his/her conformation to safety rules and regulations and his/her work habits. The refusal of an employee to abide by safety rules may result in disciplinary action.

7.0 Accident Review Procedure. The Safety & Risk Manager will review all accidents involving Town personnel, equipment, tools and vehicles.

Vehicle accidents will be reviewed and a classification will be made by the Safety and Risk Manager determining whether the status of the accident is preventable or non-preventable to the employee. At the next Safety Advisory Committee meeting, the committee will review each accident to confirm or deny the Safety and Risk Manager's decision. Following the decision of the Safety Advisory Committee, the Safety and Risk Manager will forward that decision in writing to the affected employee. Should the employee choose to appeal the decision, he/she shall use the following procedure:

The employee shall first present his/her appeal, in writing to the Human Resources Director within seven (7) calendar days of the date of the receipt of the Safety Advisory Committee's decision. The Human Resources Director shall respond to the employee within seven (7) calendar days after receipt of the appeal with further details of a scheduled appeal hearing by the Safety Advisory Committee. The Human Resources Director will notify the employee of the final decision regarding their grievance within seven (7) calendar days of the hearing. The employee shall sign a copy of the decision to acknowledge receipt and date of receipt.

If the appeal is not resolved to the satisfaction of the employee through the above appeal process, the employee may exercise his/her right to appeal in accordance with the Town's grievance procedure (Article XIV. Grievance Procedure).

X. SUBSTANCE USE/ABUSE

1.0 Purpose. The Town of Kernersville is concerned about the adverse effects that drugs and alcohol can have upon our employees' safety and health. The use of alcohol, illegal drugs and the illegal use of prescription drugs lead to increased accidents and medical claims and can lead to the destruction of an employee's health and adversely affect his/her family life.

It is the Town's policy to maintain a safe and healthy working environment for employees, and a productive and effective workforce for the citizens of Kernersville. As a result of this policy, the Town of Kernersville recognizes its responsibility to provide an even greater level of control for safety sensitive personnel. In any event, the possession, use, transfer, manufacture or sale of alcohol, illegal drugs, or legal drugs without a valid prescription on Town property or on Town time will result in disciplinary action, up to and including dismissal.

2.0 Scope and Applications. With the exception of all sworn Law Enforcement Personnel and applicants for sworn Law Enforcement positions, who are tested for substance abuse in accordance with State law and Police Department policy, this Policy covers all employees of the Town and applies to all Town property which, for purposes of this Policy, includes all public and Town owned grounds and parking lots, public streets, leased space, Town vehicles and equipment, and personal vehicles used for Town purposes. The Policy applies to any employee on Town time at any location. This Policy supersedes all previous policies with respect to substance abuse to the extent they may be inconsistent.

For purposes of this Policy and until further notice, the Designated Town Official referred to herein shall be the Human Resources Director.

3.0 Definition of Substance Abuse. Substance abuse is defined as: (1) reporting to work or working with illegal drugs present in the body or while affected by alcohol, (2) chemical dependency on alcohol or other drugs where job performance or employee safety is adversely affected, or (3) the use of illegal drugs. The term "illegal drugs" as used in this Policy includes but is not limited to, marijuana, cocaine, heroin, opiates, amphetamines and similar drugs whose possession and use are prohibited under state or federal law in this country, as well as prescription drugs unless validly prescribed by the employee's physician and used in the prescribed manner. So-called "Designer drugs", "look alikes", synthetic drugs and similar substances are also considered illegal drugs for purposes of this Policy, even if they are not specifically prohibited by state and federal law. This Policy is also designed to cover other substances which may be abused, whether available legally over-the-counter, such as cough syrup or drugs obtained with a valid prescription, or substances which are not intended for human consumption (such as glue).

4.0 Applicants.

- A. Scope and Application of Section 4.0. This Section of the Policy applies to all applicants for employment with the Town, unless otherwise stated. For purposes of this Policy, an "applicant" is defined as any person seeking employment with the

Town to whom an offer of employment has been made. All offers of employment are subject to the terms and conditions of this Policy.

- B. Applicant Drug Testing. All applicants must undergo a pre-employment drug-screening test (if appropriate, as part of their routine pre-employment physical examination). Failure to cooperate in such a test (or examination) will be considered a withdrawal of the Town's offer of employment.
- C. Contingent Employment. Any offer or acceptance of employment is contingent upon the applicant successfully completing his/her drug-screening test. No applicant shall be required to submit to a drug test until after the applicant has been offered a job. Employment will be denied when the test results are positive for illegal drugs or for the presence of prescription drugs (such as barbiturates, amphetamines, opiates, etc.) unless the applicant has a current prescription, a valid medical reason for using such drugs, and is using such drugs in the prescribed manner. No one shall be permitted to begin work until the results of the test have been obtained.
- D. Posting. The following poster will be displayed where it may be easily seen by employees and persons seeking employment:

APPLICANTS OFFERED EMPLOYMENT WILL BE REQUIRED
TO UNDERGO A DRUG SCREENING TEST.

- E. Application Form. Employment application form(s) for employment with the Town shall include the following language:

Employment with the Town of Kernersville is contingent upon the successful completion of a drug-screening test to be administered after an offer of employment is made. Successful completion of the test means that the person tested negative for illegal drugs and substance abuse.
- F. Release. Before taking the drug-screening test, applicants must sign a "CONSENT FOR DRUG AND/OR ALCOHOL SCREENING" (APPENDIX A) form. Failure to sign the form or cooperate in the test procedure as requested shall be deemed a withdrawal of the individual's application for employment.
- G. Method of Drug Screening Test: Urine Sample Collection Procedure. The drug-screening test shall consist of the laboratory analysis of an applicant's urine. Procedures established by the Town's designated testing laboratory, the Human Resources Director, and those procedures set forth in Section H below (as applicable) shall be followed for collecting the urine specimen. The collection of the urine specimen will be accomplished without observation unless the person supervising the collection process suspects that the sample may be tampered with or may not be genuine.
- H. Communication of Test Results by the Medical Review Officer.

1. Negative Test Results. If the drug screening test results is negative, the laboratory will so advise the Human Resources Department. The applicant then is permitted to begin work. The laboratory will not refer negative test results to the Town's Medical Review Officer (hereinafter referred to as "MRO"), unless otherwise requested to do so.
2. Adulterated or Unreadable Samples. If a drug screening test cannot be accurately performed because a urine sample is not authentic, or has been adulterated, contaminated or otherwise made impossible to analyze properly, the following procedures shall be used, unless otherwise dictated by applicable law:
 - a. If a urine sample is obviously not authentic (as example: when an applicant substitutes cold tap water for urine), the laboratory will so inform the Town. The Town then shall inform the applicant that the sample is not acceptable and the offer of employment will be withdrawn.
 - b. If the urine sample cannot be properly analyzed because of contamination or adulteration, the laboratory will so inform the Town. The Town then shall inform the applicant that he/she cannot be determined to be qualified for work and is requested to discuss the test with the MRO. The MRO will ask the applicant to provide an explanation for the contaminated or adulterated sample.
 - i. If the MRO advises the Town that the applicant failed to provide a satisfactory explanation, the Town shall advise the applicant that the offer of employment has been withdrawn.
 - ii. If the MRO advises the Town that the applicant provided a satisfactory explanation, the applicant will be permitted to repeat the drug-screening test, in which a new urine sample will be collected and analyzed.
3. Positive Test Results – In the event a drug-screening test is positive (positive drug test results must be confirmed by the laboratory using Gas Chromatography/Mass Spectrometry hereinafter referred to "GCMS"), the following procedures should be followed:
 - a. The laboratory will inform the Town's MRO that the drug screening test is positive, and will convey such details of the test as the MRO deems necessary. The MRO will consult with the applicant to determine whether or not there is a satisfactory explanation for the positive test results.

- b. If a satisfactory explanation is provided, the MRO will advise the Town that the applicant's test was negative, and the applicant will be permitted to begin employment.
 - c. If a satisfactory explanation is not provided, the MRO will so advise the Town. The Town will advise the applicant that the offer of employment has been withdrawn.
4. Confidentiality. Because of the sensitive nature of drug screening tests, extreme caution shall be exercised to maintain the confidentiality of the results. No statement nor any other information, concerning an applicant's drug screening results shall be made available to other members of management, except those having a need to know. No other person, including friends and/or members of the applicant's family, shall be notified or given information concerning the applicant's drug screening results.

5.0 Employees.

- A. Scope and Application of Section 5.0. This Section of this Policy applies only to current employees of the Town. Its policies and procedures are effective immediately for all current employees, and for all former applicants once they have successfully completed the drug screening test of Section 4.0 and started employment with the Town.
- B. Voluntary Referral for Counseling and/or Rehabilitation.
 1. Policy. The Town recognizes and accepts that early treatment is the key to rehabilitation for substance abusers. Therefore, employees are encouraged to voluntarily request help. All reasonable attempts will be made by management to protect an employee's job security when such a good-faith effort is made. Management may take into account, among other matters, the prevailing risks involved to the employee, fellow employees, citizens, and property. Possibilities of temporary job assignments and other personnel actions may also be taken in consideration by management.
 2. Posting. The Town shall post the name and telephone number of the Town's recommended rehabilitation and counseling service, at a location where it may be seen by all employees.
 3. Procedure For Volunteering For Assistance. An employee may volunteer for assistance either by requesting help from the Human Resources Director, Department Head, or a supervisor, or by contacting the Town's recommended rehabilitation and counseling service. If an employee contacts a Department Head or supervisor concerning a substance abuse problem, the Department Head or supervisor shall assist the employee in setting up an appointment with the Human Resources Director or

recommended counseling or rehabilitation service, but shall not attempt to diagnose the problem nor counsel the employee.

C. Prohibitions for all Employees.

1. The possession, use, distribution, transfer, manufacture or sale of alcohol, illegal drugs, or legal drugs without a valid prescription on Town property, in a Town vehicle, or on Town time, is specifically prohibited. An employee who violates this prohibition is subject to disciplinary action up to and including dismissal from employment. Any circumstances that indicate the violation of state, federal or local laws may be reported to appropriate law enforcement officials, and the Town will cooperate in any criminal prosecution(s).
2. Reporting for working duty with drugs present in the body¹ or while affected² by drugs or alcohol is prohibited and will be administered under disciplinary procedures or referral for counseling and/or rehabilitation, as management determines. This prohibition includes prescription drugs, unless the employee has a current legal prescription and a valid medical reason for using such prescription drug and is using such drug in the prescribed manner.
3. Employees shall not consume alcohol during normal business hours. Employees shall not operate motor vehicles after consuming even a moderate amount of alcohol. Employees who violate the provisions of this paragraph are subject to disciplinary action.
4. The Town is also concerned with the impact on job performance from prescription or over-the-counter drugs. In order to ensure that employees can safely perform their job functions, employees are responsible for ascertaining from a health care professional the effects of any prescribed drugs, over-the-counter medications or any combination thereof. Employees should notify their supervisor and Department Head immediately upon reporting to work if their job performance may be impaired due to prescribed and/or over-the-counter medications. Failure to do so will be considered a violation of this Policy and is cause for disciplinary action. Such supervisor and/or Department Head shall then notify the Human Resources Director of the same. For the safety of the employee and others, the supervisor shall monitor the employee to ensure job performance is not impacted. The Town will not use this information in a manner that would violate the Federal Americans with Disabilities Act.

¹ "Drugs present in the body" means that the level of drug found in an employee's blood, urine or other body fluid exceeds those levels determined by the Town and its testing laboratory as a cut-off level for a positive test.

² "Affected" is not limited to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance, but may be established by a professional opinion, a scientifically valid test, or by a lay person's observation.

- D. Searches. Where a supervisory employee has a reasonable belief that an employee or group of employees may possess substances which are prohibited by this Policy, the employee or employees may be required, as a condition of further employment, to submit to a reasonable search of their clothing, personal lockers, purses, lunch boxes or other containers, desks or personal vehicles while on Town property. Searches shall only be conducted by law enforcement personnel and must be approved by the Town Manager or his/her designee in consultation with the ranking law enforcement officer on duty at the time the search is suggested by the supervisor.
- E. Drug and/or Alcohol Screening Criteria. The Town will consider an employee for a drug screening test under the following circumstances:
1. Post Accident or Incident. An employee who is involved in an accident or incident in which it appears that the employee may have been at fault or in which fault cannot be readily determined that results in:
 - a. a fatality; or
 - b. “disabling damage” to one or more vehicles. Disabling damage is defined to mean damage that precludes the departure of the vehicle from the scene of the occurrence of the accident in its usual manner in daylight after simple repairs. This includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be readied temporarily at the scene of the occurrence without special tools or parts, tire disablement, or damage to headlights, taillights, turn signals, horn, mirrors, or windshield wipers that makes them inoperative; or
 - c. injury to anyone involved in the accident that involves either immediate transport to a medical facility, or in which anyone involved in the accident has injuries or a condition that would result in their being classified in any category other than treated and released at the scene by responding emergency medical personnel.
 2. For Cause Testing of Employees. For cause drug and/or alcohol testing will be required when the Town has reasonable cause and suspicion that an employee is impaired by a controlled substance while on duty with the Town or has possessed, used, transferred, manufactured or sold alcohol, illegal drugs or legal drugs without a valid prescription while on Town property or Town time.

While it is impossible to list every factor which might lead to a decision to test an employee, factors, among others, which may be considered, either individually or in concert with one another, include:

- a. excessive absenteeism or tardiness;
 - b. unexplained significant deterioration in job performance;
 - c. significant change in personality (repeated abusive behavior, insolence, insubordination, etc.);
 - d. reliable reports from other employees;
 - e. unexplained absences from normal worksites;
 - f. unusual behavior which cannot be readily explained;
 - g. changes in appearance and demeanor;
 - h. reddened eyes or dilated pupils;
 - i. odor of alcohol or drugs;
 - j. slurred speech; and
 - k. difficulty in motor coordination.
3. Testing After Referral For Assistance. An employee with a positive drug and/or alcohol screening test, who has been referred by the Town for counseling and/or rehabilitation under this Policy, may be tested without cause and at any time for a period of one year after referral.
4. Employee Request. Drug testing of an individual employee may be done upon the request of that employee at the discretion of the Town. A request must be made in writing to the employee's supervisor and must contain the reason the employee is requesting the test. The Town will approve the testing if the Town concludes testing would be beneficial to the Town.
5. Random Testing of Employees. Because a number of positions are safety sensitive in nature, the Town of Kernersville will test employees identified to be in this category. Positions subject to random testing are listed in Appendix K.

The Human Resources Department will be responsible for supplying the drug testing collection facility a roster of employees to be randomly tested. This roster will be separated by work group for the purposes of testing to ensure that all groups are represented equally. The collection facility will be responsible for maintaining a computerized random list by group to ensure that the number of employees tested each year represents approximately 50% of the total number of employees eligible for testing. The facility will also be responsible for notifying by employee identification number to the Town's Safety Director employees selected to report to the collection facility for random testing. The Safety Director will then inform each selected employee's supervisor the schedule to report for testing.

- F. Testing Refusal. Any employee who refuses to participate in a test required herein, or who fails to participate in a test required herein without an explanation satisfactory to management, is subject to disciplinary action, including, but not limited to, dismissal of employment. An employee who is unable to participate in a test due to illness, vacation, excused absence or some other reason satisfactory to management, shall be

tested as soon thereafter as reasonably possible, and may be subject to such further testing as the Town may deem necessary based upon the grounds for requiring the test.

G. Testing Procedure.

1. Before an employee is requested by a supervisor or Department Head to submit to a drug and/or alcohol-screening test for reasonable cause testing, the concurrence of the Human Resources Director shall be obtained. The employee shall be told that, in accordance with the Town's Substance Abuse Policy, he/she is being requested to submit to an alcohol or drug screening test. Care shall be taken to ensure that management states no conclusions as to whether or not the employee is a substance abuser. The person making the request shall complete the "TESTING REQUEST FORM" (APPENDIX B).
2. The employee shall be requested to sign the "CONSENT FOR DRUG AND/OR ALCOHOL SCREENING" (APPENDIX A) form prior to being tested. Failure of an employee to sign the consent to testing may be grounds for disciplinary action, up to and including dismissal.
3. Procedures established by the Town's designated collection facility shall be followed for specimen collection. Where tests are governed by federal or state law, procedures specified therein shall be followed.
4. The employee may be permitted to continue to work pending the results of the drug or alcohol screening test if, in the Town's sole discretion, the employee's return to work will not endanger the employee, fellow employees or members of the public, nor cause any other problem(s) relating to the Town's ability to manage its workplace.
5. If the employee refuses to cooperate or refuses to agree to the examination and/or drug and/or alcohol-screening test, he/she shall be suspended pending final decision on dismissal from employment.

H. Vehicle Operation and Transportation – Impaired Employees. If the Town has a reasonable belief that an employee may be impaired by drugs or alcohol, and thus appears to be unable to drive safely, the Town shall arrange or provide for transportation for the employee. If the employee refuses to accept such transportation, and insists upon driving and is not in a Town vehicle, the employee should be discouraged from driving, but shall not be forcibly restrained.

If the employee insists on driving and is preparing to drive a vehicle owned by the Town, the Town employee and officials may take any reasonable action to prevent that person from driving but shall not use physical force to stop the individual, unless such actions are undertaken by sworn law enforcement personnel who have been properly trained regarding the use of force in such situations. All actions taken by any Town employee to persuade or restrain an employee under this section shall be immediately reported to their supervisor and documented in writing.

Regardless of the ownership of the vehicle, the employee shall be informed that the Town will notify local law enforcement authorities if the employee attempts to drive and the Town shall so notify the authorities if such driving occurs.

I. Communication of Test Results by the Medical Review Officer.

1. Negative Test Results. If the drug screening test result is negative, the laboratory will so advise the Human Resources Department, who will notify the employee of the test result. The laboratory will not refer negative test results to the Town's designated Medical Review Officer ("MRO"), unless otherwise requested to do so. If an employee has been suspended pending the results of the drug-screening test, the employee may, in the Town's sole discretion, be reinstated with back pay and benefits.
2. Adulterated or Unreadable Samples. If a drug screening test which cannot be accurately performed because a urine sample is not authentic, or has been adulterated, shall be considered reasonable evidence of an employee's failure to cooperate with the Town in administering this Policy. (See Section 4.0, H.2 for a description of such samples). The Medical Review Officer will discuss the test with the employee and request an explanation. If the employee provides a satisfactory explanation, a new drug or alcohol-screening test may be performed in the Town's discretion. If the employee does not provide a satisfactory explanation, he/she is subject to disciplinary action up to and including dismissal from employment.
3. Positive Test Results. In the event a drug-screening test is positive (positive drug test results must be confirmed by the laboratory using GCMS), the following procedures should be followed:
 - a. The laboratory will inform the Town's designated MRO that the drug screening test is positive, and will convey such details of the test as the MRO deems necessary. The MRO will consult with the employee to determine whether or not there is a satisfactory explanation for the positive test results.
 - b. If a satisfactory explanation is provided, the MRO will advise the Town that the employee's test was negative, and the employee will be so informed and will be reinstated with back pay and benefits, as appropriate.
 - c. If a satisfactory explanation is not provided, the MRO will so advise the Human Resources Director, who shall meet with the employee with another member of management to advise the employee of the

test results. Upon confirmation of a positive test result, the employee's supervisor shall consult with the Human Resources Director and determine the appropriate disciplinary action, from suspension to dismissal. An employee who is suspended pursuant to this section must sign and comply with the requirements of the "LAST CHANCE ASSISTANCE AGREEMENT" (APPENDIX D).

Should the employee be a CDL driver, the MRO will also submit the positive result in the FMCSA's Clearinghouse. The employee will be removed from their safety sensitive position and will not be allowed to resume their position until the requirements of the FMCSA are met. In addition, the employee shall seek out a FMCSA Substance Abuse Professional (SAP) who will perform the assessment process and recertify their return to duty status. The SAP program is not covered by the employee's medical benefits and therefore the employee will be responsible for all costs.

- J. Failure of an Employee to Cooperate. Employee compliance with the Town's Substance Abuse Policy is a condition of employment. Failure or refusal of an employee to cooperate and participate in the program, sign any requested document, or submit to requested testing shall be grounds for disciplinary action, up to and including dismissal.
- K. Time Off for Counseling/Rehabilitation and Return to Work. Work time lost for counseling and/or rehabilitation will be paid according to applicable Sick and Annual Leave Policy of the Town to the extent available to the employee. Beyond such benefits, work time lost for counseling and rehabilitation will be without pay. An employee may return to work only after (1) being certified by the treatment facility as being drug-free and fit to return to duty; and (2) having produced a clean urine sample which generates a negative test result.
- L. Medical Benefits for Counseling and/or Rehabilitation. Medical benefits for counseling and/or rehabilitation shall be available as provided in the Town's medical insurance plan provided for full-time employees. Such benefits available will depend upon the medical diagnosis by the employee's physician in conjunction with the Town's Benefit Plan.
- M. Effect of a Positive Test After Referral. After an employee has been referred for counseling or rehabilitation under this Substance Abuse Policy, a condition of continued employment is that the employee promise to remain drug free. A subsequent positive drug test may result in dismissal from employment.

6.0 Severability and Effect. If any part of this Policy is determined to be void or unenforceable under state or federal law, the remainder of the Policy will remain in full force and effect.

7.0 Reservations. No part of this Policy, nor any of its procedures, is intended to affect the Town's right to manage its workplace nor to discipline its employees. This policy is not a guarantee of employment, continued employment, nor of any terms or conditions of employment, except as specifically provided herein. This Policy does not create an express nor implied contract between the Town and any employee. It is impossible to anticipate every situation which may arise in regard to drug/alcohol abuse. Therefore the Human Resources Director is responsible for the overall implementation of this Policy and the administration of drug/alcohol abuse problems.

The Town reserves the right to interpret, change, modify, amend, or rescind this Policy in whole or in part.

8.0 Confidentiality. All information involving medical examinations, counseling, rehabilitation and/or treatment of an individual employee or applicant shall be treated as confidential medical information. All such information will be available only to those Town officials and designated medical and professional persons who have a valid need to know. Such information will not be provided to any other party without the employee's written consent, except pursuant to administrative or legal procedure or process. Any employee who willfully discloses such information in violation of Town policy will be subject to discipline.

9.0 Notification to Employees of Policy. The Town's Substance Abuse Policy shall be made available to all employees.

10.0 Counseling and Rehabilitation. Employees are encouraged to voluntarily request counseling or rehabilitation before their substance abuse problem leads to disciplinary or other work related problems. A request may be made by contacting the Human Resources Director, Department Head, or Supervisor. However, participation in the Substance Abuse Program will not exempt any employee from the directives outlined in the Town's Substance Abuse Policy, including any pending disciplinary action.

XI. EMPLOYEE DEVELOPMENT/EDUCATION ASSISTANCE PROGRAM

1.0 Policy. The Town of Kernersville encourages the improvement of service by providing employees, as funds are available, with opportunities to improve skills and job performance or to prepare them for promotional opportunities within the Town service by means of an employee development/education assistance program.

2.0 Eligibility. All regular full-time employee not in their original probationary period.

Eligible employees who are not receiving educational financial assistance from another source will be eligible to apply for financial assistance under this program. In such cases where an employee is receiving funds from another source, which do not cover all the expenses, the Town Employee Development/Education Assistance Program will help defray the eligible costs over the amount of the funds received for approved courses.

3.0 Definitions.

- A. *Approved Course.* An approved course is one that will either improve the employee's ability to perform his/her present job or will help prepare the employee for a job with the Town which will require a higher level of knowledge, responsibility and/or skill.
- B. *Approved Institutions.* Any accredited (Southern Association of Colleges and Schools) state supported college, university, technical institute, or correspondence school, or any other institution approved by the Town Manager.
- C. *Eligible Expenses.* Tuition, registration fees, books, laboratory fees and student fees, when charged, are the eligible reimbursement items. Special equipment, tools, and miscellaneous supplies such as pencils and paper are not reimbursable expenditures without prior written approval of the Town Manager. If approved equipment, tools and miscellaneous supplies shall become property of the Town. All books purchased by the Town become the property of the Town unless the employee desires to keep them by reimbursing the Town for the expense. When employees attend non-state supported institutions, the Town shall reimburse the employee the amount of tuition that would have been paid had the employee attended a state supported institution.
- D. *Successful Course Completion.* Successful course completion will be construed to be a grade of "C" or better when grade letters are given. In the case of Pass/Fail courses, or in the courses when no grade is given, a written statement of successful completion from the instructor will be acceptable to demonstrate successful completion of a course.

4.0 Application Process. To apply for the Employee Development/Education Assistance Program, the following steps are to be taken:

- A. Employees should discuss and plan their educational or training needs with their Department Head in advance so that funds can be budgeted and approved prior to the employee beginning the course;
- B. The employee should obtain and complete an Employee Development/Education Assistance Program Application (Appendix I) prior to beginning the course;
- C. The completed application should be submitted to the Department Head. If approved, the application should be submitted to the Town Manager. If the Department Head does not approve the application, he/she will discuss with the employee the reason(s) for disapproval;
- D. The Town and the employee shall enter into a written agreement incorporating the provisions of this section prior to any expenditures of the Town. After the Town Manager reviews the application and approves it, one copy will be placed in the employee's personnel file; one copy will be returned to the department; and one copy to the employee;
- E. If the Town Manager disapproves the course or institution, the reason(s) will be discussed with the employee and Department Head.

5.0 Payment of Tuition and Books. On behalf of the employee, the Department Head, upon approval of the application by the Town Manager, may send a letter notifying the school the employee will be attending to send all invoices for tuition, books and other associated expenses to the Town for payment. The Department Head may require the employee, or the employee may request to pay for these expenses and submit the receipts to their Department Head for reimbursement.

6.0 Employment Conditions.

- A. The employee agrees to devote his/her time fully to his/her employment by the Town and in his/her further training and education; employee further agrees to perform all assignments and duties of his/her employment in a manner satisfactory to the Town, and to successfully complete all courses in which employee shall enroll;
- B. In the event the employee resigns employment with the Town before he/she completes all course work or within twenty-four (24) months subsequent to completion of said course work, the employee shall reimburse the General Fund of the Town the amount expended by the Town for such training, schooling or course work as damages for breach of the agreement;
- C. No damages will be payable to the Town in the event the employee is dismissed by the Town during or subsequent to his/her training, schooling, or course work, or is separated due to a disabling illness or injury; provided that this exception should not apply in the event there is substantial reason to believe that the employee misrepresented, in writing or orally, his/her qualifications for employment, or caused

his/her dismissal, failure, illness or injury in an attempt to avoid paying damages under the terms of this agreement.

7.0 Duration of Agreement. This agreement shall become effective after the Application and Agreement has been approved and the employee is enrolled in an approved institution and shall remain in full force and effect for the time period specified in the executed Education Assistance Contract following completion of all course work.

XII. SEPARATION, REDUCTION IN FORCE AND REINSTATEMENT

1.0 Types of Separation. All separations of employees from positions in the service of the Town shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, dismissal, disability, retirement, death, and reduction in force.

2.0 Resignation. An employee who desires to terminate his/her employment with the Town must give written notice to his/her immediate supervisor two weeks prior to his/her last intended day of employment. Resigning Department Heads are encouraged to give one month's notice. An employee who does not provide the required notification shall have recorded on his/her service record that he/she resigned without giving proper notice and may forfeit unused vacation pay for not giving proper notice. Final pay may be reduced for charges for equipment, uniforms, and other Town property that was assigned to the employee that have not been paid for or returned.

An employee who is absent from work two consecutive days without reporting to his/her supervisor the reason for his/her absence shall be considered to have terminated his/her employment without notice, and notation to this effect shall be recorded on the employee's service record.

3.0 Dismissal. An employee may be dismissed from Town service for violations of the Town's personnel policies. Typically, an employee will be dismissed for repeated or serious failures in personal conduct and/or performance of duties, but may be dismissed for a single offense, if it is found to be serious enough in nature. All dismissals must be approved by the Town Manager. The provisions of the grievance procedure are available in the Grievance Procedure section, (Article XIV).

4.0 Disability. An employee may be separated for disability when the employee cannot perform the essential job functions of his/her position because of a physical or mental impairment. Action may be initiated by the employee or the Town, but in all cases it shall be supported by medical evidence. The Town may require an examination at its expense and performed by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the Town service for which the employee may be suited.

5.0 Retirement. All employees are required to participate in the North Carolina Local Governmental Employees Retirement System. Any employee who is planning to retire should submit a written request to the Human Resources Director three months prior to the planned effective date. Those employees retiring from the Town shall be paid for all accumulated annual leave. Accumulated sick leave may be used towards creditable service in accordance with the North Carolina Local Governmental Employees Retirement System.

6.0 Death. All compensation due to an employee who dies while employed by the Town will be paid to the estate of the deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

7.0 Reduction in Force. Reduction in force is defined as a separation from employment because of an organizational change, lack of work, lack of funds, or other reasons that reflect no discredit upon the employee.

- A. Factors Used in Determining Reduction in Force. In the event that a reduction in force becomes necessary, consideration will be given to numerous factors in determining those employees to be retained. Among the various factors which will be considered are the following:
1. Operational Needs of the Town. First consideration will be given to those employees in the affected unit who possess special knowledge, skills, or abilities needed by the Town and who have proven records of satisfactory service.
 2. Employee Work Performance. The quality of each employee's past work performance will be taken into consideration. Attendance, initiative, productivity, cooperation, etc., will be taken into account in determining the quality of each employee's past work performance.
 3. Seniority. Length of service will be given consideration after the operational needs of the Town and quality of past work performance have been evaluated. Only when all other factors are equal (as determined at the sole discretion of the Town) will seniority be a factor in deciding which employees will be subject to the reduction in force.

A reduction in force will only affect those employees in the division or service area involved in making the reduction necessary.

- B. Alternatives which may be Used Prior to Reduction in Force. In the discretion of the Town, a number of alternatives may be considered prior to effecting a reduction in force:
1. Reassignment. Employees of the affected unit may be eligible for reassignment into other jobs, departments, or divisions where vacancies exist and when the employees in question have proven to possess the necessary qualifications and work habits.
 2. Furloughs. Temporary layoffs may be used for short periods of time.

The factors to be considered for selecting employees for reassignment will be the same as those used in determining employees to be retained or separated due to a reduction in force.

Those employees laid off due to a reduction in force will be given notice of such action as soon as possible. No regular employee will be separated while there are temporary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the

position held by the temporary employee. Employees serving a probationary period following a promotion shall be considered regular employees for the purpose of reduction in force.

Employees who are reassigned to a position in a higher pay grade, due to reorganization or reduction in force, will receive an increase of 5% or to the minimum of the new grade.

Employees who are reassigned to a position in a lower pay grade, due to reorganization or reduction in force, will receive a pay reduction if their wages, as before the reassignment, exceeds the maximum of the new grade.

In the event that an employee in good standing is laid off due to a reduction in force, he or she will be eligible for compensation according to the following schedule:

- Less than three years of service with the Town, compensation will be a sum equal to two weeks of pay.
- Three or more years of service with the Town, compensation will be a sum equal to one week of pay for each full year of employment completed, not to exceed a maximum of 20 weeks of pay.

8.0 Exit Interview. When any employee, for any reason, leaves the employment of the Town, the Human Resources Director, or designee, may conduct an exit interview. The purpose of the exit interview is to determine the employee's reasons for leaving and to document such reasons. Also, the employee will be advised of the Town's separation pay procedure and his/her rights to continue group insurance benefits under COBRA.

9.0 Separation Report. Whenever an employee leaves the employment of the Town, a Personnel Action Form must be completed by the supervisor and forwarded to the Human Resources Director to be placed in the employee's permanent records. The Personnel Action Form is used when considering rehiring former employees.

10.0 Reinstatement.

- A. An employee who is separated because of a reduction in force may be reinstated within one (1) year of the date of separation, with the approval of the Department Head and the Town Manager.
- B. An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service, or a reserve component of the Armed Forces will be granted reinstatement rights provided under federal law.

An employee who is reinstated shall be credited with previous service and previously accrued sick leave.

XIII. DISCIPLINARY ACTIONS

1.0 Introduction. Disciplinary actions may be taken if an employee's performance of duties or personal conduct is unsatisfactory as outlined in the section titled "Responsibilities of Employment" (Article V). Depending upon the circumstances, one or more of the following kinds of disciplinary actions may be taken: counseling, oral warning, written warning, withholding of pay increase, administrative leave, suspension with or without pay, demotion, disciplinary probation or dismissal. Whenever possible, supervisors are encouraged to counsel with employees before taking more serious disciplinary action.

Typically, an employee whose work performance or personal conduct is unsatisfactory shall receive two warnings, both shall be in writing, before disciplinary action resulting in demotion or dismissal is taken. The employee shall receive a written summary of charges and actions taken, a copy of which shall go into his/her personnel file.

Records pertaining to disciplinary actions taken as a result of a written warning will be retained permanently in the employee's personnel file. However, in light of the progressive disciplinary steps outlined in Section 2.0 of this Article, the supervisor and/or Department Head must start with the first step if it has been two (2) years or more since the last disciplinary action.

2.0 Disciplinary Action for Failure in Performance of Duties. An employee whose work performance is unsatisfactory, as outlined in "Responsibilities of Employment" (Article V), shall be notified in writing by the employee's immediate supervisor documenting how the employee's work is deficient and what must be done for the work to be satisfactory. Unsatisfactory work performance includes aspects of the employee's job which do not meet the standards set by the Department Head and the Town Manager.

The progressive steps of discipline outlined below should normally be taken with an employee whose performance is unsatisfactory.

- A. Oral Warning(s). The supervisor, or Department Head, shall talk privately with the employee and discuss the following:
1. Inform the employee that the discussion is a warning and not some other non-disciplinary form of counseling;
 2. Inform the employee how he/she has not met the performance requirements of the job and why his/her performance has been unsatisfactory;
 3. Tell the employee specific actions the employee needs to take, and the time frame for taking such actions, to improve performance to a satisfactory level;
 4. Tell the employee of the consequences of failing to make the required improvements;

5. The persons conducting the meeting should record the date of the meeting and other necessary information for any future use. The Department Head should be provided with a copy of the supervisor's notes for review and approval. The supervisor shall keep the notes for reference while monitoring the employee's performance.

The supervisor shall allow the employee to respond to the specific reasons why the performance has been unsatisfactory. In some cases this may affect the supervisor's decision on whether to discipline the employee. Written documentation of the disciplinary counseling session should be made so that there is an accurate record of the session. The document should be clearly marked that it is an oral warning. It should be reviewed by both the supervisor and employee as acknowledgment of the oral warning and disciplinary counseling session with a copy being forwarded to the Human Resources Director for filing in the employee's official file. Failure of the employee to sign the written documentation of the oral warning does not affect the validity of the oral warning.

- B. Written warnings. If the oral warning has not caused an improvement in the employee's performance, the supervisor or Department Head, shall prepare a written summary of the performance deficiency(ies) as outlined below. The supervisor, or Department Head, shall present the written warning to the employee and discuss its contents which should include the following:

1. Date(s) and points covered in previous warning(s);
2. A description of specific performance problems;
3. Specific actions the employee needs to take to improve performance to a satisfactory level;
4. A specific and realistic time frame allowed for improvement;
5. A warning that continuation of the performance problem(s) will result in more severe disciplinary action up to and including dismissal.

The written warning shall be signed by the employee with a copy being forwarded to the Human Resources Director for filing in the employee's official file. The employee's refusal to sign the written warning shall not affect the validity of the warning. The supervisor, or Department Head, should indicate on the warning that the employee refused to sign it. The employee has the right to attach a written summary of events leading to and including disciplinary action.

- C. Suspension, demotion or dismissal. Before an employee is suspended, demoted or dismissed because of unsatisfactory performance of duties, the following should occur:

1. A written summary of the case, including any oral or written warnings, will be prepared by the Department Head or his/her designee along with a recommendation for action to be taken (noted on a Personnel Action Form);
2. A copy of the recommendation will be forwarded to the Human Resources Director for review prior to approval by the Town Manager;

After approval by the Town Manager the final written action shall be returned to the Human Resources Director for distribution to the employee and filing in the employee's official file.

3. A conference shall be held between the Department Head and the employee prior to the suspension, demotion or dismissal for the purpose of presenting the employee with the specific reason(s) for the action to be taken. The employee shall have the right to respond at this conference;
4. The Department Head will notify the employee of the action and will provide the employee with a written copy of the decision. Such written notice shall include information concerning the employee's right to appeal under the grievance procedure;
5. The Department Head will forward the final executed written copy of the decision to the Human Resources Director for filing in the employee's official file.

3.0 Disciplinary Action for Failure in Personal Conduct. An employee may be suspended or dismissed without warning for causes relating to personal conduct (Responsibilities of Employee, Article V) detrimental to service with the Town in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. In less serious situations, or if there is doubt as to whether there are grounds for immediate suspension or dismissal, steps similar to those listed in section 2 of this Article should be followed.

When an employee is suspended immediately, the following steps shall be taken by the Department Head or designee:

- A. He/she will tell the employee to leave the work site at once and either report back to the Department Head or supervisor the next day or remain away until further notice;
- B. He/she should determine if the suspension is with or without pay;
- C. He/she shall clearly document all facts leading to the suspension. A written summary should be prepared giving the circumstances and facts which led to the decision for suspension and include a recommendation whether the employee, should be dismissed or retained. A final decision should be made within 45 days of the initial suspension. The written summary should be forwarded to the Human Resources

Director for review and to the Town Manager for final decision on dismissal or retention. After a decision is made by the Town Manager a copy of the written action should be filed in the employee's official file in the Human Resources office. A copy should also be furnished to the employee.

4.0 Disciplinary Probation. The Town may place an employee on disciplinary probation if deficiencies seem readily correctable. The disciplinary probation status shall serve as a period of formal notice to an employee that a problem exists which may jeopardize continued employment with the Town. Such status, which may be for a period not to exceed six months, shall set forth the following:

- A. A clear and concise statement of the problems or deficiencies in the employee's performance;
- B. The corrective actions to be taken immediately;
- C. A schedule for periodic evaluation of progress;
- D. That failure by the employee to follow through with the prompt corrective action(s) shall be cause for further disciplinary action, up to and including dismissal.

An employee who is placed on disciplinary probation shall retain all rights and benefits of a regular employee in accordance with the Personnel Policy.

5.0 Right to Appeal. A non-probationary employee wishing to appeal a disciplinary action taken against him/her may do so through the grievance procedure, described in "Grievance Procedure" (Article XIV).

XIV. GRIEVANCE PROCEDURE

1.0 Policy Statement. The Town desires to resolve complaints and grievances in a fair and equitable manner. Employees whose grievances result from work situations deserve and have the right to submit valid grievances for orderly resolution with complete freedom from discrimination, coercion, recrimination, restraint or reprisal. The resolution of grievances promotes more effective employer/employee relationships and is in the best mutual interest of all affected parties.

The following are objectives of the Town's grievance procedure:

- A. Assure employees of a way in which they can get their problems or complaints considered rapidly, orderly, fairly, and without fear of reprisal;
- B. Encourage the employee to express himself/herself about how the conditions of work affect him/her as an employee;
- C. Foster better employee understanding of policies, practices, and procedures;
- D. Provide employees with assurance that actions are taken in accordance with policies;
- E. Assume that policies are carried out.

2.0 Coverage. The provisions for filing grievances shall apply to all regular full-time and regular part-time Town employees, except the Town Manager. Regular non-probationary employees who are given notice of dismissal shall have the right to file a grievance within five (5) days of dismissal notice.

3.0 Grievance – Definition. A grievance shall be defined as a complaint or dispute of an employee relating to his/her employment, including but not limited to: (1) the interpretation of application of policies governing personnel practices; (2) working conditions relevant to safety and health; (3) acts of reprisal as the result of utilizing the grievance procedure; (4) decisions relative to any disciplinary action or charge of discrimination; and (5) appeal determinations from the Safety Advisory Committee.

Subjects for which grievances may not be filed include but are not limited to: (1) the negotiation of wages, salaries, or fringe benefits; (2) any work activity accepted by the employee as a condition of employment; (3) operating and/or organizational changes adopted by the Town for the efficient and economical operation of Town services, including but not limited to hours of work, licenses and certifications, residency requirements, and other specified conditions of employment; and (4) subjects covered by existing ordinances or established personnel policies and procedures. Complaints may, however, receive administrative review outside the scope of the grievance procedure.

4.0 Grievance Procedure. All grievable disputes as defined in the preceding sections, will be administered in the specific manner and processed within the stated time limits unless a time

extension is necessary due to unusual circumstances or the need of further investigation as determined by the supervisor, Department Head or Town Manager. Failure by the employee to process a complaint within the stated time limit, or time extension, shall constitute termination of the complaint. At each step of the grievance process, where written documentation is required, the Human Resources Director shall receive a copy to put in the employee's permanent file. In a department where the Department Head is the immediate supervisor or the grievance is related to an appeals determination from the Safety Advisory Committee, Step 1 shall be omitted and the appeal process shall proceed to Step 2. In a department where there is more than one supervisory level, supplemental policies developed by the Department Heads may alter the process between immediate supervisor and the Department Head.

Step 1. The employee shall first present his/her grievance, in writing to the Department Head within seven (7) calendar days of its occurrence or within seven (7) calendar days of the time the employee learns of its occurrence. If the employee alleges sexual harassment by the immediate supervisor, the employee must file the complaint with the Human Resources Department "Responsibilities of Employment" (Article V, 9.0). If the grievance concerns an appeal of dismissal, it shall be filed directly with the Town Manager following procedure in Step 2. The Department Head shall respond to the aggrieved employee within seven (7) calendar days after receipt of the grievance; the response shall be in writing and signed by the Department Head. The employee shall sign a copy of the decision to acknowledge receipt and date of receipt. The Department Head is encouraged to consult with any employee to obtain information deemed necessary to reach an impartial decision.

Step 2. If the grievance is not resolved to the satisfaction of the employee during Step 1, the employee may appeal by giving written notice to the Human Resources Director within seven (7) calendar days after receipt of the decision. The Human Resources Director shall forward all written information received relating to the grievance to the Town Manager. The employee may request the Town Manager (or the Town Manager may choose) to conduct a fact-finding hearing instead of reviewing the presented documentation and shall make that decision within seven (7) calendar days of the receipt of the grievance.

Should the Town Manager choose not to conduct a fact-finding hearing, he/she will review the documentation and notify the employee in writing of his/her decision within seven (7) calendar days. Should the Town Manager choose to conduct a fact-finding hearing, he/she will notify the employee in writing of his/her decision to conduct a fact-finding hearing within seven (7) calendar days. If a fact-finding hearing is held, the Town Manager will notify the employee of their final decision regarding their grievance within seven (7) calendar days of the hearing. The employee shall acknowledge receipt of the Town Manager's response.

5.0 Finality of Decision. The decision of the Town Manager shall be conclusive and final, and there shall be no further appeal.

XV. PERSONNEL RECORDS

1.0 Personnel Records Maintenance. The Human Resources Director shall be responsible for maintaining such personnel records as are necessary for the proper administration of the personnel system. Destruction of such personnel records must be made in accordance with the Records Retention and Disposition Schedule as adopted by the Board of Aldermen. Such personnel records shall include, but not limited to:

- A. Name;
- B. Age;
- C. Date of original employment or appointment to the service;
- D. Current position title;
- E. Current salary;
- F. Date and amount of each increase or decrease in salary;
- G. Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification;
- H. Date and general description of the reasons for each promotion.
- I. Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken. If the disciplinary action was a dismissal, a copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis of the dismissal.
- J. Department and office to which the employee is currently assigned;

2.0 Access to Protected Personnel Records. All disclosures, except for disclosures to authorized persons engaged in processing personnel actions, of records of the following information shall be accounted for by keeping a written record. Access to such information shall be governed by the following provisions:

- A. All disclosures of records of the following information shall be accounted for by keeping a written record (except for authorized persons processing personnel actions): name of employee, information disclosed, date information was requested, name and address of the person whom the disclosure is made, purpose for which information is requested. This written record must be approved and signed by the Human Resources Director and the Town Manager. Information must be retained for two years.
- B. Upon request, records of disclosure shall be made available to the employee to whom it pertains.
- C. An individual examining a personnel record may copy the information, any available photo copying facilities may be provided and the cost may be assessed to the individual.
- D. Any person denied access to any record shall have a right to compel compliance with these provisions by application to a court for writ of mandamus or other appropriate relief.

3.0 Confidential Information.

- A. Disclosures. All information contained in a Town employee's personnel file, other than the information listed in Section 1.0 of this article will be maintained confidentially in accordance with the requirements of North Carolina General Statute 160A-168 and shall be open to public inspection only in the following instances:
1. The employee or his/her duly authorized agent may examine all portions of his/her personnel file, except, (1) letter of reference solicited prior to employment, and (2) information concerning a medical disability (mental or physical), that a prudent physician would not divulge to his/her patient.
 2. A licensed physician designated in writing by the employee may examine the employee's medical record.
 3. A Town employee having supervisory authority over the employee may examine all material in the employee's personnel file.
 4. By order of a court of competent jurisdiction, a person may examine such material in the employee's personnel file as may be ordered by the court.
 5. An official of an agency of the State or federal government, or any political subdivision of the State may inspect any portion of the personnel file when such information is deemed by the Town Manager to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability. However, the Town Manager may release the name, address, and telephone number for the purpose of assisting in a criminal investigation.
 6. An employee may sign a written release, to be placed with his/her personnel file, that permits the Town Manager to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
 7. The Town Manager, with concurrence of the Board of Aldermen, may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or separation of a Town employee and the reasons for that personnel action. Before releasing the information, the Town Manager shall determine in writing that the release is essential to maintaining public confidence in the administration of Town services or to maintaining the level and quality of Town services. This written determination shall be

retained in the office of the Town Manager, and is a record available for public inspection and shall become part of the employee's personnel file.

B. Non-Disclosures. Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:

1. Testing or examination material used solely to determine individual qualifications for employment or promotion in the Town's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.
2. Investigation reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.
3. Information that might identify an undercover law enforcement officer or a law enforcement informer.
4. Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his/her duly authorized agent shall have a right to inspect such materials.

4.0 Records of Former Employees. The provisions for access to records apply to former employees as they apply to present employees.

5.0 Remedies of Employees Objecting to Material on File. An employee who objects to materials in his/her file may place in his/her file a statement relating to the material he/she considers to be inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures.

6.0 Penalty for Permitting Access to Confidential File by Unauthorized Persons. N. C. G. S. 160A-168 provides that any public official or employee who knowingly and willfully, and with malice permits any person to have access to any confidential information contained in an employee file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars.

7.0 Penalty for Examining and/or Copying Confidential Material Without Authorization. N.C.G.S. 160A-168 provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined in the discretion of the court but not in excess of five hundred dollars.

XVI. ELECTRONIC COMMUNICATIONS POLICY

By virtue of this policy, all system users acknowledge the public nature of electronic communications and understand that the Town has the right to inspect and review such communications.

1.0 Purpose. This policy covers the use of all technology resources belonging to the Town of Kernersville. It includes, but is not limited to radios, all computer systems of any size and function and their attached peripherals, phones, cellular phones, air cards, mobile routers, mobile electronic devices, digital camera (still and video), faxes, voice mail systems, e-mail systems, text messaging devices and text messages, storage devices such as portable hard drives and flash (thumb) drives, and their attached peripherals, and network resources and Internet resources (Communications Systems). The Town provides technology resources to enable Town employees to provide timely and efficient services. This is the primary function of these resources and any activity or action that interferes with this purpose is prohibited. Failure to adhere to this policy places the Town and the individual at risk for legal and financial liabilities, potential embarrassment and other consequences.

2.0 Administration. Each Department Head shall become thoroughly familiar with the requirements set forth in this policy and to administer this policy consistently within the department and with other departments. The Department Head shall explain this policy within their department and see that it is fully implemented. It is the Department Head's responsibility to ensure their department's users abide by the requirements and guidelines set forth in this and any related documents. Department Heads and Chief Information Officer have the authority to inspect the contents of any equipment, files, or mail in the normal course of their supervisory responsibilities. Reasons for review include, but are not limited to: investigation of network slowdown; system hardware or software problems including software license compliance; general system failure; litigation or potential litigation; suspicion of a crime or violation of policy; or a need to perform work or provide a service when an employee is not available. All communication system users acknowledge their consent that the Town may, at its discretion, inspect, use or disclose any electronic communications and/or data without further notice for any legitimate business, legal or discretionary purpose. The Town may utilize monitoring software to administer this policy.

3.0 Public Nature of Electronic Communication. Electronic communication is a public record like any other public document. Users must understand that any communications created, received or backed up on the Town system may be construed to be public documents and thus may be subject to legal requests for public disclosure. This includes communications that users might think of as personal and private. Electronic communications may be searched for evidence in any legal proceeding.

4.0 Security. All electronic communications are the property of the Town, are subject to monitoring, and therefore not considered private. The Town will disclose any electronic mail message as required by appropriate law or regulation. The Town shall promptly access electronic communication data:

- A. When a user leaves the employ of the Town for any reason, user's mail will be accessed for the purpose of saving those messages that pertain to Town business. These files may be subject to transfer to another user if necessary to conduct Town business. The employee's Town e-mail service will be discontinued;
- B. When necessary to investigate a possible violation of a Town policy or a breach of the security of the Communications Systems;
- C. In the event there is reasonable suspicion a user has committed or is committing any crime;
- D. As a supplement to regular monitoring of network performance.

5.0 User Accounts. The Town of Kernersville Information Systems Department is responsible in conjunction with the department head for creation, assignment, and deletion of all user accounts for the Town's systems. The level of access to the network, servers, applications, and personal computers will be coordinated by the Information Systems Department based upon the job tasks for the individual user. Users are responsible for protecting their passwords and access to assigned accounts (network, systems, applications, etc.) at all times. Account passwords are not to be shared with anyone or written down. Each login account must remain private and unique to a single user. Sharing login accounts among multiple users is prohibited.

6.0 E-Mail/Internet. Use of the Communications Systems by employees for personal use must be restricted to occasional use. The occasional use must not interfere with the conducting of Town business or impede normal network traffic or excessively degrade the speed and/or integrity of the network. Personal use should be limited to personal time (breaks, after hours). Personal use of the Internet and e-mail on Town time should be kept to a minimum. Supervisors are expected to monitor the extent of personal use of these assets during regular working hours.

Any business or personal use of the Internet or e-mail by a Town employee shall clearly and accurately identify the employee. Anonymous or pseudonymous use is prohibited. The unauthorized use of browser proxy and/or "in private browsing" to conceal illegal or out of policy use is prohibited.

The Town of Kernersville may review, access, and disclose all matters on the Town's electronic devices and media systems and services at any time. Emails, Internet communications, cellular data use, and computer files are the Town's business records and are not to be considered private or personal to any individual employee. Any Internet usage as well as emails accessed using Town issued user accounts or personal accounts such as Yahoo, Gmail, Hotmail, AOL etc., on town's electronic devices become the property of the Town and may be reviewed in normal or extraordinary methods such as forensic investigation for any reason. The data may be monitored and stored in cache on the computer or electronic device or servers and is not considered private in any manner.

E-mail is considered an official form of communication. Users are expected to check email on a frequent basis.

The following uses of the Town's Communications Systems are strictly prohibited:

- A. Use of the Communications Systems to send chain letters;
- B. Use of the Communications Systems to knowingly send copies of documents in violation of copyright laws;
- C. Use of the Communications Systems to compromise the integrity of the town and its business in any way;
- D. Use of the Communications Systems to send messages containing offensive, abusive, discriminatory, threatening, harassing, or other language inappropriate for the operation of the Town;
- E. Use of the Communications Systems to send messages that violate any policy of the Town including the Town's policy against harassment. Such messages include, but are not limited to, messages that contain sexual implications, racial slurs, or other comments that offensively addresses someone's age, gender, sexual orientation, religious or political beliefs, national origin or disability;
- F. Use of the Communications Systems for the advertisement of personal business or to conduct personal business;
- G. Intentionally viewing, downloading and/or transmitting materials (other than that required for police business) that involve the use of obscene language, images, jokes, sexually explicit materials or messages that abuse or belittle any person, group or classification of individuals is strictly prohibited;
- H. Use of the Communications Systems to distribute personnel information or personally identifiable information unless it is an authorized Human Resource function that includes but is not limited to pay, performance reviews, complaints, grievances, misconduct, disciplinary information, medical records or related information;
- I. Purchase of, downloading of, and installation of software without prior authorization from the Chief Information Officer or Town Manager;
- J. Employees shall not permit unauthorized persons, including non-town employees, to use the Town's electronic Communications Systems. Authorization shall be given only by the Department Head, Chief Information Officer, or Town Manager;
- K. Streaming media uses a large amount of the Town's available bandwidth and should only be used for training and news worthy information purposes only. Streaming radio and video for personal entertainment purposes is prohibited;
- L. Installation of Software by third-party software vendors unless authorized by the Chief Information Officer or Town Manager.

7.0 Software as a service (SaaS) and Cloud Services. Software as a service (SaaS) and Cloud Services may have value as tools on the Internet for the conducting of Town Business. SaaS and Cloud Services may be used upon support of the Chief Information Officer, Department Head, and Town Manager. The coordination of responsibility of setup, management and administration of these services falls within the purview of the Information Systems Department and will be administered as such. Examples of SaaS and Cloud Services include any software based service that data is stored and retrieved or services that the town citizens interact with for the purpose of gathering information disseminated by the Town or for the conducting Town business. At least two people within the Town, one of these being the Chief Information Officer must be made administrator of the service or application. The Chief Information Officer in coordination with the department head will maintain a list of approved SaaS and cloud services and maintain appropriate administrative and user accounts for those services.

8.0 Social Media Use. To address the fast-changing landscape of the Internet and the way residents communicate and obtain information online, the Town of Kernersville may consider using social media tools to reach a broader audience. The Town of Kernersville has an overriding interest and expectation in deciding what is “spoken” on behalf of the Town on social media sites. This section establishes guidelines for use of social media.

- A. Corporate Face of the Town. The Town may maintain social media presence on the Internet in the form of a Facebook page or Twitter account or other outward facing web based tools and social media sites for the purpose of augmenting the dissemination of information to the public. Provisions should be made so that no new content may be created by the public on these social media sites. Citizens are not allowed to create new threads on any topic but may be permitted to comment on existing information. Social media sites and tools include those sites that allow for sharing of information on the web such as pictures, video, links, emails, documents, and other text or dynamic media based information. Examples include, Flickr, Facebook, Myspace, Youtube, Google Apps (Docs), blog sites, LinkedIn, Yammer, Bebo, Smugmug, etc. All tools should be used with the intent of maximizing transparency, maintaining the security of the network and with proper professionalism.
1. Presence. By order of the Town Manager, only the main Town of Kernersville Facebook and Twitter account and the current Parks and Recreation Facebook account are allowed. Other department specific pages are prohibited unless specifically approved by the Town Manager. The social media site will clearly identify the Town of Kernersville as the official owner of the site and will give information on how to contact officials at the Town for further information.
 2. Setup and Administration. In an effort to maintain consistency in each site, all social media tools must be set up by the Chief Information Officer. At least two people within the Town, one being the Chief Information Officer, must be made administrator on the site.

3. Content. The content placed on the social media sites must be made only as a supplement to the Town's existing website or other forms of communications. No new information may be solely and separately disseminated on social media sites. Content must have been previously approved by a Department Head or the Town Manager. The content postings must be factual and accurate. Examples of content that shall not be allowed:
 - a. Comments not topically related to the particular social media article being commented upon;
 - b. Comment in support of or opposition to political campaigns or ballot measures;
 - c. Profane language or content;
 - d. Content of a sexually explicit nature or links to sexual content;
 - e. Content that promotes, fosters, or perpetrates discrimination on the basis of race, creed, color, age, religion, gender, marital status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
 - f. Solicitation of Commerce other than official Town business;
 - g. Conduct or encouragement of illegal activity;
 - h. Information that may tend to compromise the safety or security of the public or public systems;
 - i. Information that may compromise ongoing investigations of criminal activity;
 - j. Content that violates a legal ownership of any other party
4. All social media sites will comply with all appropriate policies and standards of the Town of Kernersville and all applicable federal, state and local laws. The social media sites content is subject to North Carolina public records law.
5. The Town reserves the right to remove any content that violates these guidelines.
6. All new social media tools proposed by the Town must be reviewed by the Chief Information Officer and approved by the Town Manager.
7. The Chief Information Officer will maintain an approved list of social media sites and tools and appropriate administrative access accounts.

Designees should be aware of the Terms of Service (TOS) of the particular form of media. Each form of social media has its own unique TOS that regulate how users interact using that particular form of media. Any employee using a form of social media on behalf of the Town should consult the most current TOS in order to avoid violations.

- B. Personal Use of Social Media Sites. An Employee who chooses, while off duty, to maintain social media sites, to participate in social media, or to participate in social networking platforms, (1) shall conduct himself/herself in a manner that will not reflect negatively upon the Town; and (2) shall have the right to comment on issues of general or public concern so long as the comments do not disrupt the workplace, interfere with employee relationships with other employees, hinder productivity, or harm public confidence in his/her department or Town government.

Specifically, but not inclusively, whether identifying himself/herself as an employee of the Town, or simply known to others as an employee of the Town, no Employee shall:

1. Give the appearance that he/she is acting on behalf of the Town or expressing the views of the Town;
2. Post any comment, text, photo, audio, video, or other multimedia file, including any sexually graphic or explicit material, that:
 - a. reflects negatively upon the Town;
 - b. expresses the employee's view(s) detrimental to the Town's Mission;
 - c. comments about the internal operations of the Town or specific conduct of an employee's supervisor, peer, subordinate, or Town official that is harmful to the image or operation of the Town;
 - d. expresses the employee's views of the public that tends to undermine the public trust or confidence in the Town; or
 - e. is insulting or offensive to other individuals or the public in regard to religion, sex, race, or national origin.

9.0 Mobile Telephones and Devices. Telephones and mobile devices are intended primarily to accomplish the work of the Town.

- A. Office Telephone. Providing services to internal and external customers is always the first priority. Personal use should be limited in accordance with the provisions of Internet and e-mail use.

The Town will deem personal use excessive if it prevents the employee from handling customer inquiries, complaints and requests for service in a timely manner or if it interferes with employees accomplishing their job responsibilities. All personal toll calls are to be reimbursed to the Town.

- B. Mobile Telephones and Devices. Requests for mobile telephones, stipends or devices shall be submitted to, and approved by the Department Head or designee prior to their procurement. These requests may be submitted during normal budget review process or at other times provided that appropriate funding is identified. Employees receiving mobile devices and/or stipends shall sign acknowledging they have read, understand and agree to the terms of the agreement.

Incidental personal use of mobile telephones or devices shall be infrequent and not result in costs to the Town. Should charges be incurred over the cost of the basic plan and the charges are a result of personal calls, employees shall be required to reimburse the Town for those charges. Reimbursement must be made within two weeks of receiving the monthly mobile telephone usage report. The Department Head is responsible for reviewing all mobile telephone bills of their staff for proper reimbursement of personal calls and expenses incurred beyond the cost of the basic plan. All mobile telephone bill overages that remain unpaid for

more than 30 days shall be automatically deducted from the employee's paycheck.

Abuse of mobile telephones or devices could result in loss of privileges, as well as disciplinary action in accordance with Article XIII of the Town of Kernersville Personnel Policy.

The Town of Kernersville reserves the right to review, audit and inspect information residing in or transferred to Town issued mobile telephones and devices, at any time with or without notice and that such access may occur during or after work hours. These reviews may include auditing of use to determine there is enough business use to merit the issuance of a Town device.

Non-exempt employees shall not use mobile devices to perform work outside their regularly scheduled hours, without prior approval from their supervisor.

10.0 Printers, Copiers and Faxes. Photocopy machines, printers and fax machines shall be used for the transaction of Town business. Any personal use must be pre-approved by the Department Head and reimbursement for personal use should be arranged with the Department Head prior to use. Unauthorized copying of copyrighted material is strictly prohibited.

11.0 Video Camera Data. Video camera data recorded on Town digital or analog recording devices is consider part of the town's business records and is subject to review by the Department Heads, Chief Information Officer, and Town Manager in accordance with sections 4.0 and 5.0 above. Individual employee access to live streaming and/or recorded video of cameras throughout the town's facilities and properties will be granted to an individual as deemed appropriate by the Department Head and the Town Manager and only as an augmentation to the daily surveillance and security of the facilities and properties.

12.0 Unauthorized Network Equipment. No unauthorized networking equipment shall be used on Town properties or in conjunction with any Town owned networking equipment unless authorized by the Chief Information Officer or the Town Manager. Unauthorized equipment examples include but are not limited to: wired or wireless access points, routers, switches, hubs, cellular networking devices, etc. Ad hoc networks for any reason without authorization from the Chief Information Officer are strictly prohibited.

13.0 Violations. It is the user's responsibility to read and abide by topics set forth in this document. If any employee violates any of the provisions of this policy, or a supervisor or Department Head who knowingly permits a violation of this policy, the employee, supervisor or Department Head will be subject to disciplinary action up to and including dismissal (Article XIII).

XVII. ETHICS AND CONFLICTS OF INTEREST

The proper operation of a democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of government.

It is in the public interest to establish policies of ethical conduct which set forth a code of behavior to be followed by officers and employees of the Town of Kernersville that is consistent with federal and state laws. These policies of ethical behavior are intended to guide the actions of all officials and employees of the Town of Kernersville and copies of this policy are to be brought to the attention of each employee on a regular basis.

1.0 Definitions.

Controlling interest shall mean the individual interest with the ownership or control of the largest number of outstanding shares owned by a single individual or corporation.

Direct interest shall mean any contact with any business in which an individual or member of his immediate family is the sole proprietor, a partner, or the person having the controlling interest.

Entity shall mean a sole proprietorship, partnership, limited partnership, firm, corporation, professional corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law through which business may be conducted.

Favor shall mean any opportunity, service, accommodation, use of facility, or other benefit made available for less than fair market value or normal value.

Gift shall mean anything of value.

Indirect interest shall mean any contact in which an individual is interested but not directly so, but includes contracts where the individual is directly interested but is the sole supplier of goods or services in the Town of Kernersville.

Town employee or employee shall mean any person employed by the Town of Kernersville.

Town official or official shall mean the Town Manager, Town Clerk, Town Attorney, all department heads and deputy department heads, whether such person is salaried, hired or elected, and all other persons holding appointed positions for the Town of Kernersville. Town official includes individuals appointed to all Town commissions, committees, boards, task forces, or other Town bodies unless specifically exempted from this policy by the Board of Aldermen.

2.0 Standards of Conduct.

- A. Interest in Contract or Agreement.

1. No Town official or employee shall transact any business on behalf of the Town with any entity in which he or she, or any immediate family member has, directly or indirectly, any financial interest. This specifically includes, but is not limited to, requiring all Town officials and employees to comply with the provisions of NCGS §14-234 entitled “Public officers or employees benefiting from public contracts; exceptions.”
2. No Town official or employee, or immediate family member, shall directly or indirectly, have any financial interest in any contract or sub-contract about which said official or employee is authorized to draft, negotiate, administer, accept, or approve.
3. No Town official, or employee, shall use his or her position to profit either directly or indirectly from any interest held in real or personal property.

3.0 Gifts. No Town official or employee shall accept or solicit any gift or favor, that might reasonably tend to influence that individual in the discharge of official duties or that the official or employee knows or should know has been offered with the intent to influence or reward official conduct.

This policy does not prohibit the receipt of:

- A. Advertising items or souvenirs of nominal value.
- B. Food and beverages furnished at banquets, seminars, professional association meetings, or trade group or industry meetings, so long as the food and beverages are equally available to all persons in attendance.
- C. Gifts or favors received from personal friends or relatives where it is clear that the relationship is the sole motivating factor; however, any such gifts received from a contractor, subcontractor or supplier doing business directly or indirectly with the Town of Kernersville must be reported to the Town Manager.

4.0 Incompatible Service. No Town official or employee shall solicit or accept other employment to be performed or compensation to be received while still a Town official or employee, if the employment or compensation could reasonably be expected to impair independence in judgment or performance of Town duties.

If a Town official or employee accepts or solicits a promise of future employment from any person or entity who has an interest in a person, entity or property which would be affected by any decision upon which the official or employee might reasonably be expected to act, investigate, advise or make a recommendation, the official or employee shall disclose that fact to the board or commission on which he or she serves or to his or her supervisor and shall take no further action on matters regarding the potential future employer.

No Town official or employee shall accept any business or professional opportunity when such person knows, or reasonably should know, that the opportunity is being afforded to him or her with the intent to influence the performance of official duties.

5.0 Use of Position. No Town official or employee shall use his or her official position to secure a special privilege or exemption for himself or herself or others, or to secure confidential information for any purpose other than official responsibilities.

No Town official or employee shall use Town facilities, personnel, equipment or supplies for private purposes except such as are lawfully available to the public.

It shall be the duty of the Town officials and employees to periodically review programs, policies and activities of the Town to identify potential or real conflicts of interest.

No Town official or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

6.0 Disclosure of Conflict of Interest. A Town official or employee shall disclose the existence of any direct or indirect interest he or she may have in a person, entity or property which would be affected by a vote or decision of the body of which the Town official is a member or on which he or she serves as an officer or employee.

7.0 Whistleblower. If any employee reasonably believes that some policy, practice, or activity of the Town of Kernersville is in violation of a law or a public policy, a written complaint should be filed by that employee with the Town Manager. If the complaint involves the Town Manager, it may instead be delivered to the Mayor or a member of the Board of Aldermen.

If any employee believes that another employee, appointed or elected official, or entity with whom the Town of Kernersville does business is in violation of a law or a public policy, a written complaint should be filed by the employee with the Town Manager. If the complaint involves the Town Manager, it may instead be delivered to the Mayor or a member of the Board of Aldermen.

The Town of Kernersville will not retaliate against a person who, in good faith, has made a protest, or raised a complaint, against some practice of the Town of Kernersville, or of another employee, appointed or elected official, or entity with whom the Town of Kernersville has a business relationship, provided the protest or complaint is based upon a reasonable belief that the practice is in violation of a law or a public policy.

The Town of Kernersville also will not retaliate against a person who discloses or threatens to disclose to a supervisor, the Town Manager, or an appointed or elected official of the Town, any activity, policy, or practice of the Town of Kernersville that the person reasonably believes is in violation of a law, a rule, or regulation mandated pursuant to law, or is in violation of a public policy concerning the health, safety, welfare, or protection of the environment of the Town of Kernersville.

The Town Manager or the Board of Aldermen shall investigate any and all written complaints filed with the Town of Kernersville and shall issue a finding to the Board of Aldermen based upon such investigation. The Town Manager and/or the Board of Aldermen are charged with the responsibility, if the complaint is found to have validity, of taking appropriate action to correct, alleviate, and/or take such other appropriate action as may be necessary in regard to the violation of law, public policy, or practice of the Town of Kernersville.

The Town of Kernersville will use all reasonable measures to protect an individual from retaliation by a fellow employee, the Town Manager, and/or an appointed or elected official, or any entity with whom the Town of Kernersville does business only if the employee brings the alleged unlawful activity, policy, or practice to the attention of the Town of Kernersville in accordance with this Policy and provides the Town of Kernersville a reasonable opportunity to investigate and correct the alleged unlawful activity.

8.0 Enforcement and Compliance. This policy shall be enforced, as it regards employees, by the Town Manager or his designee. Failure to comply with the above policy shall be grounds for immediate disciplinary action up to and including dismissal from employment with the Town of Kernersville.

Last Revision Date: July 1, 2024

APPENDIX NOTE

Electronic Policy: Appendices are updated upon revision.

Printed Policy: Appendices are current as of the date of printing. The latest revision is available on the Town's intranet website, or upon request from your supervisor/Department Head or the Human Resources Department.

Town of Kernersville

Personnel Policy Appendix



APPENDIX A

CONSENT FOR DRUG AND/OR ALCOHOL SCREENING

TOWN OF KERNERSVILLE

CONSENT FOR DRUG AND/OR ALCOHOL SCREENING

Name of Employee or Applicant (Please Print):

Last

First

Middle

I understand that in accordance with the Town of Kernersville's policy of providing and maintaining a safe and healthful working environment for all employees, that I will submit to a drug or alcohol screen test.

I hereby authorize the release of the results of the test to the management of the Town and its designated medical or professional representatives.

Nothing in this consent form is to be construed as a contract between the parties.

I HAVE READ THE FOREGOING CONSENT AND KNOW THE CONTENTS THEREOF AND SIGNED THE SAME OF MY OWN FREE WILL.

Signature

Witness

Date

Date

APPENDIX B
SUBSTANCE ABUSE
TESTING REQUEST FORM

Town of Kernersville

TESTING REQUEST FORM

Employee: Name: _____
Company Name/Identification Number: _____
Observation: Date: _____ Time: (From _____ am/pm to _____ am/pm)
Location: _____

CAUSE FOR SUSPICION

1. **Presence of Drugs and/or Paraphernalia (specify):** _____

2. **Appearance:**

Normal	Flushed	Puncture Marks
Disheveled	Bloodshot Eyes	Profuse Sweating
Tremors	Runny Nose/Sores	Dry-Mouth Symptoms
Dilated/Constricted Pupils	Inappropriate Wearing of Sunglasses	
Other	_____	

3. **Behavior Speech:**

Normal	Incoherent	Slurred	Silent
Confused	Slowed	Whispering	
Other	_____		

Awareness:

Normal	Confused	Euphoria	Mood Swings
Lethargic	Paranoid	Disoriented	
Lack of Coordination	Other	_____	

4. **Motor Skills Balance:**

Normal	Swaying	Falling	Staggering
Other	_____		

Walking & Turning:

Normal	Swaying	Stumbling	Falling
Arms Raised for Balance	Reaching for Support		
Other	_____		

5. **Other Observed Actions or Behavior (Specify)** _____

Witnessed By:

_____ (Signature)	_____ (Title)	_____ (Date)	_____ (Time)
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_____ (Signature)	_____ (Title)	_____ (Date)	_____ (Time)
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APPENDIX C

SUBSTANCE ABUSE

ILLEGAL DRUG AND THRESHOLD VALUES

ILLEGAL DRUG AND THRESHOLD VALUES

Listed below are the illegal drugs for which the drug screening must test, and the threshold values to be used for the purpose of determining whether test results should be reported as positive.

The “threshold values” refer to how much of the drug must be present in the urine for the Drug Test to yield a positive result. “Screening Level” and “Confirmation Level” refer to the initial drug screening and the automatic confirmatory test will be performed should the initial test prove positive.

Drug	Screening Level	Confirmation Level
1) Barbiturates	300	300
2) Benzodiazepine	300	300
3) Cannabinoids (Marijuana)	50	15
4) Cocaine	300	150
5) Methadone	300	300
6) Phencyclidine (PCP)	25	25
7) Opiates	2000	2000
8) Amphetamines	1000	500
9) Propoxyphene	300	300
10) Alcohol	.025	.025

ng/ml = nanograms per milliliter

APPENDIX D

SUBSTANCE ABUSE

LAST CHANCE ASSISTANCE AGREEMENT

TOWN OF KERNERSVILLE

LAST CHANCE ASSISTANCE AGREEMENT

Name of Employee _____
Last First Middle

1. I voluntarily acknowledge that I have a drug and/or alcohol problem and I wish to avail myself of treatment through the Town's counseling and/or rehabilitation program. I agree to submit to a Town administered drug and/or alcohol screening prior to my referral to the program to assist in assessment and treatment of my problem.
2. I promise to fully cooperate and participate in counseling and/or rehabilitation program in accordance with instructions and requirements of program administrators. I understand that any Town approved leave of absence to continue in a counseling or rehabilitation program may be reviewed on a weekly basis.
3. I authorize counseling or rehabilitation representatives to confer with the Human Resources Director (or designee) regarding my attendance, progress and suitability for continued employment or return to active employment, as the case may be, including the disclosure of medical/psychiatric evaluations and substance abuse testing of me.
4. I understand that as a pre-condition to my returning to work, I must test negative on a Town administered drug test. I also understand and agree that I will willingly submit to unannounced drug/or alcohol testing at any time after my return to work, and that if I test positive on any such test, or if I refuse to take a test as requested, I will be subject to immediate termination. I understand and agree that unannounced testing may be required of me for up to one year (12 months) following the date of the agreement.
5. If I have received treatment for drug abuse, I understand and agree that my future employment depends upon my remaining free of drug abuse for the entire duration of my continued employment, and that this 'LAST CHANCE' opportunity afforded me by the Town is conditioned accordingly. I further understand and agree that nothing herein alters my right and the Town's right to terminate or modify my employment relationship at any time and for any reason.
6. If I have received treatment for alcohol abuse, I understand and agree that for the entire duration of my continued employment, I will not use alcohol in a manner that violates Town policy. I further understand and agree that I will be held to the same attendance, performance, safety, behavioral, and other standards as every other employee of the Town, and if my alcohol use causes me to violate those

standards, I will be subject to discipline or discharge on the same basis as other employees who violate those standards for non-alcohol-related reasons. I further understand and agree that I may be tested for alcohol use based on reasonable cause; after an accident or incident which caused or reasonably could have caused personal injury or property damage in which my inaction or action was a contributing factor; or upon my request if the Town agrees. I further understand that nothing herein alters my right and the Town's right to terminate or modify my employment relationship at any time and for any reason.

7. I understand that upon my continued active employment or return to active employment, I must meet all established standards of conduct and job performance required of any other employee.

APPROVED:

Supervisor

Employee

Title

Date

Date _____

APPENDIX E

LEFT BLANK

APPENDIX F

POSITION REVIEW REQUEST

Date: _____

FROM: _____, _____
 Name Department
 _____, _____
 Division Budget Account

(A)	_____ RECLASSIFICATION	(Existing classification with significant changes in the duties, responsibilities and/or working conditions.)
(B)	_____ NEW CLASSIFICATION	(Duties, responsibilities have never before been described or classified.)
(C)	_____ PAY ADJUSTMENT	(Although the duties have not changed, the Pay Range is considered too low or too high in relationship to current Labor Market conditions and to other Position Classes.)

(3) Name and Title of immediate supervisor of the classification to be review:

Recommended by:	_____	_____
	Department Head or Designee	Date
Approved by:	_____	_____
	Human Resources Director	Date
Approved by:	_____	_____
	Town Manager	Date

APPENDIX G

PAY PLAN

The Pay Plan

Refer to Article II Classification and Pay.

Merit Increases

The Town's annual budget will normally allocate money to each department for performance related salary increases. These performance related salary increases must be approved by the governing body in annual budget process. During each employee's annual performance evaluation, the Department Head will be responsible for devising a system of merit rewards consistent with the overall performance appraisal guidelines. An employee's salary cannot exceed the maximum of the range set for that position. When money is allocated, regular full-time and regular part-time employees who are rated "Needs Improvement", "Successful Work" or "Exceptional" will be eligible for annual merit increases according to the following schedule:

Rating Scale and Definitions for Performance Evaluations

Exceptional Work: Means that the employee's overall performance consistently, during the review period, has significantly exceeded expected levels of performance considering the employee's previous experience, tenure in the job, and job duties and responsibilities.

Successful Work: Means that the employee's overall performance, during the review period, has been at or above the level expected considering the employee's previous experience, tenure in the job, and job duties and responsibilities. **Most employees perform at this level.**

Improvement Needed: Means that considering the employee's previous experience, tenure in the job, and job duties and responsibilities, the employee has, during the review period, performed some duties successfully and that the employee has the potential for successful performance.

Unacceptable: Means that on an overall basis the employee has, during the review period, performed in a manner significantly below the level to be expected considering the employee's previous experience, tenure in the job, and the employee's duties and responsibilities, and that it appears to be reasonably certain that the employee is either unwilling or unable to perform successfully.

N/A: This factor or criteria is Not Applicable to the employee's job and the expectations of the employee are not evaluated. When a factor or criteria is determined to be "not applicable," the N/A rating shall not benefit nor detract from the employee's overall rating.

APPENDIX H

RETIREMENT GIFT AND RECOGNITION

RETIREMENT GIFT AND RECOGNITION

<u>YEARS OF SERVICE</u>	<u>AMOUNT</u>
10-14	\$450
15-19	\$750
20-24	\$1,100
25-30	\$1,500
30-34	\$2,000
35+	\$2,500

APPENDIX I

EMPLOYEE DEVELOPMENT/EDUCATION ASSISTANCE PROGRAM APPLICATION

NAME _____ ID# _____

JOB TITLE _____ DEPT/DIV _____

Grade School				High School				Trade or Bus. School				College			
5	6	7	8	9	10	11	12	1	2	3	4	1	2	3	4
Name of Institution								Major Subject				Name of Degree or Number of Credits Earned			

Name of Institution _____

a. _____ HSD/GED

b. _____ Degree Name of Degree: _____

c. _____ Certificate Name of Certificate: _____

d. _____ Credit Hours Name of Course: _____
Course Begins: _____ Ends: _____
Course Fee Breakdown: _____

Total Estimated Charges: _____

Applicant's Signature: _____	_____
	Date
Recommended by: _____	_____
Department Head or Designee	Date
Approved by: _____	_____
Human Resources Analyst II	Date
Approved by: _____	_____
Human Resources Director	Date
Approved by: _____	_____
Town Manager	Date

APPENDIX J

TAKE HOME VEHICLE AUTHORIZED POSITIONS

TAKE HOME VEHICLES AUTHORIZED POSITIONS

1. Chief Information Officer
2. Deputy Fire Rescue Chief
3. Director of Public Services
4. Fire Marshal/Assistant Fire Marshal
5. Fire Inspector I, II, Assistant Fire Marshal
6. Fire Rescue Chief
7. Fire Training Battalion Chief
8. Fleet Maintenance Supervisor
9. Police Department Personnel – in accordance with Departmental Policy
10. Public Services Crew Supervisors (Streets Division)

The following positions can take home vehicles for special events with the approval of Town Manager and/or Department Head:

1. Park Maintenance Superintendent
2. Recreation & Parks Director
3. Solid Waste Operations Supervisors
4. Street Superintendent

Revised: January 12, 2021

APPENDIX K

SAFETY SENSITIVE POSITIONS

SAFETY SENSITIVE POSITIONS

- Employees required to have CDL certification as required by the Department of Transportation;
- All emergency services Telecommunicators (including supervisor and manager);
- All Sworn Law Enforcement Officers;
All Firefighting Suppression personnel.
- All Code Inspectors (I, II, III, Senior, Master and Supervisor)
- All Park Maintenance personnel (PMW I, II III, Crew Leader, Superintendent)
- Athletic Coordinator
- Chief Construction Inspector
- Construction Inspectors
- Construction Maintenance Worker
- Police Property Technician
- Recreation Program Supervisor
- Solid Waste Collector
- Turf Maintenance Specialist

Revised: January 12, 2021

APPENDIX L

ILLNESS/DEATH RECOGNITION PROCEDURE

Town of Kernersville
ILLNESS/DEATH RECOGNITION PROCEDURE

Employee The Town will be responsible for the expense of sending flowers/gift to an employee, employee's spouse, or employee's child/step-child in the event of hospitalization and outpatient surgery. In these instances, it will be the responsibility of the employee's department head to contact Human Resources, and Human Resources will order the flowers/gift on behalf of "Employees of the Town of Kernersville." The bill will be directed to the Finance Department for Payment. If the employee, employee's spouse or employee's child/step-child should become hospitalized or receive outpatient surgery more than once during a 12-month period, the Town will send flowers/gift the first time and cards for subsequent outpatient surgery and/or hospitalization.

Elected Officials and Town Attorney The Town will send flowers/gift in the event of hospitalization or outpatient surgery of a member of the Board of Alderman, Mayor, and Town Attorney, limited to one time per year.

Prices Currently a limit of \$60.00 will be placed on flowers/gift sent to an employee, spouse, child, or any member of the Board of Alderman, Mayor, and Town Attorney for hospitalization, and a limit of \$40.00 for employee, spouse, child, Mayor, Town Attorney or any board member receiving outpatient surgery. These amounts shall be reviewed periodically.

Death Recognition Procedure

Employee The Town will be responsible for sending flowers in the event of the death of an employee or his/her spouse, child/step-child, father/step-father, mother/step-mother, sister/step-sister, or brother/step-brother. It will be the department head's responsibility to notify Human Resources of such death, and Human Resources will order flowers on behalf of "Employees of the Town of Kernersville."

Retiree The Town will send flowers in the event of a retiree's death. Human Resources should be notified and will be responsible for ordering the flowers.

Elected Officials	The Town will send flowers in the event of death of a member of the Board of Alderman, Mayor, or Town Attorney or spouse. Human Resources should be notified and will be responsible for ordering the flowers.
Appointed Board Members	The Town will send flowers in the event of death for any appointment Board or Commission member. Any employee hearing of the death of any appointed Board/Commission member should report it to the Human Resources Department so that flowers/memorials may be ordered.
Prices	The Town will spend up to \$150 for the following: Sister, Brother, Father, Mother, Child, Spouse, Employee, Retiree, Elected Officials, and Appointed Board/Commission Members. These amounts will be reviewed periodically.

Additional Notes

1. Any department wishing to send flowers or gifts in addition to what is sent by the Town may do so, but will be required to collect the funds from within the department.
2. The Town will respect and abide by family requests for memorial gifts to churches, charities, libraries, etc., in lieu of flowers.
3. Out-of-town wiring charges will be an additional cost.

Revised: November 2020

APPENDIX M

**TOWN'S FINANCE POLICY
FISCAL OPERATING POLICIES AND PRACTICES**

TOWN OF KERNERSVILLE

Fiscal Operating Policies and Practices

Finance Department

Revised 04.10.23

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TOWN OF KERNERSVILLE

Fiscal/Operating Policies and Practices

I. BUDGET

A. DUTIES OF THE BOARD OF ALDERMEN.

Not earlier than ten (10) days after the day a proposed Annual Budget is presented to the Board of Aldermen and not later than June 30, the Board of Aldermen shall adopt a Budget Ordinance allocating appropriations and reflecting the levying of taxes for the budget year in such amounts as the Board of Aldermen may consider sufficient and proper, regardless of whether greater, less, or the same as the amounts recommended in the proposed Budget. The Budget Ordinance shall reflect and authorize all financial transactions that are required to occur for the Town in accordance with NC General Statutes §159-13.

Before adopting any Annual Budget Ordinance, the Board of Aldermen shall first hold a Public Hearing at which time any person who wishes to be heard regarding the proposed Budget may appear.

B. DUTIES OF THE TOWN MANAGER.

The Town Manager is the Budget Officer of the Town, and, as such, shall prepare a proposed Annual Budget balanced for each fund, itemizing revenues and expenditures, and shall submit it to the Board of Aldermen no later than June 1 of each Fiscal Year. Additionally, the Budget Officer shall include in the budget a proposed financial plan for each intra-governmental service fund, as required by G.S. 159-13.1, and information concerning capital projects and grant projects authorized or to be authorized by project ordinances, as required by G.S. 159-13.2.

In each year in which a general reappraisal of real property has been conducted by Forsyth and/or Guilford County, the Budget Officer shall include in the budget, for comparison purposes, a statement of the revenue-neutral property tax rate for the budget. The revenue-neutral property tax rate is the rate that is estimated to produce revenue for the next fiscal year equal to the revenue that would have been produced for the next fiscal year by the current tax rate if no reappraisal had occurred. To calculate the revenue-neutral tax rate, the budget officer shall first determine a rate that would produce revenues equal to those produced for the current fiscal year and then increase the rate by a growth factor equal to the average annual percentage increase in the tax base due to improvements since the last general reappraisal. This growth factor represents the expected percentage increase in the value of the tax base due to improvements during the next fiscal year. The budget officer shall further adjust the rate to account for any annexation, de-annexation, merger, or similar event that has occurred during the current Fiscal Year.

On the same day that he/she submits a proposed Annual Budget to the governing board, the Budget Officer shall file a copy of the same in the office of the Town Clerk where it shall remain available for public inspection until a Budget Ordinance is adopted.

C. DUTIES OF THE FINANCE DIRECTOR.

The Finance Director shall carry out the duties of his/her office as prescribed by NC General Statutes §159, Subchapter III, BUDGETS AND FISCAL CONTROL, Article 3, Part III, Fiscal Control.

D. DUTIES OF THE TOWN CLERK.

The Town Clerk shall make a copy of the proposed Budget available in his/her office for all news media and public. The Clerk shall also publish a statement that the Budget has been submitted to the governing board, and is available for public inspection in the office of the Town Clerk. The statement shall also give notice of the time and place of the Budget Hearing required by NC General Statutes §159-12(b).

E. DUTIES OF THE DEPARTMENT HEADS.

By April 30 of each fiscal year (or an earlier date fixed by the budget officer), each department head shall transmit to the budget officer the budget requests and revenue estimates for his/her department for the budget year. The budget request shall be an estimate of the financial requirements of the department for the budget year, and shall be made in such form and detail, with such supporting information and justifications, as the budget officer may prescribe. The revenue estimate shall be an estimate of all revenues to be realized by department operations during the budget year. At the same time, the finance officer or department heads shall transmit to the budget officer a complete statement of the amount expended for each category of expenditure in the budget ordinance of the immediately preceding fiscal year, a complete statement of the amount estimated to be expended for each category of expenditure in the current year's budget ordinance by the end of the current fiscal year, the amount realized from each source of revenue during the immediately preceding fiscal year, and the amount estimated to be realized from each source of revenue by the end of the current fiscal year.

F. BUDGET AMENDMENTS AND TRANSFERS.

The Town Manager is authorized to transfer amounts between line items within a department. Transfers between departments, and revisions of the revenue or expenditure totals, require Board of Aldermen approval by Budget Ordinance. The Board of Aldermen may amend the Budget Ordinance at any time after the Annual Budget Ordinance's adoption, so long as the Ordinance, as amended, continues to satisfy the requirements set forth in NC General Statutes Chapter §159.

The Board of Aldermen shall approve a Budget Amendment reflecting monetary changes in the Annual Budget Ordinance for any contract it approves or action it takes which does not have an appropriation of funds in the Annual Budget Ordinance. The Budget Amendment shall be presented to the Board of Aldermen at the same meeting in which the contract is approved, or action is taken, or at the next regularly scheduled Board of Aldermen meeting providing such meeting is held within the same fiscal year in order that the Town's Budget remains balanced at the close of the fiscal year as prescribed in NC General Statutes §159-8.

II. REVENUES

A. REVIEW OF FEE SCHEDULES.

Fee schedules and user charges are reviewed by the Board annually as part of the budget considerations. The Town Manager may adjust the fee schedule periodically to ensure that rates are equitable and that they cover the total cost of the service or that portion of the total cost deemed appropriate by the Town of Kernersville.

B. ANTICIPATED GRANTS.

Grants or awards of similar revenue shall be budgeted only if they have been awarded or are reasonably anticipated to be awarded at the time of the recommended budget. Otherwise, separate appropriations will be made during the year as such grants are awarded or contracts entered.

The Town of Kernersville shall seek a fair share of available State and Federal financial support. Prior to accepting intergovernmental aid, the Town of Kernersville will examine the matching requirements so that the source and availability of these funds may be determined.

C. CAPITAL CONSTRUCTION FEES

The Board may establish fees for capital construction as authorized by NC General Statutes.

D. ENTERPRISE/SPECIAL FUNDS.

The Town of Kernersville will establish and maintain special revenue funds that shall be used to account for the proceeds of specific revenue sources to finance specified activities required by statute, ordinance, resolution, or executive order.

Enterprise Fund revenues in excess of expenditures at the end of a fiscal year should be used to meet the needs of that particular fund whether for major facility expansion(s) or to meet future needs of that Fund.

E. COST RECOVERY/USER FEES.

The Town of Kernersville shall set user charges and fees for each enterprise fund [ex: Stormwater Fund] at a level that will support the direct/indirect costs of the activity. The Town of Kernersville shall establish, annually, user charges and fees at a level that recognizes the total cost of providing the services including the cost of capital assets and the indirect cost of depreciation.

F. PROPERTY TAX COLLECTION.

Provided the Forsyth County and Guilford County Tax Collectors continue an aggressive collection policy, and for so long as it is financially sound to do so, the Town of Kernersville shall engage the Forsyth County and Guilford County Tax Collectors to collect on its behalf all ad valorem Property Tax Revenues, and other fees collected as are required.

III. EXPENDITURES

A. REVIEW OF OPERATIONS.

The Town of Kernersville staff shall strive to minimize the financial burden on the Town's taxpayers through periodic review of all Town programs with an objective to improve the efficiency and effectiveness of Town operations. Operations will be monitored throughout the year by the Town Manager who shall make administrative adjustments and/or recommendations to the Board of Aldermen. This policy is to reasonably achieve the highest degree of output of all departments, at reasonable cost, while maintaining the quality of life expected by town citizens.

IV. DEBT

A. LONG-TERM DEBT.

When considering the utilization of long-term debt financing, Staff and the Board of Aldermen shall:

1. Conservatively project the revenue source(s) that will be utilized to pay the debt;
2. Finance the improvement over a period that is not greater than the useful life of the improvement and shall;
3. Confine long-term borrowing to capital improvements that cannot be financed from revenues in a current fiscal year or short time period.

B. DEBT LIMITATION.

As required by NC General Statutes, the Town of Kernersville shall manage the issuance of debt obligation such that the net debt of the Town of Kernersville shall not exceed eight percent (8%) of the assessed value of its taxable property.

C. CREDIT RATING.

The Town of Kernersville shall endeavor to maintain and, if possible, improve its current bond ratings in order that its costs of borrowing of funds are minimized, and its access to credit is preserved.

D. DISCLOSURE – FULL AND CONTINUING.

Full disclosure of operations and finances shall be made to any bond rating agencies. The Town of Kernersville staff, with the assistance of any financial advisor(s), feasibility consultant(s) and bond counsel, shall prepare the necessary materials for presentation to any rating agency, shall aid in the production of Official Statements, and shall take responsibility for the accuracy of all financial information released.

E. DEBT FINANCING MECHANISMS.

The Town of Kernersville Staff and Board of Aldermen shall examine appropriate financial alternatives in addition to long-term debt financing including, but not limited to, pay-as-you-go, reserve funds, lease-purchase, special assessments, state and federal aid, certificates of participation, and tax increment financing.

V. CAPITAL IMPROVEMENTS

A. DEVELOP CIP.

The Board of Aldermen of the Town of Kernersville shall, annually, plan for capital improvements over the forthcoming five-year period of time. The Capital Improvements Program shall directly relate to the long-range plans and policies of the Town of Kernersville.

B. LEAST COST FINANCING METHOD.

The Town Manager shall determine, and recommend to the Board of Aldermen, the most appropriate financing method for any capital project including taking into consideration the Town's current fund balance and the cash flow requirements of the Town.

C. ASSET MAINTENANCE.

The Town of Kernersville shall maintain a current record of all of its fixed assets and shall depreciate the same according to an approved schedule. All equipment shall be maintained in order that its useful life will be maximized. Staff shall recommend, and the Board of Aldermen shall approve, timely replacement of equipment in order that Town services may be provided according to citizen expectations.

VI. CASH MANAGEMENT

A. CASH FLOW FORECASTING.

The Town of Kernersville shall calculate cash flow needs on a monthly basis. Disbursements, collections, and deposits of all funds shall be scheduled to ensure maximum cash availability and investment potential.

B. CASH AVAILABLE FOR INVESTMENT AND TIME PERIOD OF INVESTMENT.

The Finance Director shall, on an ongoing basis, determine the amount of Town funds available for investment. The Finance Director shall determine the amount available for investment, and schedule the maturities of investments, in order that the Town of Kernersville will have sufficient available funds in demand deposits to ensure the prompt payment of all Town obligations.

C. FDIC INSURED DEPOSIT ACCOUNTS.

The Town of Kernersville shall deposit daily operating revenues into financial institutions that are insured by the Federal Deposit Insurance Corporation or are otherwise fully collateralized.

VII. INVESTMENTS

A. RETURN ON INVESTED CAPITAL.

The Finance Director shall be responsible for investing Town of Kernersville funds in such a manner so as to best maximize the return on investment while protecting the Town's funds by minimizing investment risk.

When making investments, the Town of Kernersville shall follow State law, local investment guidelines, and the following criteria in priority:

1. Safety: Preservation of capital;
2. Liquidity: Maintenance of a liquid position; and
3. Yield: Maximization of yield.

B. FUNDS AVAILABLE FOR INVESTMENT.

Funds available for investment shall include the general fund, special revenue funds, capital projects funds, enterprise fund, reserve funds, trust and agency funds (to the extent not required by law or existing contract to be kept segregated and managed separately), debt service funds (including reserves and sinking funds and any new fund created by the Town of Kernersville unless specifically exempted from this policy by the Board of Aldermen or by law).

C. REVIEW OF INVESTMENTS.

The Town of Kernersville's investments shall be reviewed annually by the Town's auditor as part of the annual audit process. Any irregularities shall be reported directly to the Board of Aldermen through the audit report and/or verbally through attendance at a regular or special Board of Aldermen meeting.

D. INVESTMENT INSTRUMENTS.

All eligible investments of the Town of Kernersville funds shall be limited to obligations of the U.S. Government (such as Treasury Bills, Bonds and Notes), time deposits with any Bank or Savings and Loan with a North Carolina presence, North Carolina Capital Management Trust, and any other type of legal investments allowed by state law or state regulation. [For details on the current investment policy, see Appendix A]

VIII. ACCOUNTING

A. ACCOUNTING SYSTEMS AND GAAP.

The Town of Kernersville shall maintain the highest level of accounting practices reasonably possible. Accounting systems shall be maintained in order to facilitate financial reporting in conformance with Generally Accepted Accounting Principles (GAAP) promulgated by the Governmental Accounting Standards Board.

B. ANNUAL AUDIT AND INDEPENDENT AUDITOR.

An independent firm of certified public accountants shall perform an annual financial and compliance audit according to Generally Accepted Auditing Standards (GAAS) and will publicly issue an opinion that will be incorporated in the Comprehensive Annual Financial Report.

C. FULL DISCLOSURE.

Full disclosure shall be provided in both the annual audit report and in any bond presentation.

D. INTERNAL ACCOUNTING CONTROLS.

The use of internal accounting controls to the maximum extent feasible is encouraged. Internal accounting controls include both procedures and use of equipment.

IX. PURCHASING

A. INCURRING OBLIGATIONS.

No obligation may be incurred in a program, function, or activity accounted for in a fund included in the budget ordinance unless the budget ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the current fiscal year the sums obligated by the transaction for the current fiscal year. No obligation may be incurred for a capital project or a grant project authorized by a project ordinance unless that project ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay the sums obligated by the transaction. Nothing in this section shall require a contract to be reduced to writing.

B. PRE-AUDIT REQUIREMENT.

Any obligation reduced to a written contract or written agreement requiring the payment of money, or is evidenced by a written purchase order for supplies and materials, the written contract, agreement, or purchase order shall include on its face a certificate stating that the instrument has been pre-audited to assure compliance with the requirements of incurring obligations.

The certificate, which shall be signed by the finance officer, or any deputy finance officer approved for this purpose by the governing board, shall take substantially the following form:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Director

C. EXEMPTIONS TO PRE-AUDIT REQUIREMENTS.

The following items are exempt from pre-audit requirements:

1. An obligation or a document related to the obligation has been approved by the Local Government Commission.
2. Payroll expenditures, including all benefits for employees of the local government.
3. Electronic payments, as specified in rules adopted by the Local Government Commission.

D. THE ENCUMBRANCE SYSTEM.

State law requires that an encumbrance system be used by all governments within the State of North Carolina with a population greater than 10,000 but does not provide detailed guidance for constructing such a system; therefore, the Town of Kernersville establishes the following encumbrance system.

E. ENCUMBRANCE THRESHOLD.

It is the policy of the Town of Kernersville that all purchases with an estimated cost of \$1,000 or more will require a requisition approved by a department head or their designee, the Town Manager, and the Finance Director with the following exceptions:

1. Payroll and Payroll Expenditures – payroll and expenditures directly related to employee deductions.
2. Refunds to businesses and citizens for current year collections.

F. PROCESSING INVOICES.

At a minimum, all Town payments must be approved by the appropriate Town official(s) before payment will be made. Approval is defined as:

1. An electronic approval and account number(s) for all invoices;
2. Documentation that identifies the item being purchased and from whom it is being purchased;
3. An active purchase order containing sufficient funds when the purchase threshold requiring one is reached.

Invoices presented to the Town over the purchase order threshold may be delayed for payment or not honored unless supported by a properly signed purchase order.

G. CONTRACT ADMINISTRATION.

The Town Manager is responsible for the approval of all contracts/agreements except purchase orders. All contracts/agreements must be approved as to form by the Town Attorney before execution and must be pre-audited by the Finance Director.

H. ALTERNATIVE APPROVAL.

In the event that the Town Manager is unavailable to approve requisitions, the Finance Director shall have authority to do so. In the event that both the Town Manager and Finance Director are unavailable, the Town Manager's designee shall have said authority.

Anyone having the responsibility for, and authority to approve, invoices for payment shall attend to all invoices, requisitions and purchase orders in a timely manner so as to avoid late payment penalties/fees and disruption of the normal accounts payable process. In the event an individual having the responsibility for, and authority to approve, invoices is out of town or is otherwise unable to attend to his/her accounts payables in a timely manner, he/she should arrange for processing and approval of

the invoices, requisitions and/or purchase orders by someone else who has been granted authority to approve such documents by the Town Manager.

I. REIMBURSEMENTS FOR PURCHASES MADE ON A PERSONAL CREDIT CARD OR WITH PERSONAL FUNDS.

Town employees are not expected to use their personal credit cards or funds in the process of purchasing item related to Town business-related expenses. If an employee has a Town-issued Procurement Card that is unable to be processed, they may use their personal card or funds as an alternative payment method in the event of an emergency. For employees who do not have a Town-issued Procurement Card, they may use their personal credit card or funds as a method of payment if first approved by their Supervisor. The Town will reimburse an employee for the use of their personal funds as described.

Reimbursement will be made only after the following are submitted to the Finance Department:

1. The written authorization by the employee's supervisor detailing why the employee had to use their personal funds in the performance of Town-related business or for a Town-related purchase;
2. A receipt showing the item purchased and the date it was purchased (a credit card statement will not be accepted);
3. A requisition signed by the Department Head and/or Town Manager approving the reimbursement request if the threshold requiring a purchase order (\$1,000) is reached;

In the event that Town money is advanced to an employee for the purchase of goods/services for a Town-related business expense, the employee must submit a balanced reconciliation, which is satisfactory to the Finance Director, which clearly identifies what was purchased, the date it was purchased, from whom it was purchased, the price paid, the money advanced and what is owed the Town or employee as settlement for any differences between the advance and the cost of the item(s) purchased.

Upon receipt of all required documentation, the Finance Department shall issue a check to reimburse an employee under this section within ten (10) business days.

J. COMPETITIVE BIDDING PROCESS.

In accordance with North Carolina General Statutes, the Town of Kernersville requires that formal bids be procured for all supplies, materials, or equipment with an estimated cost of \$90,000 or more and construction or repair work requiring an estimated cost of \$500,000 or more. The Department Head is responsible for administering all formal bids for the purchase of supplies, material, or equipment for his/her department.

It is the policy of the Town of Kernersville that informal bids be procured for all requests for supplies, materials, or equipment with a cost of \$10,000 or more. Informal bids for purchases may be obtained by documented verbal statements, electronic communications, or in writing. Excluding work which must be compensated on a unit price or time and materials basis, construction or repair work with an

estimated cost of \$30,000 or more but less than \$500,000 shall follow the informal bid process and shall be in writing.

Where informal bidding is required, Department Heads must submit with all requisitions a copy of informal bid documentation for the purchase of equipment, supplies and materials valued at \$10,000 and above and construction/repair work valued at \$30,000 and above.

Exceptions to the above bidding requirements shall be allowed for “sole-source” purchases and for professional services as outlined in Section L. below, emergencies, and work which is to be compensated on a unit price or time and materials basis.

K. PURCHASES FUNDED WITH FEDERAL GRANTS OR LOAN FUNDS

Contracts funded with federal grant or loan funds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200).

L. PROFESSIONAL SERVICE CONTRACTS.

Town Resolution R-2016-08 addresses the Mini-Brooks Act and details requirements relating to the solicitation and engagement of certain services including architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services. The exception to these requirements is special emergencies involving the health and safety of people or their property.

The selection of firms qualified to provide such services are to be based on demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price. However, these requirements can be waived upon a finding and written exemption of the project by the Town Manager for which the estimated professional fees are less than \$50,000.

All written service contracts of \$50,000 or more shall be submitted to the Board of Aldermen for approval.

M. RECYCLED MATERIALS PROCUREMENT.

The Town of Kernersville shall seek to buy and use products needed for Town services that are made with recycled materials if the recycled items are reasonably cost competitive with non-recycled products and provided they meet or exceed specifications and user quality levels set forth by the Town.

N. ACCESS TO THE FINANCE DEPARTMENT.

No employee shall enter the Finance Department after regular business hours, other than Finance Department employees, the Town Manager, Information Technology Department employees or General Services employees. Should unscheduled access to the Finance Department be required after regular business hours, the Finance Director should be notified within a reasonable period.

Exceptions to this entry prohibition may be made for certain employees, on a case by case basis, by either the Town Manager or Finance Director.

O. CREDIT/PROCUREMENT CARDS (P-CARDS).

Town Credit Cards shall be retained by the Finance Director and utilized for Town-related purchases as deemed necessary by the Town Manager.

Individual employees may be issued a Procurement Card (P-Card) upon approval by the department head, Town Manager, and Finance Director. Policies and procedures regarding P-card usage are detailed in the Town's Procurement Card Policy Manual.

P. APPLICATIONS FOR CREDIT.

1. To provide for the maximum controls possible regarding the credit of the Town, the Finance Director shall be the sole individual who shall apply to establish any line of credit with any person, business or institution.
2. Any application for credit desired by any employee of the Town shall be submitted to the Finance Director fully completed and ready for the Finance Director's signature. The Finance Director shall determine whether the application is necessary for Town related business before granting approval. The Finance Director shall have authority to open or close any credit account at any time if the Finance Director deems the action to be in the Town's best interest.
3. Account cards required by vendors may be used to conduct Town business provided a North Carolina Driver's License is required to prove the identity of the Town employee purchaser at the time of purchase. The Town employee's name and department must appear on all invoices submitted to the Finance Department in order to provide efficient processing. If a vendor routinely fails to provide documentation as required by the Finance Department in accordance with this Policy, the Finance Director shall have the authority to close the account.

Q. INVOICE REQUIREMENTS.

1. At the time of purchase, employees shall provide their name, department and purchase order number (if applicable) to the vendor and ask the vendor to note that information on the invoice to be submitted to the Town Finance Department for payment.
2. If an invoice, or other payment document, is delivered directly to the purchaser at the time of purchase, that Town employee shall submit it to the Finance Department within three (3) business days with his/her name and department clearly indicated on the invoice.
3. No employee shall direct any vendor to mail or email an invoice for Town related purchases to an address other than: Accounts Payable, Town of Kernersville, P.O. Box 728, Kernersville, NC 27285, or invoices@toknc.com, respectively.
4. All Town Departments shall provide a Vendor Registration form to any new vendor with whom that Department desires to do business. Vendor registration forms should be returned by the vendors directly to the Finance Department by mail, fax, or email with an original signature intact and completed TIN/EIN number.
5. Invoices emailed to the Town must be emailed in Adobe pdf format which includes the vendor's business name, contact information, invoice number, purchase order number (if applicable) and

other pertinent purchasing and payment information which may be required by the Finance Department.

X. TRAVEL AND EXPENSE REIMBURSEMENT

A. POLICY AND PURPOSE.

It is the policy of the Town to pay reasonable costs of travel when conducting the business of the Town or receiving training away from the normal job location. The purpose of this policy is to establish guidelines and uniform procedures for the authorization and payment of certain business travel, lodging, and meal expenses incurred by the Town of Kernersville's employees.

B. OVERVIEW

Employees assigned a Procurement Card (P-Card) are required to use them for all allowable business, travel, training, and meal expenses. Refer to Town's Procurement Card Policy for guidance on proper P-Card usage. All expenses must have been incurred in the course of performing duties as an employee of the Town on official Town business.

Employees without P-Cards can either receive an estimated travel advance, or be reimbursed for allowable out-of-pocket expenses upon return.

In an instance of a travel advance, the employee shall request necessary funds via a check order that has received appropriate departmental approval, and has been submitted to the Finance Department a minimum of ten (10) days prior to the travel event. A completed and approved Travel Expense Voucher (TEV), along with proper documentary evidence, must be submitted to the Finance Department no later than ten (10) days after the end of the travel event. Blank TEVs and check orders are available in the Finance Department. Blank TEVs are also available on the Town's intranet.

If an employee needs to be reimbursed for out-of-pocket expenses, a completed and approved TEV, along with proper documentary evidence, must be submitted to the Finance Department within ten (10) days of the employee's return to work. The employee will receive reimbursement, via check, within seven (7) days of the TEV's submission.

Regardless of whether payment is made with currency or a P-Card, all expenses must have the proper documentary evidence, which includes a copy of the conference or meeting agenda with matching travel dates and original, itemized receipts, to adequately account for their validity.

Employees must make restitution to the Town for any expenses that are not authorized, inadequately documented, or more than originally approved. Any advances in excess of allowable expenses must be returned to the Town.

Any required restitution must be repaid within ten (10) days after the end of the travel event or will be included as additional income on the employee's Form W-2 and subject to all applicable taxes.

C. TRANSPORTATION

Travelers are expected to use the most reasonable and economical means of transportation available.

1. Actual mileage is reimbursable for use of a personal vehicle for Town-related travel. Mileage is measured from the closer of duty station or point of departure to destination (and return). Mileage reimbursements must have the proper documentary evidence included, such as detailed web mapping or driving route, with calculated mileage to adequately account for their validity. The business standard mileage rate set by the Internal Revenue Service will be paid. Parking fees and tolls are reimbursable when the required receipts are obtained.
2. Once at the employee's destination, mileage reimbursement of actual reasonable expenses will be paid for transportation such as bus, rail, rental car, or taxi services (Uber, Lyft, etc.) from the airport to the hotel, to/from the place of business, and to/from restaurants within a reasonable distance.

D. LODGING

Lodging expenses will be reimbursed at the actual cost of the room provided the employee seeks reasonably priced lodging. Employees should take full advantage of special convention or conference negotiated rates. The Town will only reimburse the employee for single occupancy rate unless accompanied by another Town employee; in such cases, the Town will reimburse the double occupancy rate.

No reimbursement will be made for in-room movies, mini-bar, laundry services, or other nonessential needs.

E. MEALS DURING OVERNIGHT TRAVEL

The Town will reimburse the actual cost of meals, including tips, for those attending programs or functions on authorized overnight trips.

To be eligible for meals on the day of departure, you must leave your home before 6:00 a.m. for breakfast, 11:00 a.m. for lunch, and 5:00 p.m. for dinner. On the day of your return, you may claim expenses for lunch if you return to the Town after 2:00 p.m. and dinner if your return is after 7:00 p.m.

The current standard daily rate of \$85 per day includes the following: \$20 for breakfast, \$25 for lunch, and \$40 for dinner. Each meal rate includes taxes and tips, and is considered separate from the others with no carryover of unspent portions. Tips are capped at 15% of the total bill including taxes. Up to \$5 daily is allowable for incidental expenses including tips given to baggage carriers, taxi driver, and hotel staff.

F. MEALS FOR TRADE OR PROFESSIONAL MEETINGS

Reimbursements for meal expenses are allowable if directly related to, and necessary for, attending Town-related business meetings, conventions, or professional association meetings. These

organizations include chambers of commerce, business leagues and trade or professional associations.

G. MEAL GRATUITY

Gratuity for meals is capped at 15% of the total bill unless automatically levied by the restaurant. Any amounts above 15% will be the responsibility of the employee, subject to repayment or taxable reporting. The employee will reimburse the Town any amount above 15% within ten (10) days after the end of the travel event or the excess will be included as additional income on the employee's Form W-2 and subject to all applicable taxes.

XI. FIXED ASSETS

Fixed assets shall be defined as property valued at \$5,000 or more with a useful life of at least 3 years. The Department Heads shall be responsible for placing a fixed asset tag, issued by the Finance Department, onto each piece of property for which that Department is responsible and a fixed asset tag has been created by the Finance Department. Further, the Department Head is accountable for all property assigned to that department until that property is disposed of in accordance with this policy or the property is transferred to another department using one of the procedures outlined in Section XI below.

Capitalization thresholds – the capitalization threshold levels shall be \$5,000 for equipment, \$20,000 for buildings and \$100,000 for infrastructure. For the purposes of calculating “useful life” and determining proper depreciation, the following standards will be used:

Buildings	50 years
Improvements	25 years
Furnishings and Fixtures	10 years
Heavy Equipment (Backhoes, Fire engines, etc.)	10 years
Automobiles	6 years
Equipment (non-computer)	5 years
Computer Equipment	5 years
Software	5 years

XI. ASSET DISPOSALS

A. GENERAL

Disposal is defined as the sale, trade/exchange or discarding of Town property. No Town property shall be disposed of without the prior approval of the Town Manager except for items described in section XI.A.3 below. Before the disposal of Town property, the department head shall prepare and submit all documentation the Finance Director requires to ensure that the disposal is properly recorded on the financial records of the Town. Disposal of any property during such time the property is financed must be approved by the Town Manager and Finance Director, and go through a process to obtain the appropriate lender release.

1. Disposal of Property – any Town property disposed of under this policy must first be approved by the Town Manager with written notification given to the Finance Director before the disposal occurs. If the item being considered for disposal is a fixed asset, notification to the Finance Director will be in the form of a Fixed Asset Disposal Form which may be obtained from the Finance Director.
2. Trading in/Exchange – any Town property traded/exchanged with a vendor must first be approved by the Town Manager with written notification given to the Finance Director before the trade/exchange occurs. Property valued over \$5,000 may be traded and/or exchanged only with Board of Aldermen approval. If the item being considered for disposal is a fixed asset, notification of a trade and/or exchange shall be given to the Finance Director in the form of a Fixed Asset Trade-in Form or a Non-Fixed Asset Trade-in Form, whichever is deemed appropriate by the Finance Director. These forms may be obtained from the Finance Director.
3. Town property considered worthless, irreparable, or not feasible to repair may be discarded with department head approval only if the property is not a fixed asset and is not currently under a financing contract. A Department Head shall notify the Town Manager and the Finance Director, in writing, prior to disposing of any Town property that had an original purchase price of \$5,000 or more when that property has not reached the end of its “useful life” as defined in Section X. above.
4. Through express directive and resolution from the Board of Aldermen, the Town Manager may exercise the Town’s right to dispose of real property through means authorized in NC General Statute Article 12.

Transfers between departments are permitted; provided, any Town property transferred among Town of Kernersville departments must first be approved by the Finance Director before the transfer is made. Notification will be in the form of an Asset Transfer Form, which may be obtained from the Finance Director. The department transferring the asset is responsible for completing the transfer form.

B. METHODS OF DISPOSAL

The following methods of disposal are authorized:

1. Surplus property sale – In accordance with NC General Statute 160A-270²
2. A surplus and disposal declaration of the Town Manager:

The Town Manager is authorized to dispose of any item or group of items of surplus personal property owned by the Town of Kernersville when he determines (a) that the item or group of items has a fair market value less than \$5,000, (b) that the property is no longer needed by the Town, and (c) that the sale would be economic and efficient and designed to produce fair market value for the Town. Such property may be disposed of by sale or exchange, may be public or private, with or without notice. The Town Manager is authorized to sign any documents necessary to convey title to property sold pursuant to this authorization.

The Town Manager shall keep a record of all property sold pursuant to the authority granted herein. That record shall generally describe the property sold or exchanged, to whom it was

sold or with whom it was exchanged, and shall list the amount of money or other consideration received for such sale or exchange. Further, the Finance Director shall be notified of the disposal of any Town asset before disposal occurs so that financial records can be properly adjusted.

3. Electronic Auctions – Excluding real property, the Finance Department may sell Town property through an electronic auction provided all of the following criteria are met:

- a) The Town Manager and Finance Director approves the sale and sale process
- b) The property to be sold is not encumbered under lease or a financing contract
- c) The property to be sold is not shown as an active fixed asset

4. Any and all methods authorized under NC General Statute Article 12.

XII. RECEIPTS

All personnel collecting any monies on behalf of the Town must follow the Revenue Collection Policy (see Appendix B). Each department head will be responsible for the safe collection and deposit of monies collected by personnel under his control in accordance with the Revenue Collection Policy.

XIII. ADMINISTRATION

This policy and procedures shall be administered by the Town Manager and may be amended, from time to time, by the Town Manager to reflect good operating practices of the Town.



Town Manager

4-10-23

Date

APPENDIX A

TOWN OF KERNERSVILLE INVESTMENT POLICY

GOALS AND OBJECTIVES: The major goals and objectives of the Town's investment program are the preservation of capital, maintenance of adequate liquidity, and maximization of interest earnings.

1. **SAFETY.** The primary consideration of the Town's investment program shall be safety. The Town shall, in the case of each investment, assess and consider the risks, both in terms of the nature of the investment as well as where and how it is held.
2. **LIQUIDITY.** Funds shall be available to meet all required disbursements of the Town of Kernersville.
3. **YIELD.** The Town shall seek the highest competitive rates on securities which mature in accordance with the Town's anticipated cash flow needs and/or investment strategy.

DELEGATION AND AUTHORITY: NC General Statutes §159-30 places responsibility for the Town's investment program with the Finance Director who shall be responsible for the execution, supervision and daily operation of all investment activity with authority to purchase, sell and exchange securities on behalf of the Town.

QUALIFIED INVESTMENTS: Town funds that are available for investment may be invested:

1. By a pooling method collateralized and permitted by Chapter 159 of the North Carolina General Statutes such as the North Carolina Management Trust and/or
2. By placement of funds in individual financial institutions, such as commercial banks and savings and loans. Except as provided within this Investment Policy, all funds so invested shall be insured by the Federal Deposit Insurance Corporation (FDIC). If this method is utilized, at least three (3) such individual institutions shall be solicited to insure greater return on investment of Town funds.

MATURITIES: Investment maturities shall be made to accommodate the Town's cash flow needs and, secondarily, to take advantage of prevailing market conditions. As a general rule, the Finance Director will not allow investments in securities with terms of 180 days or greater to exceed twenty-five percent (25%) of the portfolio balance, at the time of purchase.

SAFEKEEPING AND CUSTODY: The Finance Director shall be responsible for insuring that all provisions of North Carolina General Statutes §159-31 are met, including the securing of investments. All securities purchased, except Certificates of Deposit (CD's), shall be delivered to a safekeeping agent before payment is made (delivery vs. payment). Certificates of Deposit may be held by the issuer with a copy of the Certificate of Deposit to be filed with the Finance Director.

COLLATERALIZATION: Certificates of Deposit in excess of \$100,000 and demand deposit arrangements shall be limited to institutions participating in “Option 1 or Option 2” collateralization methods as established by the North Carolina State Treasurer. No Certificate of Deposit or demand deposit shall be placed with an institution unless it is a member of the FDIC.

DIVERSIFICATION: When amounts of money that may be invested allow for diversification, the Finance Director shall seek to balance the elements of safety, liquidity, and yield when purchasing any new security.

The Finance Director shall also seek to diversify the portfolio among several different financial institutions. At no time should all long-term securities be invested at a single institution.

INTERNAL CONTROLS: The Finance Director shall be responsible for establishing a system of internal controls designed to prevent any losses of public funds arising from fraud, employee error, and misrepresentation by third parties, or imprudent actions by Town employees.

APPENDIX B

TOWN OF KERNERSVILLE REVENUE COLLECTION POLICY

As per internal controls, this Revenue Collection Policy shall be used by all departments that generate and collect revenue on location whether in person, by telephone, or by mail. Revenue consists of all monetary types including, but not limited to, cash, checks, credit cards, and money orders.

All employees collecting funds shall receive training and authorization from Finance Department staff before accepting any revenue from customers. In cases when an electronic cash receipting system is unavailable, employees shall use a pre-numbered receipt pad to record transactions.

All checks shall be endorsed immediately upon processing. Each Department shall maintain and secure a manual check endorser stamp, to be shared among employees collecting revenue. The manual endorsing stamp shall only be utilized if the electronic revenue collection system endorsement printer is non-functional or non-existent.

Credit card account information shall not be stored in any Town location. If an employee takes a credit card payment over the phone, any document with the card number, CV number, or expiration date must be shredded immediately after processing. Any breach in credit card security shall be immediately reported to the Finance Department.

A receipt shall be generated for all transactions, including the use of checks and credit cards, since receipts must balance to collections at the end of each day. These receipts shall accompany the deposit paperwork turned in to Finance each day that revenue is collected.

All funds (cash, checks, credit card receipts, etc.) shall be immediately placed into the employee's cash drawer or another, equally secure, location. Funds shall not remain on a desk, countertop, or anywhere other than inside an employee's cash drawer, except when balancing. Each person shall balance their drawer at the end of each day in which funds of any kind are collected.

All received funds shall be balanced and delivered to the Finance Department each day revenue is collected.

Town of Kernersville

Safety Policy



Electronic Policy: Safety Policies are updated upon revision.

Printed Policy: Safety Policies are current as of the date of printing. The latest revision is available on the Town's intranet website, or upon request from your supervisor/Department Head or the Human Resources Department.

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I. Introduction

The Exposure Control Plan is designed to eliminate or minimize employee exposure to Bloodborne pathogens. Bloodborne pathogens are defined as pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Human Immunodeficiency Virus (HIV) and Hepatitis B Virus (HBV).

II. Scope

This policy and the following plan applies to all employees whose duties involve "OCCUPATIONAL EXPOSURE" to "BLOOD" and "OTHER POTENTIALLY INFECTIOUS MATERIALS": (See Appendix C: Bloodborne Pathogens Standard--1910.1030 Paragraph (b) Definitions)

III. Standard

OSHANC Part 1910.1030--Bloodborne Pathogens Standard; North Carolina Department of Labor, Division of Occupational Safety and Health.

IV. Procedures

A. Exposure Determination

The exposure determination consists of a listing of all job classifications in which all employees have occupational exposure; a listing of job classifications in which some employees have exposure, with a list of tasks which may lead to occupational exposure. (See Job Classifications, Appendix A).

Supervisors or department heads must notify the Safety & Risk Manager so that adjustments to exposure listings can be made for:

1. New or modified tasks and procedures.
2. New or revised employee positions.

B. Methods of Compliance

1. Work Practices

- a. Engineering and Work Practice Controls shall be used to eliminate or minimize exposure whenever possible.
- b. Universal Precautions shall be observed to prevent contact with blood and other potentially infectious materials. (Defined: an approach to infection

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control using personal protective equipment such as latex gloves, face shields, as well as, engineering controls such as sharps containers and safe work practices such as not recapping needles, proper biohazard waste handling and proper hand washing.) To observe universal precautions employees must treat all human blood, human tissue, human blood cultures and biohazardous waste as if infected.

- c. Washing facilities, with soap, shall be provided by each department and shall be used immediately after any exposure to the skin or mucous membranes or after the removal of any personal protective equipment. In any outdoor setting, where hand washing facilities are not feasible, alternative means of decontamination (i.e. antiseptic towelettes) shall be provided.
- d. Contaminated needles and other sharps shall:
 - (i) not be broken, sheared, bent, recapped, or removed.
 - (ii) be placed, immediately after use, in sharps containers described below in Section 4, Regulated Waste.
- e. Food, beverages, and other consumable goods such as cosmetics, contact lenses and cigarettes shall not be stored or handled while in the exposure area.
- f. Blood and potentially infectious material shall be handled in such a manner as to minimize splashing, spraying, splattering, or generation of droplets.
- g. Mouth pipetting/suctioning is strictly prohibited.
- h. Blood and other potentially infectious materials, specimen containers, and if necessary secondary containers, must be approved for transport, must be puncture and leak resistant, and labeled as BIOHAZARDOUS. If the exterior of the primary container becomes contaminated or it could be punctured, a secondary container is required.

Exceptions to the labeling requirement can be found in Section D, Communication of Hazards to Employees.

- i. Portable equipment which may become contaminated shall:
 - ii.
 - (i) be taken out of service and be examined before servicing or shipping.
 - (ii) be decontaminated by physical or chemical means to remove, inactivate or destroy bloodborne pathogens

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on equipment to the point where it is no longer capable of transmitting infectious particles and the equipment is safe for handling, use, or disposal (i.e. autoclaving or disinfectant detergents).

- (iii) be labeled as such with warning labels which are either an integral part of the equipment or attached by string, wire, or adhesive that prevents the loss of the label or its removal; or placed in red bags or red containers which must be labeled BIOHAZARD and have an affixed label which with provide information as to which portions remain contaminated.
- (iv) have appropriate information conveyed to servicing personnel before handling is permitted.

2. Personal Protective Equipment (PPE)

When engineering and work practice controls are not sufficient to eliminate exposure to blood or other potentially infectious materials, PPE shall be used.

- a. PPE shall be provided, cleaned, laundered, repaired, replaced, and disposed of by the department at no cost to the employee.
- b. PPE is not a substitute for other controls and is considered "appropriate" only if it does not permit blood or potentially infectious materials to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal working conditions.
- c. PPE may consist of: gloves, gowns, lab coats, face shields or masks and eye protection, mouthpieces, resuscitation bags, pocket masks, or other ventilation devices that meet the requirements above.
- d. Gloves must be worn during any emergency medical procedure, during vascular access procedures, and during any task when it can be reasonably anticipated that skin contact with blood, potentially infectious materials, mucous membranes' or non-intact skin will occur, and when touching or cleaning contaminated items or surfaces:
 - (i) Disposable gloves shall be replaced as soon as practical after contamination and as soon as feasible if torn, punctured, or compromised.
 - (ii) Disposable gloves shall not be washed or decontaminated for re-use.
 - (iii) Utility gloves may be decontaminated for re-use if the gloves'

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integrity is not compromised.

- (iv) Hypoallergenic, powderless, or similar alternative gloves shall be provided to employees who are allergic to the gloves normally provided.

It is understood during certain Law Enforcement tasks (ex. Subduing a suspect) the use of PPE may be hindered due to the safety of themselves and others. However, PPE must be worn at the earliest permissible time.

- e. If garments are penetrated by blood or potentially infectious material, the garment shall be removed as soon as feasible. Contaminated clothing and PPE will be removed prior to leaving the work area and will be placed in a designated location defined by the department or container for storage, laundry, decontamination or disposal. A change of clothing must be provided to replace contaminated employee clothing. (Specific departmental processes will be provided to the employee during initial onboard training, Ex. Police, Fire, PS, and Recreation.)

3. Housekeeping

- a. All equipment and work surfaces shall be cleaned and disinfected:
 - (i) after completion of procedures.
 - (ii) immediately after overt contamination or spills,
 - (iii) at the end of the work shift, if potentially contaminated.
- b. Contaminated disposable work surface coverings shall be replaced as soon as feasible.
- c. Contaminated re-usable containers and protective equipment shall be cleaned and disinfected as soon as feasible after use.
- d. Broken glass or other potentially contaminated Sharp objects will not be handled by hand. (Use brush, tongs, etc.)
- e. Spills of blood or other body fluids should be cleaned up as soon as feasible using an EPA approved disinfectant or a fresh solution of 1:10 household bleach to water. Free liquid should be absorbed with disposable toweling or other approved absorbent, with gloved hands, taking care to watch for sharp objects. If there is a possibility of splattering, protective equipment, covering the eyes, nose, and mouth should be worn.

4. Regulated Waste

Regulated Waste is defined as a liquid or semi-liquid blood or other potentially

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infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials. Disposal of Regulated Waste shall be in compliance with the following regulations.

- a. Contaminated Sharps, including needles and broken glass:
 - (i) All contaminated sharps shall be discarded as soon as feasible into sharps containers which are closable, puncture resistant, leak-proof, and labeled.
 - (ii) Containers shall be located as close as feasible to immediate area of use, be kept upright, and not overfilled.
 - (iii) When moved from the area of use, containers shall be closed prior to removal, and placed in secondary containers if leaks are possible.
 - (iv) Reusable sharps containers shall not be emptied by hand.
- b. Other Regulated Waste:
 - (i) Regulated waste shall be placed in containers that are constructed to prevent leaks, labeled, and closed prior to removal.
 - (ii) If outside contamination occurs, the container shall be placed in a second container.
 - (iii) Each department shall be responsible for its own regulated waste disposal. The Safety & Risk Manager can assist in program set up.
****Republic Waste Services provides regulated waste pick-up and can be contacted at (336) 724-0842 for this service.*

5. Laundry

- a. Contaminated Laundry:
 - (i). shall be handled as little as possible, with minimal agitation and specifically defined by department for immediate action.
 - (ii). shall be bagged or containerized at the location of use and placed in labeled BIOHAZARD bags.
 - (iii). shall be placed in leak-proof Containers when wet and if there is a reasonable likelihood of soak-through or leakage, the laundry shall be placed and transported in bags or containers which prevent the escape of fluid to the exterior.
 - (iv). All contaminated laundry which is to be transported off site must be properly containerized and labeled as BIOHAZARDOUS. The

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- off-site laundry facility must be notified of the incoming articles.
- (v). clothing which is designated as PPE shall not be taken home for washing.

C. Information and Training

Department Heads must ensure that training as described below is provided to each employee with occupational exposure, as defined in Appendix A, prior to initial assignment, and annually thereafter. Retraining must also be provided prior to reassignment or when modification of tasks or procedures may affect exposure.

1. A copy of the Exposure Control Plan shall be available upon request to employees. In addition to the department/division copy, a copy is available in the Safety & Risk Manager's Office.
2. Departmental trainers, the Safety & Risk Manager, or trainers approved by the Safety and Risk Manager shall be the sole source for BBP training. The Safety & Risk Manager will be available to assist with departmental training needs to ensure compliance. Each department will be audited periodically to ensure the quality of their training or performance.
3. The training program shall contain the following elements:
 - a. A copy of the regulatory text of the standard and an explanation of its contents.
 - b. A general explanation of the epidemiology and symptoms of HIV, HBV and their modes of transmission.
 - c. An explanation of the Town's Exposure Control Plan.
 - d. An explanation of the appropriate methods for recognizing tasks and activities that involve exposure to human blood or other potentially infectious materials.
 - e. An explanation of the use and limitations of methods of control used by the department that may prevent or reduce exposure including universal precautions, engineering controls, work practices, and personal protective equipment.
 - f. An explanation of the selection criteria of PPE that shall include its limitations, maintenance, decontamination and proper disposal.
 - g. Information on the HBV vaccine, including its efficacy, safety, and the benefits of being vaccinated.
 - h. At the time of initial training employees must sign either an Acknowledgement of Training and Acceptance of Hepatitis B Vaccine or a Hepatitis B Vaccine Declination. This form will be kept in the employee's file in the appropriate department and a copy must be forwarded to the Safety & Risk Manager. Appendix B contains copies of these forms. If an employee has previously

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received the complete series of vaccinations somewhere other than the Town of Kernersville or has a positive Antibody Test, he/she must sign a declination form. This form is to show that the employee was offered the series by the Town. The wording cannot be changed on the form, but the employee may write amendment or cross off and initial parts of the paragraph.

- i. An explanation of Section G, Post Exposure Procedures, to follow if an exposure incident occurs, method of reporting the incident, and the medical follow-up that will be made available.
- j. An explanation of the signs, labels, tags, and/or color-coding used to denote biohazards and how they shall be used.
- k. An opportunity for interactive question and answers between the employee and the trainer.

Note: The training must include the specifics of this policy and can be covered by video or other electronic media as long as the instructor is immediately available for questions. The instructor's name and contact information must be supplied in the training.

4. A copy of all bloodborne training records will be maintained by the Safety & Risk Manager or designated department trainer and shall include a Training Roster form, trainer's outline and vaccination acceptance or declination forms. (All forms are located in Appendix B, Forms.)

D. Communication of Hazards to Employees

Warning labels, signs, or tags shall contain the standard red-orange "BIOHAZARD" symbol and shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or potentially infectious materials, and other containers used to store or transport such materials. Individual containers of blood which are stored, transported and disposed of in labeled containers are exempt. Regulated waste which has been decontaminated is also exempt. Assistance in finding a source of appropriate signs and labels will be provided by the Safety & Risk Manager.

E. Hepatitis B Vaccination Program

The Safety & Risk Manager and the Fire Training Chief must ensure that new employees electing to receive a Hepatitis B Vaccination Series following initial training are scheduled to begin the series within TEN working days of initial assignment. This must occur after initial training specified in Section C information and training.

Each department is responsible for providing documentation of the vaccination record for employees who have already received the completed series to the Safety

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& Risk Manager. Documentation of the first must be received within 10 days of initial training and maintained in the employee's file.

1. Cost of the vaccination series will be covered by the employee's department at no cost to the employee.
2. Vaccinations may be omitted for employees who have previously received the complete series of shots, who test immune and are willing to sign a declination form, or where the vaccine is medically contraindicated.
3. An employee may decline the vaccine, but must sign a medical declination form. (See HBV declination form, Appendix B.)
4. Employees who initially decline may receive the vaccination series at any later time upon request.
5. Antibody Testing (Titer) will be done to ensure immunity at no cost to employees following the Hepatitis B Vaccination Series.
6. Future booster vaccine recommendations by the U.S. Public Health Service shall be followed.

F. Recordkeeping

1. Records shall be established and maintained by the Safety & Risk Manager for each employee with potential occupational exposure in accordance with the OSHA Medical Records Access Standards. Records will include:
 - a. Acceptance or declination of HBV vaccine
 - b. Exposure records, documenting any exposures and medical follow-up
2. Exposure records will be maintained by the Safety & Risk Manager where they shall be kept in strict confidence for the duration of employment, plus thirty years as required by this standard.
3. Exposure records shall be kept confidential, except as required by this standard or required by law.
4. Employees are entitled access to their records and any reference material used in training upon request.
5. Training Records shall be maintained for 7 years from the date of training.
6. Vaccination records, regardless of where received, shall be forwarded to the Safety & Risk Manager by the employee's department.

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7. The Exposure Control Plans of the appropriate departments shall be reviewed annually by the Safety & Risk Manager and updated annually or whenever work place changes deem modifications are necessary by the department representative.

G. Procedures for Evaluation and Follow-up of Exposure Incidents

The following procedures are to be followed after an employee exposure to blood or other potentially infectious materials, if it is uncertain whether an exposure has taken place, proceed with this set of instructions until a determination can be made.

An exposure is defined as any cut, puncture, or other percutaneous entry; splash to mucous membranes or other contact with blood or other potentially infectious materials on non-intact skin or mucous membrane, that occurs to an employee at work.

1. Any injuries occurring during an exposure incident should be treated and reported following the Town's Occupational Injury reporting Policy. (Section 0020)
2. The exposed employee shall notify their immediate supervisor or designated supervisor as soon as feasible. The supervisor will comply with the Town's or department's policies on Bloodborne Pathogens, workers' compensation and safety, including:
 - a. notifying the Safety & Risk Manager at 336-992-0741
 - b. making available, at no cost to the exposed employee, a confidential medical evaluation within 24 hours, with the opportunity to receive "Post Exposure Prophylaxis", (HBV vaccinations, etc.) as recommended by the U.S. Public Health Service
4. The employee's department shall provide the following information to the health care professional performing the medical evaluation:
 - a. Description of employee's duties as they relate to the exposure incident
 - b. Documentation of route of exposure and circumstances (Appendix B, Form III)
 - c. Results of source individual's blood testing, if available
 - d. All relevant medical records including vaccination status of the employee.

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4. If possible, the source individual, object, or substance shall be identified. The source individual will be notified, and then tested for HIV and HBV.
5. The exposed employee will have the opportunity, at no cost, to have a baseline blood drawn and stored for up to 90 days after an exposure. If the employee, during that 90-day time period, wishes to have their baseline blood levels tested for HIV or HBV, this will be done at no cost to the employee. The employer is only obligated to store untested baseline blood samples for 90 days.
6. The employee will be made aware of the results of source patient testing, if available.
7. Results of the employee medical evaluations will be kept confidential and maintained in their file by the Safety & Risk Manager for the duration of their employment plus thirty years, and not made available to the employer or others. Medical evaluations will be conducted by a licensed physician or other appropriate healthcare professional, at no cost to the employee, and will be conducted as per recommendations of the United States Public Health Service at the time of exposure,
8. As soon as possible after the exposure, an account of the incident using Form III. Review of Employee Exposure to Blood/Infectious Material in Appendix B, shall be prepared by the employee, forwarded to Safety & Risk Manager, and made a part of the files. The incident file is to remain confidential if it reveals either the employee's or the source's identification.
9. Any acute febrile illness which may occur within twelve weeks after the exposure should be reported to the Safety & Risk Manager by the exposed employee. The employee shall be entitled to a no-cost medical 'evaluation for any such incidents within that time frame.
10. Employee will receive a copy of the evaluating health care professional's written opinion' within fifteen days. The written opinion shall contain the evaluation results, as well as a statement pertaining to possible conditions resulting from exposure to blood or other potentially infectious agents which may require further evaluation. All such information will be confidential.

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Appendix A

Job Classifications

JOB CLASSIFICATION BY DEPARTMENT IN WHICH *SOME* EMPLOYEES HAVE EXPOSURE TO BLOODBORNE PATHOGENS

FIRE	
Job Classification	Task/Procedure
Fire Admin Specialist	Assist walk-in injuries with first aid

JOB CLASSIFICATION BY DEPARTMENT IN WHICH *ALL* EMPLOYEES HAVE EXPOSURE TO BLOODBORNE PATHOGENS

GENERAL SERVICES	
Job Classification	Task/Procedure
Custodian	Restroom Cleanup, trash collections, and the clean up of bodily fluids (vomit, blood)
Building Maintenance Supervisor	Restroom Cleanup, trash collection, and the Clean-up of bodily fluids (vomit, blood) in the absence of a Custodian.

FIRE	
Job Classification	Task/Procedure
Asst. Fire Chief	TASK/PROCEDURE FOR ALL POSITIONS LISTED WITHIN THE FIRE DEPARTMENT:
Battalion Chief	Administration of life support techniques and procedures based on patient assessment, including all skills at the EMT level.
Fire Captain	
Fire Chief	
Fire Engineer	
Firefighter I & II	
Assistant Fire Marshal	
Fire Marshal	

POLICE	
Job Classification	Task/Procedure
Captain	TASK/PROCEDURE FOR ALL POSITIONS LISTED WITHIN THE POLICE DEPARTMENT:
Chief of Police	Rendering aid to injured persons, separating fighting parties, subduing and arresting suspects, conducting searches, seizing property (includes handling, processing, and transporting),
Detectives (I & II)	
Lieutenant	
Police Officers (I & II)	
Sergeant	

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Public Relations Officer	responding to calls for service, and participating
Master Police Officers (I & II)	in training.
Property Technician	

PUBLIC SERVICES (Solid Waste Divisions)

Job Classification	Task/Procedure
Solid Waste Collector	TASK/PROCEDURE FOR ALL POSITIONS
Solid Waste Equipment Operators	LISTED WITHIN THE SOLID WASTE
Solid Waste Superintendent	DIVISION:
Solid Waste Operations Supv.	Emptying refuse containers; equipment
	operation during the collection and
	disposal of refuse.

PUBLIC SERVICES (Central Maintenance Divisions)

Job Classification	Task/Procedure
Fleet Maintenance Supervisor	Clean-up and Maintenance of refuse vehicles
Equipment Services Attendant	Clean-up and Maintenance of refuse vehicles
Fleet Maintenance Mechanic	Clean-up and Maintenance of refuse vehicles
Fleet Maintenance Superintendent	Clean-up and Maintenance of refuse vehicles

PUBLIC SERVICES (Street Division)

Job Classification	Task/Procedure
Assistant Street Superintendent	Assisting CMW, or CM's with various projects
Street Superintendent	(see exposure task/procedures below)
Construction Maintenance Worker	Conducting tasks associated with sewer lines
Construction Mechanics (I, II, III)	and solid waste. Removing debris from
Public Works Crew Leader	roadside, cleaning out catch basins, and
	cleanup of public grounds.

RECREATION AND PARKS

Job Classification	Task/Procedure
Park Maintenance Superintendent	Park facility, grounds, and restroom clean-up.
Park Maintenance Supervisor	Park facility, grounds, and restroom clean-up.
Park Maintenance Worker	Park facility, grounds, and restroom clean-up.
Program Supervisor	Assists in cleanup of blood/OPIM in building.
Athletic Coordinator	Assists in cleanup of blood/OPIM in building.
Admin. Specialist	Assists in cleanup of blood/OPIM in building.
Adaptive & Inclusion Coord.	Assists in cleanup of blood/OPIM in building.

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APPENDIX B

FORMS

- I. Acknowledgment of Initial Training and Acceptance of HBV Vaccine**
- II. Hepatitis B Declination**
- III. Review of Employee Exposure to Blood/Infectious Materials**

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II. HEPATITIS B VACCINE DECLINATION

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring Hepatitis-B (HBV) infection.

I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time.

I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease.

If in the future, I continue to have occupational exposure to blood or other potentially infectious materials and want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Employee (Please Print) Date

Signature of Employee Date

Signature of Witness Date

cc:

Safety & Risk Manager
Departmental Personnel File

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III. REVIEW OF EMPLOYEE EXPOSURE TO BLOOD/INFECTIOUS MATERIAL

Complete and forward copies to your supervisor and the Safety & Risk Manager

Employee Name: _____ Date of Report _____

Date/Time of Incident _____

Location of
Incident: _____

Other Personnel
Present: _____

Was exposure a: Needlestick _____ Cut _____ Splash _____ Other _____

Was the source individual or object identified? _____

Describe the circumstances leading up to and including the exposure:

Describe measures taken after the exposure:

Name of supervisor notified: _____ Date/Time _____

List Personal Protective Equipment being worn at the time of exposure:

How do you feel this incident could have been prevented?

Signature of person completing form: _____

Printed name of person completing form: _____

Findings and Recommendations:

Signature of Safety & Risk Manager: _____ Date: _____

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Occupational Injury Reporting

The North Carolina Workers' Compensation Act (North Carolina General Statutes, Chapter 97) applies to all Town employees. The North Carolina Industrial Commission (NCIC) ensures that each employer administers the provisions of the Act. An employee, who suffers an occupational injury or contracts an occupational illness within the meaning of the Workers' Compensation Act, is entitled to benefits provided by the Act.

The North Carolina Occupational Safety and Health Act also covers all Town employees. This act is administered by the North Carolina Occupational Safety and Health Administration (OSHNC) within the Department of Labor. Injuries and illnesses suffered by employees while at work must be recorded and this record must be made available for examination by OSHNC.

These two agencies have different regulations and required reports concerning how injuries and illnesses are recorded. As a municipality, we must strive to comply with both agencies' requirements to prevent recurrence and ensure prompt and proper care. In addition, the Town strives to maintain a work place free of recognized hazards and has established this policy to allow for the reporting of situations that have or may soon cause injury. This will allow for corrective action before an injury occurs.

The Town's failure to report a fatality or serious injury within eight hours will result in a violation of OSHA regulations and a potential fine.

Standard

OSHANC Part 1904-Recordkeeping; North Carolina Department of Labor, Division of Occupational Safety and Health.

Procedures

I. Medical Care for Injured Employees

The primary concern when an employee is injured will be to obtain proper and effective medical treatment. If the injury is life threatening or requires emergency care, contact the appropriate emergency personnel to ensure that treatment is received as soon as possible. Non-life threatening injuries will be treated by the Cone Employer Health System (Moses Cone) in Kernersville. All injuries requiring professional medical care will require the employee to be screened for the presence of drugs and/or alcohol in the system.

Transportation to a medical treatment facility shall be determined based on the injury. If the employee is able to safely operate a motor vehicle without endangering themselves or others, they may transport themselves to the appropriate facility. In situations where the employee can not safely transport themselves, a supervisor or designee shall transport the injured employee. In emergency situations where there is a significant trauma, when medical attention is needed

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during transport, or when transportation in a Town's vehicle may worsen the injury, an ambulance should transport the injured employee to the appropriate facility.

When Cone Employer Health is not operating, the employee shall obtain medical care from the Moses Cone Urgent Care facility (if during their hours of operation) or at the emergency room of Kernersville Medical Center. The Safety & Risk Manager should be notified about the injured employee and the severity of the injury. The Safety & Risk Manager must be advised of any lengthy treatment or surgery by a medical professional in order to alert the Town TPA for Workers' Compensation.

II. Employees Responsibility

Employees with work related injuries or illnesses have several responsibilities that must be completed to ensure that benefits are received and further injuries are prevented.

- An injured employee is responsible for reporting the injury to their supervisor before the end of his/her shift and not to exceed 24 hours of its occurrence. When an employee has means supplied by the Town (radio and/or cellular phone), he/she is required to notify their supervisor of the injury immediately. ***An employee who fails to report an incident within the required 24-hour period will be subject to disciplinary actions up to and including termination.***
- Injuries needing professional medical care, will require the supervisor and employee to complete the Town of Kernersville Accident Report (See Appendix A). The forms are to be completed and given to the Safety & Risk Manager within 24 hours. The form must be completed leaving no spaces blank or N/A if not applicable. This time line is critical, as the information will be required for the Safety & Risk Manager to determine if it is necessary to report the case to OSHA and to complete the NCIC Form No. 19.
- Injuries not requiring professional medical care will need a "Near Miss Form" (See Appendix A). It will be discussed and completed by the employee and his/her supervisor within 24 hours. This form documents minor injuries up to first aid only, or it is used for awareness of potential injuries that may occur in the future. Near Miss Forms cannot be used when any employee sees a medical professional due to an injury. **This form is mandatory if an injury occurs that does not require more than first aid.**

The Safety & Risk Manager utilizes the Near Miss Form to review when an employee is nearly injured or an employee perceives an injury could have occurred as a result of their actions. The few minutes you spend completing a Near Miss form may help prevent an injury from occurring in the future.

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III. Supervisor's Responsibility

- **The injured employee's supervisor must immediately contact the Safety & Risk Manager when notified of the injury.** The Safety & Risk Manager can advise which facility the employee should go to for treatment, what forms are to be completed and begin an investigation of the incident, if warranted. (See Section V Investigations). The supervisor must ensure that all pertinent paperwork is filled out completely. Detailed information concerning the nature of the injury or illness and how it occurred is especially important.
- The supervisor should reach out to employees with injuries requiring them to miss work to monitor their progress. This practice will allow the Town to ensure that the employee receives the proper medical attention required to produce a full recovery, thus allowing the employee to return to work
- Time the employee works in a reduced capacity must be reported as modified duty time and any work notes or medical documentation the employee brings to their supervisor must be forwarded to the Safety & Risk Manager. The supervisor or designee must verify modified duty is available for the employee to return to work and should confirm with the Safety & Risk Manager the employee's duties are satisfying any medical restrictions.

IV. Completion of Forms

Both employees and supervisor should ensure all forms are written legibly. All forms are required to be signed by all parties involved (affected employee, witnesses, and supervisor).

V. Accident Investigations

When an injury or illness is reported to the Safety & Risk Manager, information from the initial call will decide if further investigation is necessary. Determining factors will include the nature and severity of the injury, previous occurrences of similar injuries and if the caller is requesting help with the investigation. Investigations may also be conducted to aid in liability determination. Supervisors will allow the injured employee and any witnesses to be available to discuss the accident with the Safety & Risk Manager or Human Resources designee.

VI. Correction of Hazards

Any hazards discovered as the result of an accident investigation will be addressed to the appropriate Supervisor/Department Head for correction. If immediate correction of the hazard is not possible, the Supervisor/Department Head will take the required action to ensure a similar injury or illness is not repeated. This may require a change in operations or placing an area off limits.

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VII. Reports

A. OSHA 300 LOG

The Safety & Risk Manager maintains the OSHA 300 Log for the Town, based on information received about work related injuries and illnesses. This Log must be maintained for a five-year period. In addition, this Log must be updated with records of total lost or restricted workdays. A summary of the Log will be posted annually between February 1 and April 30 in all departments.

B. OSHA 300 Summary

The Safety & Risk Manager completes the Survey of Occupational Injuries and Illnesses using information from the OSHA Form 300A. This is a random survey sent out once a year by the US Department of Labor, Bureau of Labor Statistics and the North Carolina Department of Labor.

APPENDIX A

**TOWN OF KERNERSVILLE
REPORT OF NEAR MISS NOT REQUIRING PROFESSIONAL MEDICAL CARE**

This report is to be completed when a minor incidence occurs that does not require any professional medical care.

Date of Injury: _____ **Day of Week:** _____ **Time:** _____ **AM/PM**

Name of Injured: _____

Supervisor: _____

Did Injury Require Professional Medical Attention or Lost Work Days: _____
If yes, stop now and complete "Town of Kernersville Accident Report"

To be completed by Employee

Employee's Written Notice to Supervisor

Please explain in detail how, when and where the accident occurred.

Please use additional paper if necessary

To be completed by Supervisor

Corrective Action Taken:

Employee's Signature _____ **Date** _____

Supervisor's Signature _____ **Date** _____

Town of Kernersville Accident Report

This report is to be filed with the Safety & Risk Manager within 24 hours of the accident.

The filing time may be adjusted for weekend or holiday accidents. Supervisors are to use this form for all injury and non-injury accidents including those involving citizens and private property. Feel free to use additional forms or add additional information on a separate sheet of paper. Place N/A in sections of this report not applicable to the accident.

Report Prepared by _____ Title _____

Time of Accident _____ a.m./p.m. Date _____ Year _____

Location of Accident _____

Time of Filing with Safety & Risk Manager _____

Briefly describe the accident including causes and reasons. Attach any diagrams or photographs that will assist in understanding the accident.

Injury Employee #1 _____ Age _____ Job Tenure _____
Classification _____ Department/Division _____

Injury Employee #2 _____ Age _____ Job Tenure _____
Classification _____ Department/Division _____

Injury Citizen #1 _____ Age _____ Home Phone _____
Address _____ Employer _____
Business Phone _____ Social Security # _____

Injury Citizen #2 _____ Age _____ Home Phone _____
Address _____ Employer _____
Business Phone _____ Social Security # _____

Describe exactly which part of the body was injured.

Specify any first aid treatment and who it was given by.

Where were the injured parties taken for treatment and by whom? Who authorized treatment?

Treatment refused by: _____ (Signature of injured person & date)
Who administered medical treatment?

Time lost from job by injured employee and other employees assisting with the accident.

Describe any tools, machinery, equipment or materials associated with the accident.

Briefly describe or list damage to Town Property. Attach photographs.

Briefly describe or list damage to private property. Attach photographs.

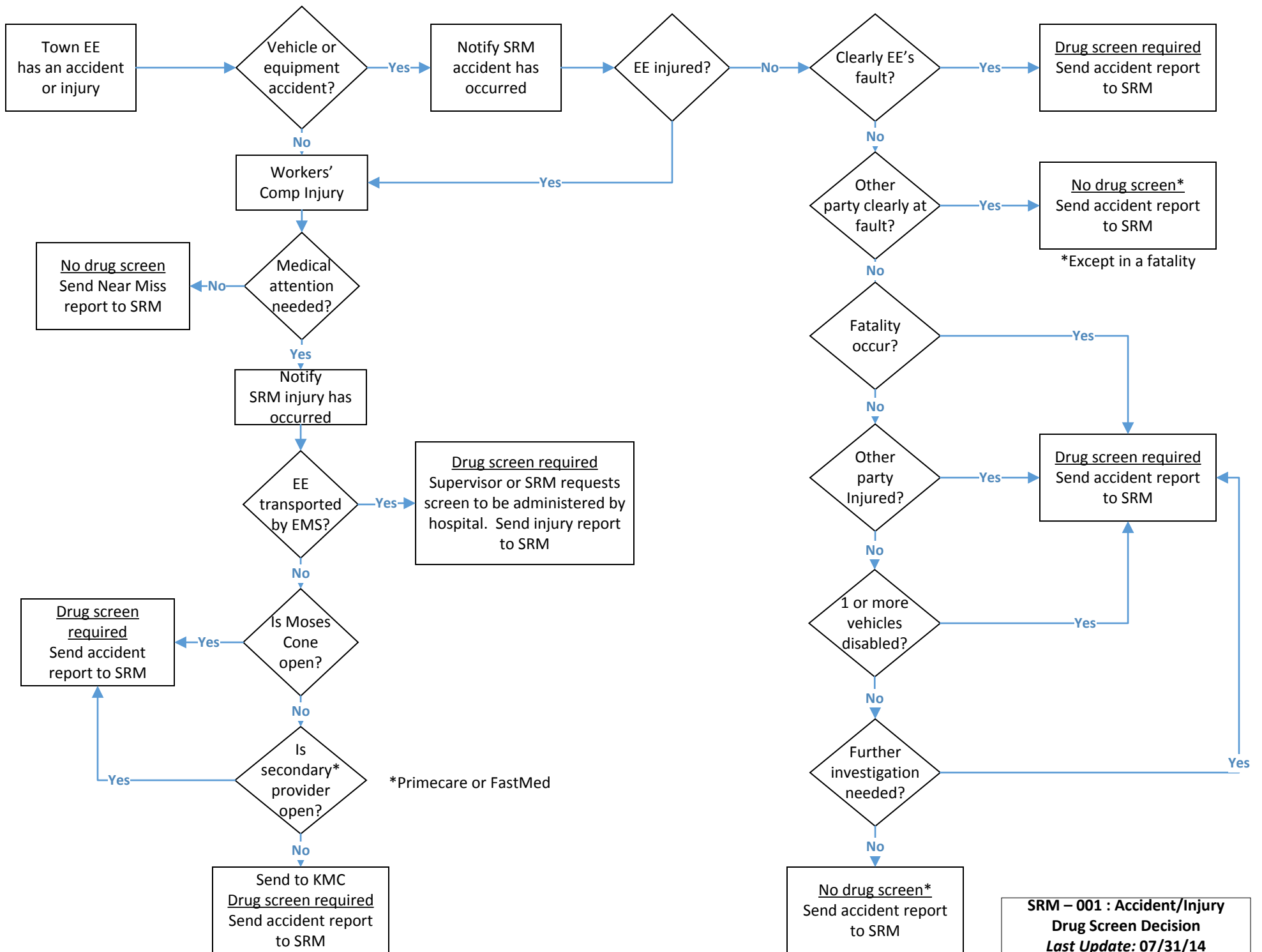
List the name, address and telephone number (both work and home) of persons who witnessed or have knowledge of the circumstances surrounding the accident.

List the reports, statements or other documentation that are attached to support or clarify the facts relating to this accident. This should include all relevant police reports and reports which expand on the information provided in this report.

What do you, as a supervisor, propose to prevent similar accidents? (Must be completed)

What actions have been taken to date? What actions are planned and when will they be taken?

Reviewed by: _____ (Employee) _____ (Supv./D.H.)



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I. Introduction

As part of the Town's overall safety and health program, a chemical hazard communication program has been established. The Hazard Communication Program is designed to comply with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard.

II. Standard

NCOSHA part 1910.1200 -- Hazard Communication Standard; Department of Labor, Division of Occupational Safety and Health.
North Carolina

III. Objective

The objective of the Hazard Communication Program is to prevent occupational injuries and illnesses related to chemical exposure by educating employees about workplace chemical hazards.

IV. Scope

The Hazard Communication Program applies to all work areas where hazardous chemicals are known to be present, both under normal conditions and in a foreseeable emergency. The Safety and Risk Manager has the responsibility for overall coordination of the Hazard Communication Program.

The Hazard Communication Program has four major components:

- Container labeling and other forms of warning;
- Safety Data Sheets (SDS's);
- Employee education and training;
- Written program and chemical inventory.

V. Hazardous Chemicals

The definition of hazardous chemicals as given by OSHA is any chemical which is a physical hazard or health hazard.

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Chemical physical hazard characteristics include substances which are:

Combustible, compressed gases, explosive, flammable, organic peroxides, oxidizers, pyrophoric, and unstable (reactive) or water reactive

Chemical health hazard includes substances which are:

Toxic or highly toxic, irritants, sensitizers, carcinogens, and those with target organ effect

Further explanation can be found in Appendix A of the Hazard Communication Standard 1910.1200, or by contacting the Safety and Risk Manager.

VI. Hazard Communication Program

This written Hazard Communication Program outlines and describes how the following information will be organized and transmitted:

- A. List of hazardous chemicals known to be present in the workplace
- B. Information on precautionary labels and other forms of warning for known hazardous chemicals in the workplace
- C. Safety Data Sheets (SDS's) for known hazardous chemicals in the workplace
- D. Methods used to provide employee information and training
- E. Methods used to inform employees of hazards of non-routine work
- F. Methods used to inform contractor employers of any hazardous chemicals to which contractor employees may be exposed

Guidance for developing and maintaining the written program is provided by the Safety and Risk Manager.

The Hazard Communication Program is available for review by all employees. It can be requested from your supervisor or viewed from the Town of Kernersville's Intranet under the Safety Policy section.

VII. Chemical Inventory List

Each Department Head or representative has the responsibility to notify the MSDS online administrator when a chemical has been added to inventory. Any changes to the inventory list should be approved by the Department and/or Division Head, with a copy of the new inventory additions or deletions forwarded to the Safety and Risk Manager.

The chemical inventory list is available to employees during their work shift and is located on the Town's intranet (kvinfo) under the MSDS Online tab or via their smartphone application. Refer to Safety Data Sheet section (Appendix D) for specific MSDS administrator locations.

Employees who have questions about the chemical inventory list, need to upload any new SDS,

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or are unable to find a SDS should contact their immediate supervisor, their MSDS Online Administrator or the Safety and Risk Manager.

VIII. Precautionary Labeling

A. Incoming Containers in the Workplace

The Department Head and Supervisors have the responsibility to insure all known hazardous chemicals display, in English, a precautionary label stating:

- Identity of the hazardous chemical(s)
- Appropriate hazard warning(s) including GHS label
- Name and address of manufacturer or importer

In the event of an improperly labeled hazardous chemical container, a proper label will be requested from the MSDS Online administrator who may be able to produce the label. Labels that cannot be produced by the administrator shall be requested by telephone and letter from the chemical supplier. (Appendix A)

Failure of a supplier to correct labeling deficiencies within 60 days will result in suspension of use of the affected product.

All labels on incoming chemicals must not be defaced in any way. Observation or other detection of defaced labels must be immediately reported to supervision so appropriate labels can be applied.

B. Portable or Secondary Containers

All portable containers of hazardous chemicals require labeling. Employees who have questions about portable container labeling should contact their immediate supervisor. The employee who uses the portable container is responsible for placing the label on the container, and the Department Head/Supervisor is responsible for ensuring that labeling is done.

At a minimum, these containers must have the name of the chemical and appropriate hazard warning including the GHS label.

C. Update and Review

The Safety and Risk Manager is responsible for reviewing the labeling system annually and updating if necessary. Changes in the labeling system will be transmitted to affected supervisors and employees.

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Employees who have questions about the precautionary labeling system should contact their immediate supervisor. Supervisors may in turn contact the Safety and Risk Manager.

IX. Safety Data Sheets (SDS's)

A. SDS Format

SDS's are written or printed material concerning product hazard determination and are prepared and distributed with chemicals by chemical manufacturers and distributors. SDS's are written in English and contain the following information:

- Identity of the chemical as provided on the container label;
- Physical and chemical characteristics of the material;
- Physical hazards of the material;
- Health hazards of the material;
- Primary route(s) of entry;
- Exposure limits, Threshold Limit Value (TLV), OSHA Permissible Exposure Limit (PEL), or Supplier recommended limits;
- Whether or not the material or components have been found to be a potential carcinogen by the International Agency for Research on Cancer (IARC), National Toxicology Program (NTP), or by OSHA;
- Applicable precautions for safe handling and use;
- Applicable control measures;
- Emergency and first-aid procedures;
- Date of preparation or date of last change;
- Name, address and telephone number of the chemical manufacturer, importer, employer or other responsible party, who can provide additional information.

On June 11, 2012 federal OSHA revised the Hazard Communication Standard and is referred to as the “Globally Harmonized System of Classification and Labeling of Chemicals (GHS)”. In the 2012 rule, OSHA modified its HCS to conform to the United Nations’ GHS, Revision 3. The final effective date for compliance with the entire revised standard was June 1, 2016. The SDS format was changed to a 16 section format. Each section is defined as follows:

- **Section 1** – The product identifier, recommended uses and restrictions, supplier information, and an emergency number;
- **Section 2** – Hazard classification, the signal word, hazard and precautionary statements, hazard symbol, other hazards not otherwise classified;
- **Section 3** – Contains information about chemical ingredients, chemical name, and common name;
- **Section 4** – Description of first aid, symptoms and health effects, the need for immediate medical attention and special treatment (if required);

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- **Section 5** – Special personal protection equipment and precautions for firefighters;
- **Section 6** – Emergency precautions, environmental procedures, and containment and cleanup methods and materials;
- **Section 7** – Precautions for safe handling and storage;
- **Section 8** – Exposure limit values, engineering controls, and individual protection measures and PPE;
- **Section 9** – The substance’s physical and chemical properties, (appearance, odor, melting and freezing points, flash point, and flammability);
- **Section 10** – The stability or reactivity, possible hazardous reactions and conditions to avoid;
- **Section 11** – Routes of exposure, symptoms, immediate and delayed health effects, and if the chemical is listed in the National Toxicology Program Report on Carcinogens, the International Agency for Research on Cancer Monographs, or by OSHA;
- **Sections 12 – 15 not mandatory and are regulated by NCDENR not OSHA**
- **Section 12** – Ecological information and other adverse environmental effects;
- **Section 13** – Waste residues and safe handling and disposal of substances and contaminated packaging;
- **Section 14** – Safe transportation of the chemical;
- **Section 15** – Safety, health, and environmental regulatory information;
- **Section 16** – Any other relevant information the manufacture would like to include.

B. Obtaining SDS's

Each Department Head, supervisor or employee is responsible for obtaining SDS's for their departments. A SDS should be available for every hazardous chemical listed on the inventory list. Department Heads or Supervisors must ensure that the Safety Data Sheet Program Procedures and Departmental Implementation Procedures are followed within the department.

Safety Data Sheet Program Procedures and Maintenance:

1. A department administrator shall be appointed to be responsible for the additions or deletions of SDS from the MSDS Online system. The name of this person shall be forwarded to the Safety and Risk Manager as the contact person for the department. This person will be responsible for working with the Safety and Risk Manager for maintaining and updating the online system.

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2. Copies of the Department's chemical listing shall be made and distributed within the department with a notification to all employees these chemical SDS are readily available via Kvinfos or on their smartphone apps.
3. The Department's chemical listing shall be updated as new chemicals are added and the Department's administrator shall update MSDS Online when a new chemical is obtained and added to the inventory or removed if a chemical is no longer being used.
4. In the event an SDS is not available, and employee can search the MSDS Online database to determine if it can be found. If it is available, the employee can request it be uploaded to the Town's database. The administrator will upload the document for viewing. If it is not available in the MSDS Online database, contact the chemical manufacture and the Safety and Risk Manager.

Departmental Implementation Procedures

1. If the department has several remote locations where chemicals are being used, a copy of the SDS for the particular chemical must be readily accessible to employees at each location. The SDS must be available to the employee during all hours when the employee is working with the chemical. The location of a computer or smart phone with the MSDS Online application loaded must be communicated to the employees within the department.
2. An inventory of the chemicals used by the department should be placed in an area close to the computer where they will access Kvinfos. Maintaining the chemical listing for the department and keeping SDS up to date in the database is the most important step in ensuring a safe workplace and regulatory compliance.

C. Review of SDS's

Supervisors are responsible for reviewing all incoming data sheets for new and significant health/safety information. Any new information will be communicated to employees so training can be completed.

If deficiencies exist or additional information is needed concerning SDS's, the chemical manufacturer or supplier will be contacted by the supervisor or the Safety and Risk Manager to obtain necessary information.

1. If the SDS cannot be located in the MSDS database, the supplier will be contacted by telephone and letter, and all correspondence and communication documented as proof of effort to comply. (See Appendix B)

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2. If a supplier should not satisfy the first written request within 30 days, a second written request for an SDS should be sent to the supplier and the Department of Labor will be contacted if the SDS is not received within 15 days. (See Appendix C)
3. All requests to suppliers and the Department of Labor including letters and telephone calls must be documented and maintained on file with the Safety and Risk Manager.

D. New/Trial Chemicals

The Department and/or Division Head must approve all new/trial chemicals before use by employees. A SDS must be reviewed before the chemical is used. The hazard determination and SDS supplied by the chemical manufacturer or distributor will be used to determine the hazards of all chemicals bought, used or stored on site.

X. Employee Training and Education

Effective employee training and education is the most critical component of the hazard communication program. A properly conducted training program will insure that employees are aware of hazards in the workplace and appropriate control measures to protect themselves.

The Safety and Risk Manager coordinates the initial employee training and education program for the Town during new hire orientation. It is the supervisor's responsibility to ensure ongoing training is preformed and documented.

A. Program Outline

All employees who work in areas where hazardous chemicals are used and/or maintained and those who may be exposed in an emergency are involved in the employee training and educational program. The program is presented in two phases:

(1) General Information Training

- Explanation of the Hazard Communication Standard;
- Location and availability of written hazard communication program;
- Operations in the work area where hazardous chemicals are present;
- General introduction of chemical hazards, labeling and Safety Data Sheet (SDS's)

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- Information given to Police Department employees advising them they will be specifically trained on the Lead Exposure plan for the firing range.

General information training is administered by the Safety and Risk Manager during new employee orientation.

(2) Specific Hazard Training

- Location of hazardous chemicals in the work area;
- Discussion of methods and means of determining/detecting the presence/release of hazardous chemicals in the work area;
- The chemical's physical and health hazards in the work area;
Explanation of labeling system;
- Review of appropriate work practices, personal protective equipment and emergency procedures;
- Access to safety and health information;
- Work area list of hazardous chemicals and Safety Data Sheets;
- How to obtain additional information.
- Specific training and review of Appendices A and B for the Lead Exposure regulations as it pertains to the Police Department firing range procedures.

Specific hazard training is administered by the Department Training Representative, Supervisor or, if requested, by the Safety and Risk Manager.

All employees who receive general information and specific hazard training will sign a training sheet as documentation. (See Appendices E&F) or approved online database roster where appropriate. Copies of these sheets must be forwarded to the Safety and Risk Manager or made readily available.

B. Re-Assigned/Transferred Employees

Employees re-assigned/transferred to other work areas will undergo a review of specific hazard training in their new work area. The Department Head or Supervisor is responsible for scheduling and insuring that this retraining session is conducted by the Department Training Representative, and initiated on the first day of employment in a new work area. Employees will be required to sign an orientation and training sheet (Appendix F).

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C. New Employees (Full-time, Part-time, and Temporary)

Whenever a person is hired for employment, hazard communication training and education will be provided at the time of their initial assignment. New employee training will be provided prior to handling hazardous chemicals.

D. New Hazard

There are three ways in which a new hazard may be introduced:

1. A new hazardous chemical may be brought into the workplace; or
2. A current hazardous chemical in use may expose additional employees in the same work area; or
3. A former non-hazardous chemical may begin to be used in a manner that is hazardous.

Whenever a new hazard is introduced, the immediate supervisor is responsible for ensuring that specific hazard training is provided to all affected employees prior to the introduction of the hazard.

The Safety and Risk Manager can provide assistance and guidance with new hazard training upon request. Employees will be required to sign a new chemical training sheet. (See Appendix G)

XI. Non-Routine Work

Occasionally employees will be asked to perform non-routine work, which can be defined as work not normally performed by an employee during the normal course of job duties.

The following procedures will be used when employees perform non-routine work:

- A. The Department Head will determine the need for non-routine work and the hazards associated with the work. The Safety and Risk Manager can provide assistance to determine the hazards involved.
- B. The immediate supervisor will ensure that training is provided to the employees performing the non-routine work of the hazards associated with the work and of procedures/permits to follow. The training shall be provided by the Department Training Representative or Safety and Risk Manager. The training should be given each time prior to employees performing non-routine work.

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Employees share in the responsibility by ensuring their immediate supervisor knows that non-routine work will be performed. Special work permits may be required for some non-routine work such as confined space entry. Employees should contact their immediate supervisor with questions concerning non-routine work.

XII. Contractors

When contractors are working on Town property, they must comply with all OSHA standards and requirements, where applicable. The Hazard Communication Standard requires all contractors working on Town property be informed of known chemical hazards present at the worksite prior to the initiation of the contract. The contractor shall be informed of the known chemical hazards which may be present at the specific worksite, prior to the commencement of work. Upon request from the contractor, the Safety and Risk Manager will provide SDS's for hazardous chemicals in a specific work area. This information is provided so contractors can properly train their employees.

Any department responsible for overseeing a contractor shall ensure that the contractor does maintain a current chemical inventory. The department shall also ensure that the contractor is able to produce copies of the inventory and Safety Data Sheets upon request.

The following procedure is utilized with contractors, prior to the contractor's employees beginning work on Town property.

A. Contracting Department Heads and Project Managers

Responsibilities:

1. Include with the request for a quote for projects requiring on-site work by contractor employees, a general letter of notification that contractor employees may be exposed to hazardous materials.
2. Obtain along with the vendor's quotation and forward to the Safety and Risk Manager, a signed acknowledgment of contractor hazard notification.
3. Forward all requests for further hazard information to the Safety and Risk Manager.

B. Chemical Inventory

Department Head or Project Manager will determine and list the hazardous chemicals that may be present at the worksite, prior to the contractor's arrival.

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C. Safety Data Sheets

The contractor will be provided with the list of hazardous chemicals present at the worksite prior to arrival. These chemicals include only those owned or used by the Town which the contractor's employees may be exposed to while performing their work. The Department Head or Project Manager will provide the SDS's to the contractor, so that the contractor's employees can be informed of appropriate protective measures. A copy of the form signed by the contractor will be maintained on file. (See Appendix H)

D. Contractor Supplied Chemical Inventory

Upon request, the contractor will provide, in writing, a list of chemicals and/or Safety Data Sheets which the contractor will bring onto Town property.

If a request has been made, the Department Head/Project Manager will review the chemical list and SDS's provided by the contractor and assess the likelihood of potential exposure. This process will allow the Department Head/Project Manager to ensure that the appropriate protective measures are in place.

E. Documentation

All contacts with contractors concerning hazardous communication shall be documented and filed.

XIII. Hazard Communication Program Annual Review

The Hazard Communication Program will be audited at least annually by the Safety and Risk Manager.

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Appendix A

Sample Letter' for Proper Labels

Chemical Supplier's
Name and Address
Re: Product Hazard Warning Labels

(Salutation)

The Town of Kernersville Purchases the following products from your company.
(List of products)

In accordance with the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (29 CFR 1910.1200), we are requesting that you provide proper labeling which include:

- I. Identity of the Hazardous chemical
- II. Appropriate Hazard warning; and
- III. Name and address of the chemical manufacturer, importer of other responsible party.
- IV. Additional label(s) to replace defaced label(s) (list quantity needed)

The labels are for the following chemicals: (list of hazardous chemicals)

Your prompt response to this request is imperative so that compliance with the Hazard Communications Standard can be achieved. Response to this request should be sent to:
(list name and address)

Sincerely,

cc: Safety and Risk Manager

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Appendix B

Sample letter for SDS - First Request

Date
Chemical Company's Name/Address
Re: SDS Sheets

Dear Sir/Madam:

As Safety and Risk Manager, I maintain SDS records for the Town of Kernersville. In updating our files, I have discovered that we are missing the following Safety Data Sheets for products which you manufacture or distribute to us. Please send us a copy of the SDS's for the following chemicals:

Chemical Name

Cat. No.

Please send the requested material to my attention:

Town of Kernersville
P.O. Drawer 728
Kernersville, NC 27285-0728

If you have any questions, please contact me at (336) 992-0741. Thank you for your help.

Sincerely,

cc: Safety and Risk Manager

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Appendix C

Sample Letter for SDS - Second Request

Date
Chemical Company's Name/Address
Re: SDS Sheets

Dear Sir/Madam:

On (date), I requested that you provide Safety Data Sheet(s) for the following chemicals we purchase which were manufactured or distributed by your firm

(List Of Chemicals)

To date, we have not received any response from your company and suspension of your product is being considered. Safety Data Sheet(s) must be received immediately in order to fulfill the compliance requirements of OSHA's Hazard Communication Standard (29 CFR 1910.1200).

If we receive no reply within 10 days, a copy of this letter will be forwarded to the Department of Labor to document our unsuccessful efforts to obtain Safety Data Sheet(s).

Please send the requested material to my attention:

Town of Kernersville
P.O. Drawer 728
Kernersville, NC 27825-0728

If you have any questions, please contact mc at (336) 992-0741. Thank you for your help.

Sincerely,

cc: Safety and Risk Manager

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Appendix D

SDS Locations

All SDS notebooks have been replaced with access to MSDS Online for all employees. Individual kiosks are available in the Public Services Street and Solid Waste storage areas. All other employees can access MSDS Online for SDS on the Town's intranet or via their smartphone application. See Safety and Risk Manager for a complete chemical listing.

MSDS Online Administrators:

<u>Department</u>	<u>Contact Person</u>	<u>Location</u>
Public Services	Michelle Nelson Mike Allocco	Central Maintenance Crew Leader Office
All Other Departments HR	Angie Whitley	Safety and Risk Manager -

Appendix E

Orientation and Training Checklist

The training roster for all new hires for Hazard Communications is electronic through the Target Solutions training application.

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Appendix F

Orientation and Training Checklist - Department

TOWN OF KERNERSVILLE HAZARD COMMUNICATION TRAINING CHECKLIST		
Department:	Trainer: Date:	
By Department Training Representative/Supervisor <input type="checkbox"/> Introduction to operations where chemical and physical hazards are present – types of hazards encountered <input type="checkbox"/> Required work practices <input type="checkbox"/> Personal Protective Equipment <input type="checkbox"/> Emergency Procedures <input type="checkbox"/> Location and availability of the program and SDS manual <input type="checkbox"/> Labeling system		
Trainees		
Employee Name (Print)	Job Title	Signature

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Forward a copy to the Safety and Risk Manager

Appendix I

Notice to Contractors

Contractors
Name and Address
RE: OSHA Hazard Communication Standard

In accordance~ with the Occupational Safety and Health (OSHA) Hazard Communication Standard (29 CFR 1910.1200), is hereby notified of the attached list of the Town's known hazardous chemicals which the contractor's employees may be exposed to while performing their work at:

Building: _____

Work area: _____

Project Period: _____

Safety Data Sheets, which will list appropriate protective measures as determined by the chemical manufacturer or distributor, are available upon request.

According to OSHA requirements you must transmit this information to your affected employees.

By undersigning this letter, the contractor representative acknowledges:

- receipt of the above information
- contractor will comply with all applicable OSHA regulations while working on Town property,
- a Hazard Communication Program is in effect for all employees on this contract

Contractor Representative _____ Date _____

Town of Kernersville Safety and Health Policy and Procedure Manual	Commercial Driver's License Policy Section 0040	Date 3/98	Revised 11/19
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I. Introduction

The purpose of this policy is to prohibit employees performing safety sensitive functions (driving requiring a commercial driver's license, CDL) from possessing alcohol or controlled substances at work, using alcohol four hours before work and having alcohol or controlled substances in the body or bloodstream while at work. The provisions of this policy outline the procedures to be used by employees and their supervisors, subject to this act.

II. Standard

U.S. Department of Transportation, Omnibus Transportation Employee Testing Act of 1991.49 CFR Part 382 and 49 CFR Part 40.

III. Employees and Job Functions Covered by this Policy

Drivers required to maintain a Commercial Driver's License (CDL) as part of their job are subject to this policy and required testing for alcohol and controlled substances. A CDL is required for driving vehicles with a gross weight rating of 26,001 or more pounds, or for those designed to transport 16 or more passengers, including the driver. A CDL is also required for driving vehicles used to transport hazardous materials and require placarding in accordance with the Hazardous Materials Transportation Act.

Safety sensitive functions covered by this policy include the following functions for covered employees: waiting to be dispatched; inspecting equipment or servicing a commercial motor vehicle; driving a commercial motor vehicle; associated loading or unloading of a vehicle; and/or repairing, obtaining assistance or remaining in attendance with a disabled vehicle or being in an accident.

IV. Responsibilities

CDL drivers are considered to hold a safety sensitive positions and the Safety & Risk Manager will add these employees to the testing program. The cost of testing and screening will be the responsibility of the employee's department. The supervisor of employees covered by this policy must ensure that it is adhered to and that they perform their responsibilities as described. Employees covered by this policy must perform their responsibilities as described or be subject to disciplinary action.

The Safety & Risk Manager shall be responsible for coordinating testing and screening activities in accordance with the requirements. Test results and records will be kept in the Human Resources Office and be kept confidential in accordance with the Act.

V. Prohibited CDL Driver Conduct

Drivers covered by this policy are prohibited from engaging in conduct that would impair their ability to perform their job functions safely. The following types of conduct are specifically prohibited by this policy:

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- Alcohol Concentration:** No driver will report to work or remain at work requiring safety sensitive functions while having an alcohol concentration of 0.04 or greater. Furthermore, the Town will not allow a driver to report or remain at work while having an alcohol concentration greater than 0.02.
- Alcohol Possession:** No driver will be on duty or operate a commercial motor vehicle while the driver possesses alcohol.
- On-Duty Alcohol Use:** No driver will use alcohol while performing safety sensitive job functions.
- Pre-Duty Alcohol Use:** No driver shall perform safety sensitive functions within four hours after alcohol use.
- Alcohol Use Following an Accident:** No driver required to take a post-accident alcohol test, required by this policy, will consume alcohol within eight hours following the accident unless the driver has been tested or absolved.
- Positive Test for Controlled Substances:** No driver shall report to work, remain at work or perform safety sensitive functions after having tested positive for controlled substances unless he/she has followed the procedures outlined in this policy with respect to the return to work process.
- Controlled Substance Use:** No driver shall report to work or remain at work when required to perform safety sensitive functions when the driver uses any controlled substance. An exception is permitted, if the use is pursuant to the instructions of a physician, who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.

Refusal to Submit to Required Alcohol/Controlled Substance Testing: Any driver who refuses to submit to any test required by this policy or refuses to cooperate with the requirements outlined in this policy shall be subject to disciplinary action up to and including dismissal. Upon a refusal or positive test, the Safety & Risk will notify the NC DOT of these actions.

VI. Testing

Testing shall be conducted in accordance with the 49 CFR Part 382 and 49 CFR Part 40 and may include breath alcohol testing and DOT Panel 5 drug panel testing for controlled substances. The five drugs (controlled substances) tested for will include: marijuana, cocaine, amphetamines, opiates and phencyclidine. Employees covered by this policy will only be subject to alcohol testing, while they are performing, about to perform or immediately after they have performed covered functions. Employees covered by this policy are

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subject to controlled substance testing at all times while at work.

A. New Applicants

Applicants for positions which require a CDL will be tested for controlled substances, post offer and prior to assuming safety sensitive duties covered by this policy. Personnel will secure applicant's prior testing results from former employers. Applicants who test positive or for whom attempts to capture prior test results are unsuccessful will be removed from consideration.

B. Random Testing

Random testing of employees covered by this policy may be conducted immediately before, during or immediately after performing work covered by this policy. Ten percent of all covered employees must be tested for alcohol and fifty percent must be tested for controlled substances each year. The agency providing the testing services will perform the random selection of employees to be tested.

C. Post-Accident

Post-Accident testing will be conducted on any surviving driver who was performing safety sensitive functions with respect to the vehicle if:

- the accident involved a fatality or an injury requiring medical treatment other than first aid,
- the accident resulted in disabling damage to a vehicle requiring it to be towed from the scene,
- the accident results in medical treatment of persons away from the scene of the accident or
- the driver receives a citation under state or local law for a moving violation arising from the accident.

Testing for drugs and alcohol shall occur, if possible, within two hours of the accident. If the employee is unable to be tested within two hours, reasons for the delay shall be documented. If an alcohol test required by this section is not administered within eight hours or a required drug test is not performed within thirty two hours of the accident, attempts to conduct the tests shall cease and the reason for the inability to conduct the alcohol/drug tests shall be documented. The covered employee may not use alcohol within eight hours after an accident unless he/she has been tested or released.

D. Reasonable Suspicion

If two trained supervisors reasonably suspect alcohol misuse or controlled substance use by a covered employee before, during or after driving, then the supervisor must arrange for the employee to be tested. The supervisor must also arrange for safe transportation of the employee to the testing site and/or home. The employee may not return to safety sensitive duties until test results are received.

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E. Prior to Return to Duty

Covered employees who have previously had a positive breath alcohol or drug test, must be tested and/or released by a Substance Abuse Professional before returning to work in accordance to the Town's Substance Abuse Policy. The employee is also subject to the conditions of the last chance assistance agreement.

VII. Positive Test Results

If a test comes back from the laboratory positive, the employee will be contacted by the testing contractor and informed of the result. The testing contractor will request the employee provide any relevant medical information that could show why the test was positive, other than illegal drug or alcohol use.

In accordance with the law, all samples when taken will be split into two samples in the presence of the employee. If a test were to report back positive on the primary sample, and after being given a period of seventy two hours for medical explanation, the employee may choose to have the split sample tested, at his/her cost. At this time the laboratory will also inform the employer of the test results. If the results of the split sample are negative, there will be no cost to the employee.

When the Safety & Risk Manager is contacted and notified of the positive test results, appropriate action must be taken immediately. The supervisor must ensure the employee is removed from the job which requires performing safety sensitive duties. Appropriate disciplinary action must be taken by the supervisor including, but not limited to suspension or dismissal. If applicable, HR and the supervisor will refer the employee to the Employee Assistance Program (EAP), which will serve as the Substance Abuse Professional and make any recommendations for treatment that may allow the employee to return to work. An employee may not return to safety sensitive work until evaluation by the Substance Abuse Professional is complete and any recommendations or required treatments are completed to the satisfaction of the substance abuse professional. When making this referral, the supervisor is to inform the EAP that the employee is being referred in accordance with this policy. The Town is not required to pay for any treatment for the employee, nor does the employee's job have to be held for the employee.

IX. Recordkeeping

Confidential records will be maintained within the Human Resources Office and will only be released upon written approval of the employee or the requirements set forth in the Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse. These records will be maintained for the employee's length of employment plus ten years.

X. Resources Available for Assistance

The Employee Assistance Program is available to all Town employees. This program provides confidential counseling and referral services for employees who have personal problems associated with alcohol and/or controlled substances which may be affecting their work.

Town of Kernersville Safety and Health Policy and Procedure Manual	Hearing Conservation Program Section 0050	Date 3/98	Revised 01/21
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I. Introduction

This Hearing Conservation Program is designed to protect all persons who work in high levels of noise, as defined by OSHA standards, from sustaining significant work-related hearing impairment.

II. Scope

This policy applies to all Town employees who, as part of their normal job function, are required to work in areas with noise exposure levels greater than or equal to 85 dBA (8-hour time-weighted average) as determined through both area and personal monitoring results.

III. Standard

NCOSHA 29 CFR 1910.95: Occupational Noise Exposure

IV. General Requirements

1. Sound level surveys will be conducted to determine which employees work in areas or on jobs which subject them to noise levels greater than or equal to 85 dBA (8-hour time-weighted average). These employees shall be included in the Hearing Conservation Program and shall have hearing protection made available to them. If the area or job has been designated as greater than 90 dBA (8-hour time-weighted average) noise exposure level, employees shall be required to use hearing protection whenever in the area or on the job. In lieu of sound level testing, Department Heads shall assume that any employee exposed to high noise levels shall be included in the Hearing Conservation Program until a survey can be performed.
2. All employees included in the Hearing Conservation Program shall be required to have an annual audiogram and shall receive training in hearing conservation. The cost of this audiogram shall be paid by the employee's department.
3. All employees who exhibit OSHA-designated significant changes in hearing on an annual audiogram shall receive appropriate follow-up procedures. These occurrences are considered OSHA recordable and must be documented on the OSHA Form 300. (Section V, D 5&6)

V. Specific Procedures

A. Noise Exposure Measurements

1. Employee noise exposure measurements shall be conducted by the Safety & Risk Manager for the following purposes:
 - a. To determine whether hazards exist in a given work area or job task

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- b. To determine whether noise presents a safety hazard by interfering with speech communication or the recognition of audible warning signals,
 - c. To identify employees who shall be included in the Hearing Conservation Program
 - d. To classify employees' noise exposures for prioritizing noise control efforts and defining and establishing hearing protection practices,
 - e. To evaluate specific noise sources for noise control purposes, and
 - f. To evaluate the success of noise control efforts.
2. Noise measurements shall be conducted using instruments meeting current American National Standards Institute (ANSI) Standards, as a minimum. All continuous, intermittent and impulsive sound levels from 80 to 130 dB shall be integrated into the measurements. The calibration accuracy of all measurements shall be checked before and after measurements are made.
3. Initially, measurements shall be made of sound levels at all regular employee work locations and on all regular employee job activities using, as a minimum, a Type 2 sound level meter as defined by ANSI. Whenever worker mobility, variations in sound level or significant impulse or impact noise exists in any job activity, personal sampling with a noise dosimeter that meets all applicable ANSI requirements shall be performed. Dosimeter measurements shall be for the purpose of identifying employees whose 8-hour time-weighted average noise exposure levels equal or exceed 85dB
4. Department Heads shall request that the Safety & Risk Manager coordinate noise exposure measurements:
 - When engineering, machinery or administrative modifications have been made in any work area or to any work process;
 - On any job activity which may significantly affect employees' noise exposure levels, expose additional employees at or above the action level of 85dBA, or render inadequate the attenuation provided by hearing protectors being used by employees.
5. Each employee exposed at or above an 8-hour time-weighted average noise exposure level of 85 dBA, shall be notified of the results of their noise monitoring. Affected employees shall be given the opportunity to observe their noise measurements as they are taken, if they request to do so.
6. The results of all noise exposure measurements shall be properly recorded, documented and filed in the Safety & Risk Managers office. A summary of the measurements shall be forwarded to the Department Head.

B. Engineering and Administrative Controls of Noise Exposure

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1. The technologic and economic feasibility of engineering noise controls shall be determined on a case-by-case basis in all work areas or job activities where employee noise exposure levels exceed an 8-hour time-weighted average noise exposure level of 90 dBA or impulse or impact noise exists whose peak sound pressure level exceeds 140 dB.
2. In cases where the application of relatively simple noise control solutions will reduce the noise hazard to the extent that the other elements of the Hearing Conservation Program will no longer be necessary for employees in these work areas, such controls shall be implemented. Employees shall be counseled about the operation and maintenance of noise controls by their supervisor.
3. Within the limitations of work schedules and employee training, feasible administrative noise controls shall be considered. Where practical, overexposed employees shall be moved at appropriate intervals to work areas or jobs which have acceptable noise levels in order to comply with exposure duration specifications of Table G-16 of the noise regulation (see Standard).

C. Personal Hearing Protection

1. The proper, consistent wearing of hearing protectors shall be required whenever an employee is exposed to noise above an 8-hour time-weighted average noise exposure level of 90 dBA. The proper, consistent wearing of hearing protectors shall be a condition of employment and employees shall be so advised of this requirement at their hearing conservation training session.
2. The proper consistent wearing of hearing protection shall be encouraged whenever an employee is exposed at or above an 8-hour time-weighted average noise exposure level of 85 dBA. Each supervisor of employees in such work areas shall insure that a supply of hearing protectors approved by the Safety & Risk Manager is available to the employee.
3. The issuance of all types of hearing protectors shall always be preceded by training in the proper procedures for wearing, caring for and cleaning the devices issued. This training shall be provided by the employee's supervisor.
4. All new employees whose job activity will require them to be exposed to high noise levels, either continuously or intermittently, shall be initially fitted with appropriate hearing protection. Employees shall be responsible for the care of hearing protectors. Non-disposable hearing protectors should be washed daily with soap and water to avoid ear infections or irritations. When the devices are no longer serviceable due to deterioration, a new pair may be obtained by requesting them from the employee's supervisor.
5. Every effort will be made to outfit each affected employee with a comfortable pair of hearing protectors. The ability to wear some type of approved hearing protection

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device in designated areas or while performing designated activities shall be a condition of employment. If an employee is unable, for documented medical reasons, to use any type of hearing protector, the employee shall not be assigned to work in high noise areas.

6. Hearing protection is not to be shared. Each employee should wear only his/her hearing protection.
7. Audits shall be made periodically to assure compliance with the hearing protector use requirement.

D. Audiometric Testing Program

1. All new employees, required to work in areas with high noise levels, shall be given an audiometric test to establish baseline hearing threshold levels before being assigned to work in such areas. Before the baseline test, the employee is not to be subjected to industrial or loud non-occupational noise for a period of fourteen hours.
2. All employees exposed at or above an 8-hour time-weighted average noise exposure level' of 85 dBA shall be provided with an annual audiometric test at no cost to the employee. The employee's department may at any time have an audiometric test performed on any noise exposed employee if hearing deterioration is suspected. A thorough otologic/audiologic case history shall be taken each time an audiometric test is performed.
3. The audiometric testing program shall be under the supervision of an audiologist, otolaryngologist or a physician with expertise in the area of hearing assessment and protection, who shall also function as the professional reviewer of the audiograms performed as part of the Town's Hearing Conservation Program. The individual who conducts audiometric tests shall exhibit at least the minimum level of training required by 29 CFR 1910.95 (g) (3). The successful completion of an audiometric technician training course approved by the Council for Accreditation in Occupational Hearing Conservation (CAOHC) will satisfy this requirement. Audiometric technicians shall be retrained/recertified as necessary to comply with CAOHC requirements.
4. All audiograms shall be administered using a properly calibrated audiometer in a sound-treated room with acceptable background sound levels during testing (see Appendix of the OSHA noise regulation). The audiometer's calibration status shall be checked on each day of testing, according to the requirements of 29 CFR 1910.95 (h) (5) (1). This check shall include the following:
 - a. Testing a person with known, stable hearing thresholds or an equivalent electronic device and comparing established thresholds to previously established threshold values to assure that deviations for any frequency do not exceed 5dB and

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- b. Listening to the audiometer's output to be sure that it is free from distorted or unwanted sounds.
 - c. Audiometers shall be electronically and acoustically checked annually in accordance with the requirements of 29 CFR 1910.95 (h) (5) (ii) and (iii).
- 5. Each employee's annual audiogram shall be compared to his or her baseline audiogram to determine if the audiogram is valid and if a standard threshold shift (as defined by OSHA) has occurred. In making this comparison, the technician or professional reviewer may take into consideration appropriate age corrections as defined in the OSHA noise regulation. If a standard threshold shift is detected, follow-up steps as outlined in the standard shall be implemented promptly in order to increase the degree of protection for the affected employee. These steps include:

Safety & Risk Manager's Responsibilities:

- a. Coordination of a noise-free test to determine the validity of the threshold shift;
- b. Determination by the professional reviewer of the need for referral of the employee for additional testing or examination.
- c. After examination and age allowance, if the shift is still present; notification of employee in writing with 21 days;
- d. Ensuring fitting or refitting, as appropriate, of the employee's hearing protectors and training or retraining in the proper use and care of hearing protectors.

Supervisor's Responsibilities:

- a. Fitting, refitting, as appropriate, of the employee's hearing protectors,
- b. Training or retraining, as appropriate, of the employee in the proper use and care of hearing protectors.

Departments Responsibilities:

- a. Payment for additional testing and professional review
- 6. Should it be suspected through testing or upon diagnosis by the professional reviewer or another medical professional that an employee has experienced an occupational hearing loss, the appropriate information shall be documented on the OSHA Form 300.
- 7. Audiograms performed as part of this policy are the property of the Town and shall be controlled by the Safety & Risk Manager. All test results shall be a part of the

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employee's permanent medical file and shall not be released to anyone except the employee or their representative without the documented consent of the employee in question.

8. Audiometric technicians shall insure that proper department and employee identification is shown on each audiogram, as well as the following information:
 - a. The specific purpose of the audiometric test (baseline, annual, retest, other)
 - b. The specific audiometric equipment used and its most recent calibration date
 - c. The tester's name
 - d. The date and time of the audiometric test
 - e. The otologic/audiologic case history information
 - f. The hearing threshold values obtained
 - g. The tester's judgement of the subject's response reliability
 - h. The tester's comments, if any
 - i. The results of the hearing protector inspection, and a record of any refitting, reissuing or retraining
9. The audiometric testing program, as defined in this section, will detect Town employees who begin to develop significant hearing impairment as a result of on-the-job noise exposures; at the same time, it will identify employees whose off-the-job noise exposures or personal medical or genetic conditions may be producing hearing threshold changes. Appropriate counseling shall be provided to all employees who exhibit significant hearing loss of any type. Medical or audiological referral shall be made whenever deemed appropriate by the audiometric technician, after consultation with the program supervisor described in (D) (3).

E. Employee Training

1. The Safety & Risk Manager schedules employee training annually to insure each employee with an 8-hour time-weighted average noise exposure level of 85 dBA or above is trained in hearing conservation. The training program shall consist of a presentation that informs each employee of the following items, as required by 29 CFR 1910.95 (k) (3):
 - a. The effects of noise on hearing;
 - b. The purpose of hearing protectors; the advantages, disadvantages, and attenuation of various types; and instructions on selection, fitting, use and care of hearing protectors; and
 - c. The purpose of audiometric testing and an explanation of the test procedures and typical findings.
 - d. A copy of 29 CFR 1910.95.

During training, employees shall be encouraged to ask questions about their involvement in the hearing conservation program.

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2. In accordance with 29 CFR 1910.132 (f) (4) "Personal Protective Equipment", each employee shall certify that they have received and understood the required training through a written certification that contains the employee's name, signature, the date of training and the subject of the certification. This information shall be recorded on the training roster provided as Appendix C or approved online training roster.

F. Recordkeeping

1. The Safety & Risk Manager shall maintain records that support compliance with all applicable federal and state standards and with all sections of this policy. These records shall be available at all times for inspection by authorized Town personnel, by affected employees or their designated representatives and government inspectors.
2. In the case of employee audiograms and other associated medical records, access shall be limited to the affected employee or representative, authorized personnel and representatives of the Assistant Secretary of Labor.
3. Although computer storage of records is permitted, original copies of all records associated with individual audiometry and noise exposure monitoring shall be retained in the appropriate files maintained by the Safety & Risk Manager.

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Appendix A

HEARING PROTECTOR WEAR, CARE AND FITTING

How to properly wear hearing protectors

It is an OSHA requirement that the employer ensures the proper initial fitting and that the employer provides training in the use and care of all hearing provided to employees.

Employee hearing protection training is required:

- 1) Annually during Hearing Conservation Training
- 2) Each time an employee shows a Standard Threshold Shift change in hearing.

To prevent a hearing loss, hearing protectors must be worn correctly and taken care of. Keep your ear plugs clean by washing them in warm soapy water and make sure they are completely dry before inserting them in your ears. Inspect your hearing protection regularly. If they become damaged, hard, worn out, advise your Supervisor that you require a new pair.

Due to the fact that everyone has different size ear canals, each employee will be instructed on how to put their personal hearing protectors in and also be given the chance to practice in front of a Hearing Conservationist. Two different types of hearing protectors will be provided to employees. If there is a problem with the fit comfort of your hearing protectors, see you Supervisor about a different type of protection.

How long will my hearing protection last?

Sponge plugs: 1 or 2 days

Custom plugs: 18-24 months

Insert plugs: 4-6 months

Muffs: Replace when worn out

The life of the hearing protector is dependent upon the care it is given. A sponge type hearing protector is disposable. But, as long as it is clean, it may be used until it no longer expands. How long the hearing protection lasts is unique to each employee depending on the chemical make-up of their body.

PUTTING IN EARPLUGS ONLY INVOLVES TWO STEPS

FIRST

Put your left arm
over your head and
with your left hand
pull up on your
right ear.



SECOND

With your right hand
insert the ear plug.
Switch hands and insert
the other plug in the same
manner.

Remember, both plugs
must be worn for
complete protection

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APPENDIX B

COMMON NOISE LEVELS

COMMON NOISE LEVELS (in decibels)	
Threshold of hearing	0
Quiet Whisper	20
Quiet office; Audiometric testing	40
Average residence; Large office	50
Conversational Speech	60
Freight train – 100ft	70
Average automobile – 30 ft.	74
Very noisy restaurant; Average factory	80
Lawn mower; Diesel truck 40 mph – 50 ft.	85
Electric drill	88
Subway; printing shop	90
Garden tractor	92
Shop vacuum	98
Looms in textile mill; Electric furnace area; Table saw	100
Loud rock music; Chain saw; Pneumatic shipper	115
Hydraulic press; 50 hp siren – 100 ft.	120
Jet airplane	140
Rocket launching	180

Town of Kernersville Safety and Health Policy and Procedure Manual	Accident Policy Section 0060	Date 2/98	Revised 12/20
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Purpose

To ensure all accidents involving Town employees, equipment, tools and vehicles are investigated and reviewed as necessary to assess the circumstances surrounding the accident and to determine the best measures for minimizing future accidents.

I. Definitions

Accident- Any unintentional, unexpected event involving a vehicle, motorized equipment, or tools and results in property loss and/or personal injury. An accident can occur on a public highway, private property, at a work site or on Town property and involves a Town employee, equipment, tool, or vehicle.

Driver/Operator- A person in actual control of a vehicle/motorized equipment which is in motion or which has the engine running.

Motorized Equipment- Any equipment that is motorized for mobility and that is usually not considered for highway use. Examples: tractors, bull-dozers, motor-graders and ATV's. For reporting purposes, attachments to the above will be considered part of the equipment. Examples: trailers, mowers, back-hoes, scrape-buckets, and scrape-blades.

Vehicles- Any motorized equipment that is normally considered for use on the highway. Examples are cars and trucks. Attachments to the above examples will be considered for reporting purposes as part of that vehicle. Example: trailers

Town Equipment- Any property owned, leased or borrowed by the Town of Kernersville which is in the control of a Town employee.

Town Employee- Any person employed by the town of Kernersville, full-time, part-time, temporary or seasonal.

Unoccupied Vehicle - Any vehicle running or parked that does not have a Town driver/operator present in the vehicle at time of accident.

II. Accident Reporting

Any Town employee involved in an accident that results in damage to property, vehicles, tools or motorized equipment shall report the accident immediately to their supervisor. ***An employee who fails to report an accident by the end of his/her shift or within 24 hours of its occurrence will be subject to disciplinary actions up to and including dismissal.*** Upon notification, the supervisor must contact the Safety & Risk Manager to advise an accident has occurred.

All accidents involving Town employees, equipment, tools, vehicles or motorized equipment

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shall be reported on Form AR-1. (See Attachment A) All reports submitted on forms other than AR-1 must contain, at a minimum, the information included on AR-1 such as the Police Department's Notification to Safety Officer.

It shall be the responsibility of the Department Head/Supervisor to see the completed Accident Reports are submitted to the Safety & Risk Manager within 24 hours of the incident/accident. **(2nd working day, no exceptions)**

The Department Head may designate a supervisor to investigate accidents, complete the Accident Reports, (AR-1) take photographs and gather all necessary information from injured parties and/or driver/operators. Additional reports shall be submitted as needed to fully describe and document the events and any contributing factors involved.

Any accident occurring on a public highway involving another vehicle and/or personal injury must be investigated by the Police Department, who shall be immediately called to the scene. The Police Department will determine if other law enforcement agencies may be called to the accident scene as outlined in the Police Department's accident investigation procedures. The Safety & Risk Manager may also determine if any other accidents should be investigated by the Police Department.

In the event of an injury requiring medical treatment, the Safety & Risk Manager or Human Resources designee shall be called immediately and a field investigation may be conducted.

In addition to the AR-1 form, the reporting designee shall include a written statement showing the driver/operator or injured employee's explanation of the accident. All the facts and any other pertinent information should be included in the report. For more complex accidents; eyewitness reports, photos, Police reports, etc. will also be submitted.

III. Reviewing Accident Reports

All accidents, regardless of severity, shall be reviewed by the Safety & Risk Manager.

In reviewing accident reports, the Safety & Risk Manager is to assess the conditions which may have contributed to or caused the accident based on facts and established investigative practices.

At least monthly, the Safety & Risk Manager will notify Department Heads or department designee of the accidents and injuries that have occurred. Immediate notification will occur as needed based on the situation.

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IV. Classification and Determination of Accidents

All accidents involving vehicles and motorized equipment will be classified as preventable or non-preventable.

The Safety & Risk Manager will determine if an accident is preventable or non-preventable after conducting the investigation. The decision will be presented to the Safety Advisory Committee to confirm or deny the Safety & Risk Manager's decision. Upon the consensus of a preventable accident, the Safety & Risk Manager will notify the employee in writing of the preventable accident decision.

V. Disciplinary Action

It is the discretion of the Department Head or Supervisor to determine if any disciplinary action will be taken as a result of the accident. Upon review of the accident, the Safety & Risk Manager may offer suggestions as to appropriate disciplinary actions.

If severe circumstances occur as a result of an accident, the Town Manager may mandate additional disciplinary action.

VI. Appeal Procedures

An appeal of the Safety Advisory Committee's decision may be initiated if the employee disagrees with the findings of an investigation.

The employee shall first present his/her appeal, in writing to the Human Resources Director within five (5) working days of the date of the receipt of the Safety Advisory Committee's decision. The Human Resources Director shall respond to the aggrieved employee within five (5) working days after receipt of the appeal with further details of a scheduled appeal hearing by the Safety Advisory Committee. The Human Resources Director will notify the employee of the final decision regarding their grievance within five (5) working days of the hearing. The employee shall sign a copy of the decision to acknowledge receipt and date of receipt.

If the appeal is not resolved to the satisfaction of the employee through the above appeal process, the employee may exercise his/her right to appeal in accordance with the Town's grievance procedure (Article XIV. Grievance Procedure).

Town of Kernersville Safety and Health Policy and Procedure Manual	Fire Emergency Section 0080	Date 10/99	Revised 12/20
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I. Introduction

These Fire Emergency Procedures were developed as an operational document to insure that all Town personnel follow the same guidelines in the event of a fire.

The primary consideration in the event of a fire will be the life safety of the building occupants. Secondary considerations for the protection of property should be made prior to an emergency consideration. In the event of a fire emergency, all Town personnel are to completely evacuate the building(s) involved and take instructions from the Public Safety Personnel on the scene. When the Fire Department arrives they will have primary responsibility, and the Police Department will assist them with crowd control and limiting access as required. Failure to obey public safety officials at the scene of an emergency is a violation of North Carolina Law and this policy.

II. Standard

North Carolina State Building Code, Volume V, "The State Fire Code", North Carolina Department of Insurance.

III. Procedures

- A. In the event of a fire, or if you smell smoke, close the doors to isolate the fire and begin to exit the building.
- B. Activate the buildings fire alarm system on your way out of the building. If you occupy a smaller building that does not have a central fire alarm system, yell "fire" to alert other occupants of the danger. Upon activation of the alarm occupants are to leave the building immediately. The only exception is during a scheduled fire drill, when the alarm is activated for one minute or less, see Section IX of this policy.
- C. Once safely outside the building call 911 to report the emergency.
- D. Remain outside the building, a safe distance away, to provide information to the authorities as they arrive. Departments should gather outside the building at their designated location to insure that all personnel have left the building.
- E. In the event of a fire emergency at a remote location, employees should inform Police Communication by radio. Under no circumstances should an employee attempt to control a fire emergency unless they have been specifically trained to do so or the fire is located between the employee and the exit.

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IV. Training

Each employee shall be informed of these Fire Emergency Procedures during new employee orientation.

V. Fire Extinguisher Use

Fire extinguishers are to be used only by personnel specifically trained to do so or in a life emergency. This training must be approved and documented through the Safety & Risk Manager. If a fire extinguisher has been discharged, employees should notify their supervisor and/or the Safety & Risk Manager to have it replaced.

VI. Means of Egress

- A. Each building will have evacuation routes posted to allow occupants to become familiar with possible escape routes prior to an emergency. In the event of an emergency, occupants should exit by the closest routes possible. Elevators shall not be used for evacuation. They can quickly become uninhabitable from smoke and are not designed for use during a fire.
- B. **No person shall place, store or keep any materials in a manner that obstructs a means of egress or which would render it hazardous.** All means of egress shall be maintained so as to provide free and unobstructed egress from all parts of the building at all times. All means of egress shall be available for full instant use in case of fire or other emergency.

VII. Fire Emergency Equipment

A. Fire Alarms

Tampering with fire alarms is a violation of state law and this policy. Maintenance of systems will be performed by the departmental designate or contractors hired by them.

B. Fire Extinguishers

Tampering with or removing fire extinguishers is a violation of state law and this policy. Fire extinguishers are serviced annually. If a discharged extinguisher is discovered, it should be reported to a supervisor and/or the Safety & Risk Manager to facilitate replacement.

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VIII. Notification of Loss

In accordance with Town Policy losses from fire must be reported promptly to the Safety & Risk Manager to begin attempts at replacement.

IX. Fire Drill Procedures

- A. Fire drills are required by the North Carolina State Building Code, Volume V, "State Fire Code" Section 809.3. The Code further requires that records of these drills be maintained and made available for the fire inspector. Town buildings are classified as business occupancies under the fire code.

Business occupancies that have fire alarms shall have a fire drill at least annually. In business occupancies evacuation is not required, if it is not practicable. The primary purpose of these drills is to familiarize the occupants of the building with the sound of the alarm and remind them of the appropriate action to take in the event of an emergency. Employees, except those identified by Department Heads as exempt, must exit the building and move to their designated safe location. Occupants who are exempt from evacuation, will be notified by the Department Head or designee about the drill and evacuation procedures for emergencies. The Fire Department will contribute staff time to activate the fire alarms at the appropriate times. A brief report including the time and date of the drill will be completed by the officer and kept on file by the Safety & Risk Manager.

X. Smoking in Areas with Flammable Liquids

Smoking is prohibited in areas where flammable liquids are dispensed, used or stored. In outdoor locations smoking shall be prohibited within twenty feet of the flammable liquid. The Safety & Risk Manager and/or the Fire Department will assist as requested with determining special precautions. In addition, "Danger, No Smoking" signs will be posted in these areas. This will be the responsibility of the department using or storing the flammable liquids.

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Appendix A

Assembly Locations

Town Hall (Upstairs)	Upper parking lot adjacent to Allegacy lot (East side of Town Hall)
Town Hall (Police Dept.)	Lower parking lot (East side of Town Hall)
P.S. Admin	Public Services yard across the street
P.S. Garage	Administration building across the street
P.S. Street and Solid Waste	Public Services yard across the street
Recreation Admin	Parking lot across gravel cut through road
Recreation Maintenance	Parking lot at soccer field

Town of Kernersville Safety and Health Policy and Procedure Manual	Lockout Tagout Section 0090	Date 10/99	Revised 12/20
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I. Standard

NCOSHA Standard for General Industry 1910.147--Control of Hazardous Energy Sources (Lockout/Tagout).

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II. Introduction

There are many hazardous energy sources which must be properly controlled to prevent potential serious injuries to those performing servicing and maintenance of equipment, machines, and systems. Hazardous energy which may injure employees must be controlled by following standard Lockout/Tagout (LOTO) procedures.

III. Identified Tasks

Town of Kernersville employees do not perform tasks dealing with the shutdown of machines and the danger of hazardous energy sources. Therefore, the Town of Kernersville does not have a detailed LOTO policy. Town of Kernersville employees have been trained to follow best practices for tagging out damage or non-working tools or equipment. However, these tasks do not require locking out any machines with hazardous energy. See also the Solid Waste Division's LOTO for vehicles.

Town of Kernersville Safety and Health Policy and Procedure Manual	Confined Space Permit Required Section 0100	Date 1/05	Revised 10/20
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References:

North Carolina Occupational Safety and Health Standards for General Industry: 29 CFR 1910.146

Purpose:

To provide a means by which employees can be protected from the hazards associated with entry into permit required confined spaces, and to develop procedures by which employees shall enter such spaces.

Policy:

- I. All spaces owned or operated by the employer that meet the definition of permit required confined spaces shall be identified and appropriately marked, and access to such spaces shall be controlled.

The Town of Kernersville known confined spaces:

- 1) **Public Services Department Solid Waste Division – Solid Waste vehicles (trash trucks).**
See Solid Waste Truck entry procedures.
- 2) **Fire Department Station 43 – outside sewer pump station – Lid has permanent lock and no entry is permitted.**

Definitions:

- I. Confined Space Definitions
 - A. Confined Space - a space that meets all three of the following conditions:
 1. Large enough for a person to bodily enter and perform work;
 2. Has only means of entry/egress that requires a person to enter by a means other than normal walking, such as crawling, squatting, climbing, bending, or use of devices.
 3. Is not designed for people to continually occupy the space.
 - B. Non-Permit Space - a confined space that does not contain any actual or potential hazards capable of causing death or serious physical harm.
 - C. Permit Required Confined Space, Permit Space - a confined space which has one or more of the following characteristics:
 1. Contains or has the potential to contain a hazardous atmosphere.

2. Contains a material that has the potential for engulfing an entrant.
3. Has an internal configuration that could trap or asphyxiate an entrant, such as inwardly converging walls or a floor that slopes downward and tapers to a smaller cross-section.
4. Contains any other recognized serious safety and/or health hazard.

Procedures:

I. Employer Controlled Confined Spaces

A. Identification of Confined Spaces

1. The employer shall identify each space under their jurisdiction which meets the definition of confined space, if any exist, and shall maintain a list of such spaces.
 - Public Services Sanitation vehicles are a confined space when an employee enters into the back of the truck.
2. The employer shall determine if the confined space meets the definition of permit required confined space.
 - Sanitation trucks are not permit required confined spaces.
 - a. Each confined space on the list shall be designated as a non-permit or permit space.
 - All Sanitation trucks are identified with a confined space sign on the vehicle.
 - b. The hazards of each permit space shall be catalogued.
 - Tripping or falling hazard
 - Crush hazard (eliminated with LOTO)
3. The list shall be distributed to all affected managers and employees.
4. The employer shall provide for a Danger sign to be posted at the means of ingress to each identified confined space. Signs shall meet the requirements of Danger signs.

A. The employer of employees whose job duties require entry into identified confined spaces may create specific procedures to enter confined spaces, if all elements of 1910.146 are met. **See Public Services Solid Waste procedures for entering the back of a Sanitation vehicle.**

B. The supervisor with jurisdiction over employees who are required to enter an identified confined space shall review and audit the entry procedures process annually.

C. Re-Evaluation

1. The employer shall re-evaluate identified confined spaces within their jurisdiction to determine if such spaces should be added, deleted, or reclassified.
2. Re-Evaluation shall be performed:
 - a. After notification by the responsible supervisor of a change in the hazards of a

confined space.

- b. After review by the employer during the annual inspection.
- c. After notification of changes in hazards in a confined space by employees, managers, or any other source.

II. Training

- A. All Employees required to enter a confined space will receive annual training on identifying characteristics of a confined space vs. a permit required confined space.
- B. The supervisor shall conduct training and note employee name, name of trainer, and summary with documentation given to the Safety & Risk Manager.

Town of Kernersville Safety and Health Policy and Procedure Manual	Motor Vehicles Records Policy Section 0110	Date 1/02	Revised 12/20
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I. Introduction

Operation of a Town vehicle is both a privilege and a responsibility. The purpose of this policy is to identify and monitor drivers who because of their driving practices, attitude, and/or driving history pose a risk to the Town, themselves and the general public. This policy applies to all Town employees who are required to possess a valid Driver's License, including employees who receive authorization from their department head to operate a vehicle (personal and/or Town issued) on Town business.

II. Motor Vehicle Records

The Safety and Risk Manager will review employee's Motor Vehicle Records (MVRs) monthly to determine an employee's eligibility to operate a vehicle for Town business. If an employee's driving rating is at risk, the Safety and Risk Manager will notify the employee's Supervisor in writing and include the employee's MVR or accident history.

III. Motor Vehicle Record Grading Criteria

All Town Employees who are authorized to operate a vehicle on Town business will be held to the grading criteria set forth in this policy. Employee's Motor Vehicle Records (MVRs) will be determined by a combination of NC Department of Motor Vehicle Records and work related preventable accidents.

MVR Grading Matrix (two year period)

Number of Violations	Number of work related preventable accidents			
	0	1	2	3
0	Clear	Acceptable	Acceptable	Poor
1	Acceptable	Acceptable	Poor	Unacceptable
2	Acceptable	Poor	Unacceptable	Unacceptable
3	Poor	Unacceptable	Unacceptable	Unacceptable
4	Unacceptable	Unacceptable	Unacceptable	Unacceptable

Note: 4 or more preventable accidents in the last two years with no violation will result in an "unacceptable" rating.

Town of Kernersville Safety and Health Policy and Procedure Manual	Motor Vehicles Records Policy Section 0110	Date 1/02	Revised 12/20
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IV. New Employee Qualifications

Any conditional employment offer made for a position with driving duties shall be contingent upon an MVR meeting the required minimum standards set forth in this policy. Motor Vehicle Records (MVR's) will be examined prior to the start of employment by the Safety & Risk Manager. New driver's ratings will be based on the MVR matrix will not be hired with a "poor" or "unacceptable" rating. Individuals who do not meet the pre-employment requirements, will be presented to the HR Director as to why they are not eligible for hire. The HR Director will notify the hiring manager of the disqualification and documentation will be retained with the application.

V. Driver Qualifications

Driving records must remain "acceptable" or "clear," based on the MVR grading matrix for continued employment in positions with driving duties.

Preventable accidents that meet both of the following criteria, will be considered exceptions* and not counted against the employee's record.

- 1) The accident involves only the Town vehicle they are operating and/or occurs on Town property **and**
- 2) The accident results in less than \$100 damage (parts cost) to the vehicle or \$100 in repair cost to Town property (structures, etc.)

**Multiple accidents that fall into the above exception criteria will be reviewed on a case by case basis. Excessive violations will impact the Employee's MVR rating and appropriate disciplinary action will be recommended.*

VI. Employee Responsibilities

It is the employee's responsibility to inform their supervisor of any incidents that could potentially change their status as an employee who is authorized to operate a vehicle on Town business. Any employee who fails to report incidents that affect driving status will be removed from a driving position for a minimum of 30 days and will be subject to disciplinary actions up to and including dismissal. The following items must be reported as soon as possible after an incident and BEFORE operating a vehicle on Town business:

- Refusing to submit to any test of intoxication/impairment conducted by law enforcement officials.
- Suspension of a driver's license as a result of a moving violation or operation of a motor vehicle without a valid driver's license.
- Charge or conviction of driving while intoxicated (DWI) or under the influence (DUI) involving any drug or alcohol use.

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- Charge or conviction of failing to stop and report when involved in an accident.
- Charge or conviction of homicide or assault from the operation of a motor vehicle.
- Charge or conviction of reckless or dangerous driving.
- Attempting to elude a law enforcement official while operating a vehicle.

VII. MVR Minor vs. Major Violations

Minor Violations: Any minor violation other than a major except:	Major Violations
<ul style="list-style-type: none"> • Motor vehicle equipment, load or size requirement • Improper/failure to display license plates • Failure to sign or display registration • Failure to have driver's license in possession (if valid license exists) • Infraction involving improper equipment 	<ul style="list-style-type: none"> • DWI within the last 3 years • Failure to stop/report an accident • Reckless driving/speeding contest • Making a false accident report • Homicide, manslaughter or assault arising out of the use of a vehicle • Driving while license is suspended/revoked • Attempting to elude a police officer • Passing a stopped school bus

VIII. Employee MVR Grading Consequences

Prior to an employee reaching a "poor" rating, the employee's direct Supervisor(s) and/or the Department Head will meet with that employee to discuss the incidents that have occurred and discuss the consequences of a "poor" rating. Written acknowledgement of that meeting must be sent to the Safety and Risk Manager by the Department Head or Supervisor within 48 hours. Employee MVRs who do not fall within the acceptable or clear categories will be subject to the following disciplinary actions:

1. Employees with driving records that fall into the category of "poor" will be suspended from work without pay for a minimum of 1 week¹, driving privileges will be suspended from the date of accident or conviction for 30 days, and the employee must complete or be enrolled in an approved (4 hour) Defensive Driving Course at the employee's time and expense within the 30 days the driving privileges are suspended.

¹ One-week suspension is equivalent to 1.92% of the total hours worked in a 12-month period.

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Proof of course completion must be received by the Safety & Risk Manager before driving privileges are restored. See below for a list of approved Defensive Driving Courses.

Approved Defensive Driving Courses

Forsyth Technical Community College
Guilford Technical Community College
Town of Kernersville Sponsored courses

Additional institutions may be approved by submitting a request in writing to the Safety & Risk Manager **before** enrolling.

2. Employees with a driving record that fall into the category of “unacceptable” will not be allowed to drive a vehicle for Town business until the rating has been upgraded to “acceptable”.
3. Employees charged with a major violation will not be allowed to operate a vehicle for Town business prior to resolution within the court system. Employees convicted of a major violation will be suspended from work without pay for a minimum of 2 weeks² and will not be able to operate a vehicle for Town business for a minimum of 12 months or until the rating has been upgraded to “acceptable”. Employees with more than one major violation on their driving record within the last three years shall not be allowed to drive a vehicle on Town business until only one major violation is present during the previous three years.

Employees, whose position requires a valid driver’s license and are not allowed to operate a motor vehicle due to a “poor” or “unacceptable” rating, may be subject to disciplinary actions up to and including dismissal.

Any exceptions to these guidelines must be referred to the Town Manager for written approval.

² Two weeks’ suspension is equivalent to 3.85% of the total hours worked in a 12-month period.

Town of Kernersville Safety and Health Policy and Procedure Manual	Cellular Phone Use Section 0120	Date 11/05	Revised 12/20
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Town of Kernersville employees shall consider safety first. The Town expects its employees to use cellular telephones and mobile devices in a manner consistent with Town policy and comply with all applicable laws. Texting and reading text messages or email while driving is unlawful in North Carolina*. If an employee must send or receive an email or text message while on the road, they are required to safely stop the vehicle before doing so. Violations of this law will result in disciplinary action in accordance with Article XIII of the Town of Kernersville Personnel Policy and will impact an employee's motor vehicle criteria grading as outlined in the Town's MVR policy.

The use of a cellular telephone or mobile device, while operating a motorized vehicle or equipment, is strongly discouraged. Employees should plan to allow placement of calls prior to driving or while on scheduled breaks. If an employee must use their cellular telephone to conduct business while driving, they should use hands free mode, keep conversations brief, and avoid unnecessary calls. ***When driving conditions are deemed as hazardous no calls shall be made or received.*** If it is necessary for the employee to read or write while taking the call, the employee shall pull off the road.

Employees using cellular telephones or mobile devices shall maintain professional conduct during conversations. Cellular telephones and mobile devices are operated through radio frequencies, and are therefore subject to the Federal Communications Commission Rules and Regulations. Discussions of topics that are inappropriate or confidential either by law, Town policy, or for other reasons, should never be conducted via cellular telephone or mobile device. Employees should be aware that cellular communications can be intercepted by scanning devices. Caution shall always be considered while discussing confidential issues. Employees are also reminded that Town issued phones or mobile devices should not be utilized for personal use unless specifically authorized by the Department Head or Supervisor. Excessive personal use of such device may lead to disciplinary action as described in the Personnel Policy under Section V. Responsibilities of Employment, Subsection 1.0 Responsibility of Employee.

**Legislation makes it unlawful to use a mobile phone to type or read text messages or emails while driving in North Carolina. However, the law contains exceptions for voice operated technology, the use of global positioning systems (GPS), and "wireless communication devices used to transmit or receive data as part of a digital dispatch system." In addition, the law does not apply to law enforcement personnel or fire fighters, or to ambulance drivers or to drivers who are "lawfully parked or stopped." Violation of this law is a misdemeanor, punishable by a \$100 fine.*

Town of Kernersville Safety and Health Policy and Procedure Manual	Seat Belt Usage Section 0130	Date 11/05	Revised 01/21
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Seat Belt Usage

All drivers operating any vehicle for Town business and passengers shall wear seatbelts and shoulder harnesses whenever the vehicle is in motion on public or private thoroughfares and roads.

As stated in G.S. 20-135.2A, there are two exceptions to this policy:

1. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle if the speed of the vehicle between stops does not exceed 20 miles per hour
2. A passenger of a residential garbage or recycling truck while the truck is operating during collection rounds

Occupants are expected to wear seat belts when the vehicle exceeds 20 miles per hour or collection rounds have been completed.

Seat belts should be inspected regularly by drivers and passengers. If the equipment is damaged or missing components and is not functional, it is the employee's responsibility to report it to their Supervisor to ensure this safety feature is repaired and operational.

Seat belt usage is not an option, it's the law and employees can be subject to disciplinary action for non-compliance.

Town of Kernersville Safety and Health Policy and Procedure Manual	Heat Stress Policy Section 0140	Date 1/06	Revised 12/20
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I. Introduction

The Town of Kernersville is committed to the health and safety of employees. The goal of this Policy is to minimize the detrimental effects of excessive heat on employees who are required to work outdoors or within indoor environments with elevated temperatures. Background information is also included. Effective measures to prevent heat stress vary by job duties and the work environment. See Appendix A for *Suggested Measures to Prevent Heat Stress*.

II. Causes

Heat Stress is influenced by several risk factors: climatic conditions, the work environment, demands of the work, clothing and personal characteristics.

- **Climatic and environmental conditions** that affect the risk of heat-related disorders are air temperature and humidity, air movement, and the temperature of surrounding surfaces which affects radiant heat exchange.
- **Demands of the work** influence the stress on the temperature regulation system. Individual responses to a given work load vary but, as an employee expends more energy, the body's internal metabolic heat production rises. This increases stress on the cardiovascular system to regulate body temperature (i.e., by increasing blood flow to skin). Work-related factors that influence heat stress include work rate, level of physical effort, and type of work and duration of activity.
- **Clothing** characteristics such as insulation, permeability, weight, fit, color and ventilation affect the body's ability to regulate internal temperatures. Other factors that may increase the risk of heat-related disorders include additional equipment, the use of a respirator, or other personal protective equipment (PPE).
- **Personal characteristics** such as age, weight, previous heat stress injury, underlying medical conditions (e.g., diabetes, cardiovascular disorders, chronic pulmonary disease, and thyroid disorders), medication use and overall health and physical fitness contribute to an employee's susceptibility of contracting a heat-related illness. Employee's personal decisions such as what you drink, eat, and if you smoke or not can greatly affect your risk of a heat related illness.

Working in an environment with heat stress not only increases the risk for specific heat related conditions such as heat exhaustion and heat stroke, but also increases the risk for other adverse events. A study conducted by NIOSH (National Institute for Occupational Safety and Health) links the signs of heat stress (e.g., lower mental alertness and physical performance) to an increase in workplace accidents.

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III. Signs and Symptoms of Heat-Related Disorders

Heat related disorders may occur when there is an exposure to heat risk factors. The chart below illustrates some of the signs and symptoms associated with heat stress. If the employee is experiencing any of these symptoms (excluding heat rash), the employee should seek medical treatment immediately.

Disorder	Signs	Symptoms
Dehydration	Loss of work capacity Delayed response to stimuli	Fatigue Weakness Dry mouth
Heat Exhaustion	High pulse rate, confusion, anxiety Profuse sweating Low blood pressure Pale face, or flushing Body temperature increased but below 104 degrees F. Excessive thirst, decreased urine output	Fatigue, malaise Weakness Blurred vision Dizziness Headache Nausea Loss of appetite
Heat rash	Skin eruptions	Itching skin, prickly sensation, redness
Heat Stroke	Red face Mental status changes such as Disorientation, Confusion or Irritability Hot, dry skin Erratic behavior Collapse Shivering Body temperature >104 F	May be same as those for heat exhaustion (see above)
Heat Cramps	Incapacitating pain in muscle	Muscle cramps (abdominal and lower extremities) Fatigued muscles
Heat Syncope	Brief fainting or near fainting behavior	Blurred vision

ANY QUESTIONS REGARDING HEAT-RELATED HEALTH DISORDERS (SIGNS, SYMPTOMS, PREVENTION, OR TREATMENT) SHOULD BE DIRECTED TO YOUR SUPERVISOR OR THE SAFETY & RISK MANAGER.

IV. Preventive Controls

A control is a mechanism used to minimize or eliminate an exposure to a hazard, such as heat. There are three types of controls (e.g. engineering, administrative and personal protective equipment) that can be implemented to reduce exposure to excessive heat. Each person and situation is unique, so controls and their application will vary. Suggested controls are given in Appendix A (*Suggested Measures to Prevent Heat Stress*). Contact

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your supervisor for help in selecting the most appropriate preventive measures for your work.

V. Administrative Controls

Administrative controls, also known as work strategy controls, are strategies used by supervisors to limit exposure to a hazard. For example, changes to the work schedule (i.e., when and how the job is performed) can limit the amount of time an employee is exposed to elevated temperatures. For additional information regarding Responder Rehabilitation for the Fire Department personnel, see Appendix A.

Engineering Controls

Engineering controls are physical changes made to the work environment, such as adding fans or air conditioning to an indoor environment.

Work Practices and Person Protective Equipment

Other than hats, cooling towels and loose-fitting clothing, there is a limited selection of personal protective equipment to reduce the risk of heat stress. Contact your supervisor for help in evaluating the effectiveness of available personal protective equipment.

In some cases, personal protective equipment such as impermeable protective clothing and respirators may increase the risk of developing a heat-related disorder. If such PPE is truly necessary, administrative and engineering controls may be necessary to allow work in heat risk environments. Contact your supervisor for help with these decisions.

VI. Responsibilities for Monitoring for Signs and Symptoms

All Employees

Supervisors, coworkers and employees themselves are responsible for monitoring for the signs and symptoms of heat-related disorders. See the above table for information on recognizing the signs and symptoms of impending heat stress. A supervisor or coworker is often in the best position to observe the onset of a heat-related disorder.

- When heat stress risks are present, supervisors should regularly check workers (by observation and questions) for signs and symptoms of heat stress.
- Take extra care to monitor those at high risk, such as employees who are older or overweight, employees who overexert themselves, and employees with chronic medical conditions including diabetes, heart or lung disease, thyroid disease or high blood pressure. Employees who take certain medications may also be at increased risk and need to check with their physician.
- If you need to work outdoors or within indoor environments with elevated temperatures, monitor yourself for the signs and symptoms of heat-related illness, such as taking your own pulse.

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- Use a buddy system. When working in the heat, monitor the condition of your coworkers and have someone do the same for you.
- Supervisors should check to ensure that employees are self-monitoring, and ask for their determinations.

Department Head and Supervisor

Departments with employees who must work outdoors or in environments with extreme heat are required to address heat stress by providing detailed information to their employees on:

- Recognition of heat stress and risk factors.
- Preventive measures that will be used during periods of exposure to excessive heat. The choice of effective preventive measures will depend on the work being done, the work environment, and the people doing the work.
- Fluid replacement.
- How an employee can determine if they are experiencing the signs and symptoms of heat stress (i.e., self monitor).

Supervisors are required to provide initial heat stress training for each employee who must work outdoors or in environments with extreme heat. Documentation of this initial training shall be submitted to Safety & Risk Manager. During the warm season, supervisors should closely monitor their staff to ensure compliance with this policy and evaluate if any additional measures are needed.

Cool water should be immediately available to any employee who is required to work outdoors or within indoor environments with excessively hot temperatures.

Employee Responsibilities

Employees who work outdoors or within indoor environments with elevated temperatures have the following responsibilities.

- Participate in your department's heat stress training. Learn the signs and symptoms of heat stress, as well as risk factors.
- Take extra care if you are at high risk. You may be at increased risk if you are older or overweight, you overexert, you have a chronic medical condition including diabetes, heart or lung disease, thyroid disease or high blood pressure. If you take medications, you should check with your doctor to see if you are at increased risk because of the effects of these medications.
- Take time to acclimate to heat and humidity. A heat wave is stressful to your body. You will have a greater tolerance for heat if you limit physical activity until you become accustomed to it.
- Stay hydrated by drinking small amounts of cool water frequently, to relieve thirst and maintain adequate urine output.
- Wear appropriate clothing. Choose lightweight, light-colored, loose-fitting clothing.
- Pace yourself. Start slowly and pick up the pace gradually.

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- Monitor yourself for the signs and symptoms of heat-related illness, described above.
- When working in the heat, monitor the condition of your co-workers. Ask your coworker to do the same for you.
- Promptly report to your supervisor any known or suspected unsafe conditions, or unsafe procedures.

Safety & Risk Manager Responsibilities

Periodically, the Safety & Risk Manager will evaluate the workplace for heat stress risk and recommend ways to manage exposure to heat. Temperature exposure, the demands of the work, and protective equipment will be evaluated. Recommendations will address controls and safe exposure times and for a given level of heat stress.

Employee training will also be coordinated with departments during warm seasons.

VII. Train Employees Who Are At Risk of Heat Stress

Heat stress training should include:

- A review of heat-related disorders and their risk factors.
- Recognition of the signs and symptoms of heat-related disorders, and the importance of monitoring for them.
- Preventive measures that will be used.
- Fluid replacement options and expectations.

VIII. Issue Heat Alerts

When conditions are present that contribute to heat stress, departments and work units are to alert at risk employees and implement their preventive measures for working in heat. The alert should include a reminder of signs and symptoms, how to control exposure, and a re-emphasis of the preventive work strategies to be followed.

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Appendix A

SUGGESTED MEASURES TO PREVENT HEAT STRESS

The Town of Kernersville is committed to the health and safety of our employees. The guidance below compliments the Town's *Heat Stress Policy*. Together, these documents will help to minimize the detrimental effects of excessive heat on Town employees who are required to work outdoors or within indoor environments with elevated temperatures.

There are many steps that can be taken to prevent heat stress. Some of these steps can be taken by the employee, while other preventive measures can be implemented by supervisors and departments. Work environments can be changed to reduce the risk of heat stress. Every situation is different. The best combination of ways to prevent heat stress depends on the particular work being done, the environment in which it must be done, and the employees doing the work. Consider the following suggestions below to find the best combination of ways to prevent heat stress for your situation.

Preventive Measures Employees Can Take

Employees should take special precautions to avoid heat-related illness in unusually hot weather when working outdoors or in unconditioned indoor environments. People suffer heat-related illness when their bodies are unable to regulate internal body temperature. In hot weather, the body normally cools itself by sweating. Under some conditions, however, sweating isn't enough. Such conditions include high humidity, where air movement is limited, working in the direct sun, heavy physical exertion and poor physical condition. Some medical conditions and medications can also reduce the body's ability to tolerate heat. Still, heat-related illness is preventable by following these guidelines when working outdoors in hot weather:

- Drink small amounts of cool water frequently (every 15 minutes) to prevent dehydration. Drink throughout the day to relieve thirst and maintain an adequate urine output.
- Plain water is usually adequate without need to take additional salt or minerals beyond those in your diet. A sports beverage can replace the salt and minerals you lose in sweat. These types of drinks should be limited.
- Wear appropriate clothing. During periods of elevated temperature, employees should wear light-colored, lightweight, loose-fitting cotton clothing that allows ventilation of air to the body.
- Protect yourself from the sun by wearing a wide-brimmed hat. (Sunglasses and sunscreen—SPF 15 or higher—are also recommended.)
- Pace yourself. Start slowly and pick up the pace gradually.
- Stand or sit up slowly. Flex leg muscles before moving.

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- Take time to cool down with frequent breaks in excessive heat. Rest often in shady areas.
- Take time to acclimate to heat and humidity. A heat wave is stressful to your body. You will have a greater tolerance for heat if you limit physical activity until you become accustomed to it. Acclimation to a stressful environment may take days or weeks. Gradual adaptation improves the employees' ability to tolerate heat by sweating more efficiently, thus cooling the body and making it easier to maintain a normal temperature.

Signs and symptoms of heat-related illness include headache, dizziness, lightheadedness, fainting, weakness, malaise, mood change, mental confusion or irritability, nausea or vomiting, rapid pulse and excessive sweating or lack of sweating with hot dry skin. An employee experiencing any of these signs or symptoms should seek medical attention as soon as possible.

Preventive Measures Supervisors Can Take

As explained in the Town's *Heat Stress Policy*, departments and supervisors with employees who normally work outdoors or in unconditioned indoor environments need to address heat stress in their area and review preventive measures to lessen the effects of heat stress.

Preventive measures that can be implemented by a supervisor are also called *administrative controls* or work strategy controls. Administrative controls are strategies using managerial involvement to limit exposure to a particular hazard. In the case of heat stress, administrative controls limit the amount of time an employee is actually exposed to elevated temperatures. Administrative controls can be changes to how the job is performed, or work schedule changes to when the job is performed.

Rest and Cool Down Breaks

Consider changes to your break practices to lower the risk of heat stress. Possible changes during heat-stressed conditions include:

- Encourage employees to take breaks and hydrate any time they feel necessary.
- Pace the job to allow more frequent breaks for fluid intake and sufficient recovery time.
- Take a break in a shaded area, air conditioned building or vehicle.

Work Schedule Changes

Consider changes to your work to lower the risk of heat stress. Possible changes include:

- When feasible, departments can schedule routine maintenance and repair work, which exposes employees to heat-stressed conditions, until cooler periods of the day or cooler seasons. Limit sun exposure during mid-day hours.

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- If a job is essential for continuing operations, consider implementing a worker rotation schedule every hour or sooner. Allow sufficient recovery time for each worker.
- Implement summer work schedules (e.g., 6:00 a.m. to 2:00 p.m.).
- Permit heavy work only from 7:00 a.m. to 9:00 a.m. or earlier.
- Complete all other moderate to light work before 12:00 Noon.
- If extensive PPE is required, then those jobs should be scheduled for the cooler part of the day (i.e., early mornings).
- Supply additional PPE such as cooling towels or vests.

Other Preventive Measures in the Work Environment

Engineering controls are physical changes made to the environment. To minimize the risk of heat-related disorders, consider these steps:

- Open windows and add fans to increase air movement in order to provide air cooling and ventilation of heat.
- Shield radiant heat sources or local exhaust at the point of heat generation.
- Provide shaded areas during remote outdoor work (e.g., constructing temporary shelters using tarps)
- Equip tractors, lawnmowers, and other outdoor equipment with cabs or canopies.

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Introduction

The Town of Kernersville is committed to serving a wide range of citizens. Providing services to these and other persons can place Town employees in a position of vulnerability to violence or threatening behavior. The Town values its employees and clients and, with this Policy, the Town of Kernersville affirms its commitment to providing workplaces and facilities that are free from violence.

Types of Perpetrators

Strangers - To help protect employees from violent strangers in the community, the Town will provide crime prevention information to employees and will address security issues involving worksites and facilities.

Clients - Employees in many departments deal with clients who are distressed and who may make threats or commit acts of violence. The Town will provide support and guidance to employees so that threats of violence can be recognized and prudently addressed, and so that acts of violence can be prevented if possible.

Client violence may be difficult to control. The handling of some client violence situations may properly be the primary function of local law enforcement agencies. As a matter of policy, the Town of Kernersville will not tolerate violent acts or threats of violence by clients or other members of the public towards employees.

Family Members or Acquaintances - If the workplace is affected by a violent act or threat of violence by an employee's family member or acquaintance, the Town will provide support and guidance for the victim and his or her co-workers.

Employees - The Town of Kernersville will not tolerate violent acts or threats of violence (either verbal or implied) by employees. In such cases, the Town endorses immediate and definitive use of the disciplinary process up to and including discharge from Town employment, consistent with ensuring the safety of co-workers. Criminal prosecution will be pursued as appropriate. The Town also advocates a preventive approach whereby merit system rules and regulations are fairly and consistently administered, and where troubled employees receive guidance and, if necessary, professional help.

Roles and Responsibilities

Department Heads - Department Heads are responsible for ensuring that this Policy is implemented in their respective departments and that the unique needs of their departments are addressed through procedures and training. Each department must develop a plan for preventing and responding to acts of workplace violence. These plans need not be lengthy, but they shall contain as a minimum a Facility Emergency Plan

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attachment that includes facility specific procedures (such as alarm buttons and escape routes), notification lists, and a timeline for training designated employees.

Managers and Supervisors - It is the responsibility of managers and supervisors to make safety their highest concern. When made aware of a real or perceived threat of violence, management shall conduct a thorough investigation, provide support for employees, and take specific actions to help prevent acts of violence. Managers and supervisors shall also provide information and training for employees as needed.

Employees - Employees should learn to recognize and respond to behaviors by potential perpetrators that may indicate a risk of violence. Employees shall also place safety as the highest concern, and shall report all acts of violence and threats of violence.

Physical Security

Since the Town is a public organization that wishes to remain accessible to its clients to the fullest extent possible; it is not the Town's intent to implement a widespread "fortification" of its facilities. The Town prefers to train its employees to be the primary means of reducing workplace violence. However, certain facilities, due to the nature of the service provided, may need barriers, cameras, better locks, and the like. Where such structures are necessary, they should be constructed in the least obtrusive way feasible.

Training and Information

Although acts of workplace violence cannot be precisely predicted, knowledge of how to respond to perpetrators can help Town employees minimize the risk of violence or injury. The Town will provide training that will help to take appropriate precautions and respond wisely when confronted with a potentially violent individual. Departments will structure this training to meet the unique needs of each operation.

Since the vast majority of violent acts perpetrated by employees and employee family members are preceded by a number of behaviors that signal an escalating situation, the Town will provide employees with written materials that will help them recognize the warning signs of violence, and will recommend professional consultation or initiate intervention measure before a violent act occurs.

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WORKPLACE VIOLENCE PREVENTION:

A GUIDE FOR EMPLOYEES

Introduction

Workplace violence is a concern of many Town of Kernersville employees. Although workplace violence is not a crisis or an epidemic (the rate has remained more or less steady for the last fifteen years), it is important to be prepared. This booklet provides a brief overview of how to deal with threats and acts of violence involving a stranger, a client, a co-worker or a co-worker's family member or acquaintance.

Protection from Violence

Protection through Planning - Each facility should add a Workplace Violence Prevention section to its Facility Emergency Response Plan. The development of this section should involve the Emergency Response Team Leader(s), Department Head, Safety and Risk Manager, and facility Safety Committee.

Each section should include the following elements:

- Specific roles and responsibilities.
- Training.
- Protective measures for employees who perform certain tasks.
- Evacuation routes and safe assembly areas.
- Means of communication.

Ask your supervisor about the Plan for your facility.

Protection through Building Security - Since the Town's policy is to keep its facilities as accessible as possible to its clients, the Town prefers to not rely on physical security measures as the primary means of preventing workplace violence. However, there are certain measures that can be taken, and your supervisor is responsible for working with the Department Head to ensure the physical security of your building. These measures can include:

- Installing a central reception area for each facility, with some kind of physical barrier to help control visitor access.
- Providing an escape route for all personnel.

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- Making sure that all non-public entrances are kept closed to the public. Check with the Fire Marshal before locking a door that is not equipped with a "panic bar" on the inside.
- Other facility-related items (exterior lighting, adequately pruned landscaping, buzzers or silent alarms, and signs).

It may be necessary at some facilities to go beyond the minor physical measures listed above. Decisions regarding the installation of such structures as special locks, and bulletproof glass will be made at the department head level due to the considerable planning and expense involved. Be aware that such structures, although effective, are not a fail-safe protection against workplace violence. To be truly effective, any physical security improvements should also be accompanied by continued awareness and caution on the part of all employees. Ask your supervisor if you have concerns in any of these areas.

Protection From Strangers - With some types of workplace violence such as armed robbery and assault, the perpetrator is a stranger. This can be someone who comes to your building (but not as a client) or it could be someone you encounter while out on Town business. To help protect yourself from this type of crime, consider the following tips:

- Try to have a co-worker with you, especially at night - the "buddy system".
- If you have to work late in a Town building, move your car to a well-lighted area near the exit before it gets dark.
- Walk in well-lighted areas as much as possible.
- Walk confidently and at a steady pace. If you think you are being followed, go to a public area or building.
- Face traffic when you walk and avoid bushes, doorways, and other places where someone could hide.
- If possible, do not carry a purse; but if you do, carry it over your shoulder and wear your coat over it to conceal it, or hold it in front of you without the strap on your shoulder or neck, folding your arms over it like a football player.
- Never leave your car with the engine running, and don't leave the keys in the ignition.
- If people ask you for directions, politely, but firmly tell them you do not know - and stay well away from them.
- Keep your car doors locked when parked and when driving. Close all windows tightly.
- To help avoid being abducted, try not to park next to vans, especially ones with no windows.
- As you approach your car, survey the area as you are walking. Have your keys out and ready to use. (You can also use them to defend yourself.) Before you unlock the door, check under the car and in the back seat.
- If your car breaks down, open the hood and tie a white flag to the antenna or display a "Call Police" sign. Stay in the locked car and if people approach, open

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your window just a crack and ask them to call for help. Do not open your car door.

- Discuss any concerns about work practices (such as cash handling), building security, etc., with your supervisor.

Protection from Clients - Many Town clients are under a great deal of stress, and may be frustrated or angry before they even walk in your door or meet with you in the field. A respectful greeting, a smile, and a listening ear can help calm an inflamed temper. It is always best to use the lowest level of response when dealing with an angry client. For example, avoid raising your voice if they raise theirs. Make an extra effort to understand and be understood. If the person seems distracted, restate the problem to focus his or her mind on the issue at hand.

Stay calm, and try to keep the situation from escalating by expressing empathy for the client's feelings. Don't argue; ask what you can do to help. Restate the client's position to make sure he or she knows you understand the issue. You may want to momentarily distract the client by changing the subject. If you are not successful and have to take other action (such as summoning help by using a phone, an intercom, or a button that sounds a buzzer), do so calmly and quietly. It is unlikely that you will be able to address the major stresses in the client's life, and you may not be able to do much about the issue that may be causing frustration. In other words, there are some clients for whom no amount of gracious treatment will work. But even if the client does not calm down, there can be a great difference between a client who is merely frustrated and one who becomes violent or resorts to threats of violence. The key is to try to recognize when a client is going to become violent.

There are certain danger signs that may precede a violent act. Observe the client's body language, facial expressions and tone of voice to see if he or she is getting more and more agitated. Clenched fists, a flushed face, or a tense posture are signals to be careful. In such situations, think of how to protect yourself. Try to keep a desk or other barrier between you and the client, and make sure that the client does not block your escape route. If the client is directly in front of you, step back so that you are out of striking range.

If you sense that a client is going to commit a violent act any second, don't hesitate to leave immediately. Find an excuse to leave the area, or if necessary, just leave - then get help, from co-workers, or someone else, depending on the situation. Don't hesitate to call the police at 911 if necessary. It is better to disrupt a work site than to be injured.

A Note about Diversity

If your work involves clients who are unfamiliar with American customs of greeting and speech, you should be aware that cultures vary in terms of what kinds of body language,

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eye contact, and verbal expressions are socially acceptable. For example, some people don't like you to gesture broadly with your arms while talking. Eye contact between a man and a woman can carry different connotations to certain cultures. To avoid agitating a client without knowing it, ask your supervisor for specific information about different cultures.

You may also find yourself trying to help someone who struggles with English. Slow your speech down - perhaps way down - and pronounce all consonants clearly; try using alternate or simpler wording. Refrain from raising your voice and avoid using slang, jargon, or idioms.

Domestic Violence

What Is Domestic Violence? - Domestic violence is where a person in a domestic relationship is abused by the other person in that relationship. This abuse may be physical, but it can also be verbal, emotional, or sexual. The abuser often seeks to exert power or to isolate and control the victim by cutting off finances, friendships, and other means of support. Domestic violence can involve persons in a variety of relationships:

- Spouse or former spouse.
- Live-in partner or former partner.
- Dating, former dating or engagement relationship.
- A person with whom the victim has had a child.
- An elderly person who is abused by a grown child or other care giver.

Because women are six times more likely than men to be injured by domestic violence, this Guide uses feminine pronouns when referring to domestic violence. However, a victim can also be a male.

If a Co-Worker is Being Abused - If you have reason to believe one of your co-workers may be experiencing domestic violence that is impacting your workplace, discuss your concerns with your supervisor. You might also refer your co-worker to the list of resources at the back of this Guide.

If You Are Being Abused - If you are involved in an abusive relationship that is affecting your work or if you are concerned that a perpetrator may come to the workplace with a violent intent, tell your supervisor or talk to one of the resources listed in Appendix A at the back of this Guide. If you feel uncomfortable doing so, take some time to think about barriers to communication that may be affecting you.

Be honest. You do not have to disclose any details that you don't want to, but it will help your supervisor if you honestly discuss how the situation has been affecting you at work. You should especially let your supervisor know if you are afraid that the perpetrator may come to the workplace and harm you or one of your co-workers.

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Keep in mind that your supervisor may need to disclose some information if the safety of the workplace is a concern.

Support for Victims of Domestic Violence - In addition to the support the Town will be able to provide you with while at work, you will need support off the job. You may want to call one of the resources listed in Appendix A at the back of this Guide. The resources listed under "Shelters" may be particularly helpful since they have trained staff members who can provide emotional support as well as logistical support. Your Employee Assistance Program (800-435-1986) may also be able to help.

"Stalkers" - Stalking occurs when a perpetrator "willfully, maliciously, and repeatedly follows or harasses another person and makes a credible threat with the intent to place that person in reasonable fear for his or her safety". Stalking goes beyond mere harassment in that threats of violence are involved. A stalker will usually focus on a particular individual with whom he has had a real or imagined relationship. A stalker can be an abusive husband pursuing his wife or an anonymous admirer pursuing a fantasy.

If stalkers encounter a strong boundary at the victim's workplace, they may be deterred. If you are concerned that someone may stalk you at work, tell your supervisor immediately. The best way to prevent stalking is to not let a relationship, even a casual one, develop or continue any farther than you want it to. Since stalkers have never learned to take "no" for an answer, you must be clear and firm. When declining an unwanted invitation, make sure your answer cannot be interpreted in any way to mean "maybe". Don't give a reason or an excuse - that can only provide a challenge in the mind of the initiator - and don't waver: say simply and firmly, "I'm absolutely not interested in a relationship with you." If the person does not accept your firm refusal, take the situation seriously and consult one of the resources listed at the back of this booklet. If the person is a co-worker, the Town's harassment policy may be of help to you.

Temporary Restraining Orders – North Carolina law permits an employer to obtain a temporary restraining order against a perpetrator (including a perpetrator who is also an employee) who is threatening or stalking an employee, elected official, volunteer, or independent contractor.

If you find yourself in urgent need of protection at any time of the day or night - whether or not the courts are open - you can request an Emergency Protective Order (very short-term) from the law enforcement agency responding to the incident. Contact the Police Department.

Restraining Orders, whether obtained by you or your employer, can be of value. But experience has shown that these Orders often do not prevent further stalking; instead, they can trigger a violation of the terms of the Order - or a violent act. Restraining Orders should therefore be used with extreme caution, and only after thorough consultation with threat assessment experts and knowledgeable legal counsel.

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If You are a Batterer in a Domestic Violence Situation - If you are an abuser in a domestic violence situation, you should be aware that the Employee Assistance Program (800-435-1986) has a confidential counseling program for batterers. You may also want to consult one of the other resources in Appendix A.

Remember that since Town policy prohibits threats by Town employees, the use of Town time, telephones, or other Town resources to convey threatening messages will be dealt with through the Town's discipline process. Since domestic violence is illegal, perpetrators can be subject to arrest and prosecution - and separation from Town service.

Threats of Violence

Reporting Threats - Threats of violence take many forms. They can be verbal, written, or implied (such as through the use of symbols, objects, or mutilated animals). If you are the subject of a threat of violence at work or if you observe threatening behavior, it is important to document your concerns and report them to your supervisor immediately. Be prepared to provide your supervisor with details, including who made the threat (if known), and how and when the threat was made. Save all evidence of threats, including voice and E-mail messages, notes, and letters.

If, after discussions with your supervisor, you wish to convey your concerns to someone else, report the problem up your department's chain of command. You or your supervisor may not be sure if the threat should be taken seriously. When in doubt, refrain from making hasty judgments, since competent threat assessment requires extensive professional training and experience. If you or your supervisors need expert consultation, contact the Human Resources Director.

Bomb Threats - Bomb threats are a unique kind of threat because the stakes are so high. The two most common reasons for bomb threats are:

- The caller knows about a bomb and wants to minimize injury or property damage. (The caller may be the bomber or someone else who has information about the bomb.)
- The caller wants to create an atmosphere of anxiety and panic in order to disrupt normal operations at a Town facility.

Most bomb threats are made by phone. Any employee who receives calls directly could receive a bomb threat. Copy the Bomb Threat Checklist in Appendix B and keep it under your phone.

The decision to evacuate will be made by your supervisor based on the amount of information available and whether the call appears to a legitimate threat or a prank. If an evacuation is needed:

- Pay attention to specific evacuation directions.

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- Leave doors and windows open to let the blast wave escape.
- Take your brief case, purse, lunch bag, etc. with you to minimize the search.
- The supervisor will work with police to keep anyone from re-entering the building.
- Refer to your facility's Emergency Plan.

The search, if required, needs to be done by people who are familiar with the facility. The police will help, but they do not have the resources to do it alone. If you are called upon to help with the search, remember:

- Check your immediate work area and report any suspicious objects to your supervisor.
- Do not touch any suspicious object - leave removal and disposal for the law enforcement officers.
- Use normal phones for communication - radios or cellular phones can detonate a bomb.

Letter Bombs - Letter bombs vary in size and shape, and are usually addressed and booby-trapped to reach a specific target.

Be alert for unusual markings:

- Foreign mail or special delivery.
- Excessive postage.
- Handwritten or poorly typed address.
- Addressed to a title only, or the wrong title with a name.
- Unknown or no return address.
- Misspellings of common words.
- Restrictive markings, such as "personal".

Watch for strange packaging:

- Excessive or lopsided weight.
- Protruding wires or foil.
- Oil or grease stains; strange odor.
- Excessive tape or string.

If you suspect that a package may be a bomb, do not try to open it. Isolate it, keep everyone back at least 25 feet, open doors and windows, contact the Police Department.

Threats by Clients - In addition to the irate client in the encounter described above, you may receive a threatening letter or phone call from a client. Such threats may arise from a client's frustration with government in general, or with a function of Town government in particular. It may also have arisen from a specific action, such as a denial of a request or

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claim. If you receive such a threat, save any evidence (such as voice mail messages) and report the threat immediately to your supervisor.

Threats by Employees - There can be times when a *troubled* employee becomes a *troubling* employee. This usually begins when a pattern of behavior escalates to the point where co-workers are afraid of an employee, or it can be a crisis that ultimately leads to a violent act. However, people rarely commit a violent act "out of the blue", and people don't "just snap". A violent act is almost always preceded by a number of warning signs or changes in behavior. Since these changes can be subtle, it is important to observe behavior carefully. Some of these warning signs are listed below.

Use caution when reading this list - it is not intended as an evaluation tool for you to assess the stability of an employee, since a display of one or more of these signs does not necessarily mean that a person will become violent. This list is simply a summary of the kinds of behaviors displayed by individuals who have at times committed violent acts. The purpose of this list is to heighten your awareness and to help you to determine if you have a cause for concern.

Consider these behaviors as a whole, and don't focus on one isolated act.

- Veiled or open threats of violence, e.g., predicting "bad things are going to happen", especially threats that are detailed or appear to be well planned.
- A history of discipline or litigation; reacting poorly to discipline or performance evaluations.
- Irritability, belligerence, hostility.
- Excessive focus on guns, police or the military; subscription to paramilitary magazines such as "Soldier of Fortune" or boasting of weapons collections.
- Changes in behavior, such as a deterioration of work performance or an increase in concentration problems; becoming inappropriately withdrawn, increasingly angry, or agitated, or out of touch with reality. This may also signal a substance abuse problem.
- A resumption or escalation of drug and / or alcohol abuse.
- Reacting with great stress to workplace events such as layoffs, discharges, demotions, reorganizations, labor disputes, or to personal / family problems such as divorce, bankruptcy, etc.
- Blaming others; inability to accept responsibility. Holding a grudge, especially against a supervisor, or a co-worker who is alleged to have received some "favor" such as a promotion at the perpetrator's expense.
- Depression.
- Paranoia - indicated by statements that everyone is against him or her, or by panicking easily.
- An increased propensity to push the limits of normal conduct, with disregard to the safety of self or co-workers.
- Crossing a co-worker's or supervisor's physical boundaries ("getting in their face"), physical posturing or aggressiveness, stalking, excessive phone calls, etc.

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- A known personal history of violent, reckless, or anti-social behavior.
- References to or identification with mass murderer and infamous incidents of workplace violence, such as Post Office shootings. Having a fascination with recent incidents of workplace violence, and expressing approval of the use of violence under similar circumstances.
- An obsessive involvement with the job, which becomes the sole source of identity.
- A "loner", with little or no involvement with co-workers.
- A combination of the use of stimulants, paranoid behavior, and the purchase of weapons can be a particularly risky combination.

The "bottom line" is: Does this person make you or your co-workers uncomfortable or afraid? If you observe an employee displaying these behaviors in a way that frightens you or your co-workers, tell your supervisor immediately. The information you provide will be handled discreetly and will not be shared with anyone who does not have a legitimate need to know.

Incidents of Violence - If an actual incident of violence occurs in your workplace, how well you and your co-workers respond will depend largely on how well you have prepared. Each incident is different and each response will be different. However, some common actions to take are:

- Call 911 immediately. If you can't speak freely, just calling and leaving the receiver off the hook may allow a dispatcher to hear noises that will clarify the nature of the incident.
- Remember to use your panic button if one is installed. If you don't have access to a panic button, you may be able to use the phone or an intercom system to alert co-workers.
- Give the perpetrator what he or she wants. Don't try to be a hero by denying a request for such items as money, keys, documents, or equipment. These can be replaced, lives cannot.
- Flee if you can. If you can't, try to find a hiding place.
- Cooperate fully with police officers on the scene. These are the professionals who know how to handle such situations and may be acting on information that you do not have.
- If you witness an act of workplace violence that does not directly involve you, your actions will depend on your assessment of the situation and your judgment. In some cases, your involvement may help a co-worker; other times it may be better to simply slip quietly away and call 911.

As soon as you can do so, write down all the details of the incident, including who, what, when, how, and where. Give this information to your supervisor.

Conclusion - Hopefully, you will never be involved in an incident of workplace violence. But due to the types of services the Town provides, and the violent nature of modern

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society, it is important to understand how to help prevent, prepare for, and respond to such incidents. This booklet has provided a starting point for such an understanding, but you should now work with your supervisor and others in your department to fully address specific training and preparedness needs.

Appendix A

Resources

Workplace Violence Contacts:

- Building Modifications: Fire Marshal (336) 996-6791
- Counseling: Employee Assistance Program (800) 435-1986.

Domestic Violence Contacts:

- Family Violence/Family Services: (336) 722-8173
- Victim Services Section / Winston-Salem Police Dept. (336) 773-7865
- Court Services Department (336) 761-2250
- North Carolina Victim Assistance Network (919) 831-2857
- Victim Support Services/Family Services (336) 722-8173
- Safe on Seven (7th Floor of the DA's office) (336) 761-2320
- Shelter Programs:
 - Family Services Shelter (336) 723-8125
 - Next Step Ministries (336) 413-5858
- Legal Services:
 - Domestic Violence Advocacy Center (336) 725-9166
 - Lawyer Referral Service/NC Bar Association (800) 662-7660
 - Legal Aid Society of NW NC, Inc. (336) 725-9166
- Spanish:
 - Hispanic Center (336) 631-1326
 - Library Service to Spanish Speaking People (336) 703-2907
- Other Domestic Violence Resources:
 - Adult Placement/DSS (336) 703-3501
 - Adult Protective Services/DSS (336) 703-3503
 - Child Abuse Center of NC-Exchange/SCAN (336) 748-9028

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- Child Protective Services (336) 703-2287
- Victim Assistance Programs:
 - Court Services Department (336) 761-2250
 - North Carolina Victim Assistance Network (919) 831-2857
 - Victim Services Section/WS Police Dept. (336) 773-7865
- Domestic Violence Websites:
 - U.S. Dept of Labor: www.dol.gov
 - Federal Occupational Safety and Health Administration: www.osha.gov

General Information and Referral Lines:

- Contact – Helpline (crisis line) (336) 722-5153
- Forsyth County Sheriff's Office (336) 748-4100
- Guilford County Sheriff's Office (336) 641-3690
- Kernersville Police Department (336) 996-3177
 - Detective Division (336) 996-2306
- Stokes County Sheriff's Office (336) 593-8787
- Winston-Salem Police Department (336) 773-7700
- United Way Helpline 211

Training Resources

- Videos available for free loan from the NC Department of Labor (Contact the Safety & Risk Manager at (336) 992-0741):
 - Healthcare Violence: Be Part of the Cure
 - Murder 9 to 5
 - Robbery Prevention is Good Business
 - Violence in the Workplace
 - Violence in the Workplace, Part I
 - Violence in the Workplace, Part II
 - Violence on the Job
 - Workplace Violence: The Myths & The Mystery
 - Workplace Violence: The Calm Before The Storm
 - Workplace Violence for Employees
 - Workplace Violence for Management

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Appendix B

Bomb Threat Checklist Place this list under your telephone for easy reference.

	<p>Exact wording of the threat:</p> <div data-bbox="272 982 1003 1134"> <div></div> <div></div> <div></div> <div></div> </div> <p>1. Remain calm and keep the caller on the line as long as possible. Ask to have the message repeated.</p> <p>Ask the caller:</p> <p>There are a lot of people who could be injured. What can you tell me?</p> <div data-bbox="272 1304 1003 1455"> <div></div> <div></div> <div></div> <div></div> </div>
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2.	When is the bomb going to explode?	<input type="text"/>
	Where is the bomb right now?	<input type="text"/>
	What kind of bomb is it?	<input type="text"/>
	What will cause it to explode?	<input type="text"/>
	Did you place the bomb?	<input type="text"/>
	Why?	<input type="text"/>
	What is your address?	<input type="text"/>
	What is your name?	<input type="text"/>

3. Report the threat immediately to your supervisor, the Facility Manager, and (in some cases) 911 (or 9-911). Wait for further instructions.

Be prepared to describe the threat in as much detail as possible to the police. Record information here:

a) Voice characteristics:

Sex of Threat maker:

Approximate Age:

<input type="checkbox"/> Calm	<input type="checkbox"/> Loud	<input type="checkbox"/> Distinct	<input type="checkbox"/> Nasal
<input type="checkbox"/> Angry	<input type="checkbox"/> Laughing	<input type="checkbox"/> Slurred	<input type="checkbox"/> Stuttering
4. <input type="checkbox"/> Excited	<input type="checkbox"/> Crying	<input type="checkbox"/> Lisp	<input type="checkbox"/> Cracking
<input type="checkbox"/> Slow	<input type="checkbox"/> Normal	<input type="checkbox"/> Raspy	<input type="checkbox"/> Disguised
<input type="checkbox"/> Rapid	<input type="checkbox"/> Deep	<input type="checkbox"/> Clearing Throat	<input type="checkbox"/> Accent
<input type="checkbox"/> Soft	<input type="checkbox"/> Ragged	<input type="checkbox"/> Deep Breathing	<input type="checkbox"/> Familiar

If voice is familiar, who did it sound like?

b) Background Noises:

<input type="checkbox"/> Street Noises	<input type="checkbox"/> Music	<input type="checkbox"/> Local
<input type="checkbox"/> Restaurant	<input type="checkbox"/> Household	<input type="checkbox"/> Long Distance

<p>Noises</p> <table border="0"> <tr> <td><input type="checkbox"/> Factory Machinery</td> <td><input type="checkbox"/> Animal Noises</td> <td><input type="checkbox"/> Clear</td> </tr> <tr> <td><input type="checkbox"/> PA System</td> <td><input type="checkbox"/> Motor</td> <td><input type="checkbox"/> Static</td> </tr> <tr> <td><input type="checkbox"/> Office Machinery</td> <td><input type="checkbox"/> Voices</td> <td><input type="checkbox"/> Other</td> </tr> </table>			<input type="checkbox"/> Factory Machinery	<input type="checkbox"/> Animal Noises	<input type="checkbox"/> Clear	<input type="checkbox"/> PA System	<input type="checkbox"/> Motor	<input type="checkbox"/> Static	<input type="checkbox"/> Office Machinery	<input type="checkbox"/> Voices	<input type="checkbox"/> Other
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<input type="checkbox"/> PA System	<input type="checkbox"/> Motor	<input type="checkbox"/> Static									
<input type="checkbox"/> Office Machinery	<input type="checkbox"/> Voices	<input type="checkbox"/> Other									
<p>c) Threat Language:</p> <table border="0"> <tr> <td><input type="checkbox"/> Well spoken</td> <td><input type="checkbox"/> Incoherent</td> <td><input type="checkbox"/> Irrational</td> </tr> <tr> <td><input type="checkbox"/> Foul</td> <td><input type="checkbox"/> Taped</td> <td><input type="checkbox"/> Message read</td> </tr> </table>			<input type="checkbox"/> Well spoken	<input type="checkbox"/> Incoherent	<input type="checkbox"/> Irrational	<input type="checkbox"/> Foul	<input type="checkbox"/> Taped	<input type="checkbox"/> Message read			
<input type="checkbox"/> Well spoken	<input type="checkbox"/> Incoherent	<input type="checkbox"/> Irrational									
<input type="checkbox"/> Foul	<input type="checkbox"/> Taped	<input type="checkbox"/> Message read									
<p>d) Other Details:</p> <p>Remarks: <input type="text"/></p> <p>Phone number where threat was received: <input type="text"/></p> <p>Time of Threat: <input type="text"/></p> <p>Date of Threat: <input type="text"/></p> <p>Your Name : <input type="text"/></p> <p>Position: <input type="text"/></p>											

Town of Kernersville Safety and Health Policy and Procedure Manual	Space Heater Usage Section 0160	Date 01/11	Revised 01/21
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Space Heater Usage In Offices*

The Town of Kernersville allows portable space heaters inside offices. Employees in Town Hall, who are having to continuously run space heaters in their office, are asked to contact Building Maintenance for temperature checks.

Any employees who must use a space heater shall follow the below guidelines for approved space heaters and their usage:

- 1) Unit must have an automatic safety switch that turns it off when tipped over
- 2) Heater has a label or tag indicating testing by an approved laboratory (ex. Underwriters Laboratories)
- 3) Space heater must be electric
- 4) All space heaters shall be unplugged when you exit the building at the end of each workday
- 5) Unit can only be plugged into an outlet and not an extension cord or surge protector
- 6) Heater shall never run while unattended in your office or work area
- 7) Unit should be placed at least three (3) feet away from any combustible item
- 8) Cords are not frayed, worn, cracked, twisted or broken
- 9) Space heater location is not near wet areas or in high traffic areas such as exit ways and does not pose a tripping hazard with the unit or cord
- 10) Cords cannot run through cabinets or doorways

**Office specifications apply to areas that fall into the business category as defined by the Fire Marshal. Other building structure classifications may require additional regulations.*

Town of Kernersville Safety and Health Policy and Procedure Manual	Respirable Crystalline Silica EC Plan Section 0170	Date 2/19	Revised 01/21
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I. Objective

The purpose of the Respirable Silica Exposure Safety Program is to explain the hazards associated with silica dust and outline the steps to take to ensure employees who work with or around silica are not exposed to hazardous levels of silica dust. Town of Kernersville departments impacted by this standard are required to implement the components of this plan to ensure compliance with applicable state and federal regulations.

II. Standard

The following Occupational Safety and Health Administration (OSHA) standards are applicable for respirable crystalline silica:

- General Standard 29 CFR §1910.1053
- Construction Standard 29 CFR §1926.1153

III. Scope

The Respirable Crystalline Silica Exposure Control Plan applies to all employees who have the potential to be exposed to Respirable Crystalline Silica. The OSHA Respirable Crystalline Silica Construction and General Industry Standards applies to all occupational exposures to Respirable Crystalline Silica in construction work or maintenance activities, except where employee exposure will remain below 25 micrograms of Respirable Crystalline Silica per cubic meter of air (25 µg/m³) as an 8-hour time-weighted average (TWA). This Plan shall be included in the Town of Kernersville's Hazard Communications program for applicable employees.

IV. Definitions

If a definition is not listed in this section, please contact your supervisor. If your supervisor is unaware of what the term means, please contact the Competent Person or HES.

- Action Level - a concentration of airborne Respirable Crystalline Silica of 25 µg/m³, calculated as an 8-hour TWA.
- Competent Person - an individual who is capable of identifying existing and foreseeable Respirable Crystalline Silica hazards in the workplace and who has authorization to take prompt corrective measures to eliminate or minimize them.

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- High-Efficiency Particulate Air (HEPA) Filter - a filter that is at least 99.97 percent efficient in removing monodispersed particles of 0.3 micrometers in diameter.
- Permissible Exposure Limit (PEL) - the employer shall ensure that no employee is exposed to an airborne concentration of Respirable Crystalline Silica in excess of 50 µg/m³, calculated as an 8-hour TWA.
- Respirable Crystalline Silica - Quartz, Cristobalite, and/or Tridymite contained in airborne particles that are determined to be respirable by a sampling device designed to meet the characteristics for respirable-particle size- selective samplers specified in the International Organization for Standardization (ISO) 7708:1995: Air Quality-Particle Size Fraction Definitions for Health-Related Sampling.

V. Specific Exposure Control Methods

For each employee working with materials containing crystalline silica and engaged in a task using the equipment and machines listed below, the employer shall fully and properly implement the engineering controls, work practices, and respiratory protection as specified.

Table 1: Specified Exposure Control Methods When Working With Materials Containing Crystalline Silica

Equipment / Task	Engineering and Work Practice Control Methods	Required Respiratory Protection and Minimum Assigned Protection Factor (APF)	
		≤ 4 hours /shift	> 4 hours /shift
(ii) Handheld power saws (any blade diameter)	Use saw equipped with integrated water delivery system that continuously feeds water to the blade. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. – When used outdoors. – When used indoors or in an enclosed area.	None APF 10	APF 10 APF 10
(iv) Walk-behind saws	Use saw equipped with integrated water delivery system that continuously feeds water to the blade. Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions. – When used outdoors. – When used indoors or in an enclosed area.	None APF 10	None APF 10

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Equipment / Task	Engineering and Work Practice Control Methods	Required Respiratory Protection and Minimum Assigned Protection Factor (APF)	
		≤ 4 hours /shift	> 4 hours /shift
(v) Drivable saws	<p>For tasks performed outdoors only:</p> <p>Use saw equipped with integrated water delivery system that continuously feeds water to the blade.</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions.</p>	None	None
(vii) Handheld and stand-mounted drills (including impact and rotary hammer drills)	<p>Use drill equipped with commercially available shroud or cowl with dust collection system.</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions.</p> <p>Dust collector must provide the air flow recommended by the tool manufacturer, or greater, and have a filter with 99% or greater efficiency and a filter-cleaning mechanism.</p> <p>Use a HEPA-filtered vacuum when cleaning holes.</p>	None	None
(ix) Vehicle-mounted drilling rigs for rock and concrete	<p>Use dust collection system with close capture hood or shroud around drill bit with a low-flow water spray to wet the dust at the discharge point from the dust collector.</p> <p>OR</p> <p>Operate from within an enclosed cab and use water for dust suppression on drill bit.</p>	None	None
(xiii) Walk-behind milling machines and floor grinders	<p>Use machine equipped with integrated water delivery system that continuously feeds water to the cutting surface.</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions.</p> <p>OR</p> <p>Use machine equipped with dust collection system recommended by the manufacturer.</p> <p>Operate and maintain tool in accordance with manufacturer's instructions to minimize dust emissions.</p> <p>Dust collector must provide the air flow recommended by the manufacturer, or greater, and have a filter with 99% or greater efficiency and a filter-cleaning mechanism.</p> <p>When used indoors or in an enclosed area, use a HEPA-filtered vacuum to remove loose dust in between passes.</p>	None	None

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Equipment / Task	Engineering and Work Practice Control Methods	Required Respiratory Protection and Minimum Assigned Protection Factor (APF)	
		≤ 4 hours /shift	> 4 hours /shift
(xvii) Heavy equipment and utility vehicles used to abrade or fracture silica-containing materials (e.g., hoe-ramming, rock ripping) or used during demolition activities involving silica-containing materials	Operate equipment from within an enclosed cab. When employees outside of the cab are engaged in the task, apply water and/or dust suppressants as necessary to minimize dust emissions.	None None	None None
(xviii) Heavy equipment and utility vehicles for tasks such as grading and excavating but not including: demolishing, abrading, or fracturing silica-containing materials	Apply water and/or dust suppressants as necessary to minimize dust emissions. OR When the equipment operator is the only employee engaged in the task, operate equipment from within an enclosed cab.	None None	None None

VI. Housekeeping

The employer shall not allow dry sweeping or dry brushing where such activity could contribute to employee exposure to respirable crystalline silica.

- Use Wet Sweeping
- Use HEPA-Filtered Vacuuming

The employer shall not allow compressed air to be used to clean clothing or surfaces where such activity could contribute to employee exposure to respirable crystalline silica. If you're exposed to respirable crystalline silica and engaged in a task using equipment and machines not identified in the list above, contact the Competent Person or Safety and Risk Manager for an exposure assessment to determine the engineering controls, work practices, and respiratory protection requirements to safely do your job.

VII. Additional Procedures

A. Restricting Access to Work Areas

Employees involved in the project work will:

- Limit work to only Town employees unless otherwise contracted
- Other employees around the project will not be present at the worksite more than 4 hours while working directly at the site or within possible exposure areas of the site

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B. Competent Person Requirements

The competent person identified as the Street Superintendent or Asphalt Crew Leader will inspect and oversee all activities with potential airborne silica exposure. Subcontractors working on projects within the scope of this program shall appoint a competent person capable of executing the duties described herein. The competent person must have training in the inspection of work areas and equipment and in the determination of safe working conditions. This person shall have a working knowledge of the 1926.1153 standards, shall be capable of identifying airborne silica hazards, shall determine the need for initial and additional exposure monitoring, shall recommend and implement engineering and work practice controls, shall establish levels of PPE, and shall have the authority to take action to eliminate hazards and correct incidences of noncompliance.

C. Medical Surveillance Program

The Town of Kernersville has determined the tasks associated with these standards does not require medical surveillance as tasks determined in Table 1 will be:

- Completed in less than 4 hours or the work team will be rotated if the project requires more than 4 hours
- Done with only water integrated equipment, closed cab, or shrouded as required

VII. Employee Training

Each employee shall be provided training and demonstrate knowledge and understanding of the following:

- Health hazards associated with exposure to respirable crystalline silica
- Specific tasks that could result in exposure to respirable crystalline silica
- Specific measures that are required to protect employees from exposure to respirable crystalline silica, including engineering controls, work practices, and required use of respiratory protection
- The contents of the 29 CFR 1926.1153
- The identity of the competent person
- Purpose of the medical surveillance program for tasks outside of Table 1

A written compliance program shall be made available to all affected employees.

VII. Audit

The RCS exposure plan shall be for evaluated, reviewed, and maintained at least annually by the Safety and Risk Manager to evaluate program effectiveness.

Town of Kernersville Safety and Health Policy and Procedure Manual	Respiratory Protection Program (N95) Section 0180	Date 3/20	Revised
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I. Purpose

To establish and provide a respiratory protection program that will provide optimal safety for Town of Kernersville employees who may be required to wear N95 respirators during crisis while carrying out their essential tasks.

II. Scope

This policy applies to all department personnel required to wear an N95 respirator. It does not cover Police and Fire personnel as these departments have a separate established Respirator Protection Program administered by their designated safety personnel.

III. Standard

General Industry standard 1910.134 of the Occupational Health Standards requires a Respiratory Protection Program be established whenever respirators are required to be used in an occupational setting. This program applies to all employees assigned to wear respirators and is a guideline to prevent employee overexposure to atmospheric contaminants and oxygen deficient atmospheres which are potentially harmful to health. The use of respirators in this policy refers only to the protection of employees against biological hazards such as a pandemic outbreak.

IV. Roles and Responsibilities

Employer:

Determine the need for N95 respiratory protection. Establish and maintain a Respiratory Protection Program in compliance with the requirements of 1910.134 of the Occupational Health Standards.

Provide all employees in the program with respirators appropriate to the purpose intended (N95).

Employee:

Wear assigned N95 respirator when and where required and in the manner in which they were trained.

Care for and maintain their respirators as instructed, and store them in a clean and sanitary location.

Inform supervisor if the respirator no longer fits well, and request a new one that fits properly.

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Program Administrator:

Shall be the Safety and Risk Manager who will oversee medical clearance, pulmonary function testing, respiratory fit testing and all applicable training for these employees required to wear N95 masks.

V. Requirements

Medical evaluations are necessary for personnel required to use respirators prior to use. Using a respirator may cause physical burdens that vary with the type of work in which the respirator is used. Each employee must undergo a medical evaluation to determine the employee's ability to use the N95 respirator prior to a fit test.

The Safety and Risk Manager shall identify a Physician or other Licensed Health Care Professional (PLHCP) to administer a medical questionnaire to each employee. The questionnaire shall be administered confidentially and the employee will take the questionnaire with them to the exam. The questionnaire will determine the need for a follow-up physical examination. The employee shall have the opportunity to discuss the questionnaire and examination results with the (PLHCP) if desired. A summary of the Pulmonary Function Test (PFT) and medical evaluation from the PLHCP shall be sent to the Safety and Risk Manager.

Additional medical evaluations will be provided under the following circumstances:

The physician or supervisor informs the Safety and Risk Manager that the employee needs to be reevaluated.

Employee reports signs and/or symptoms related to their ability to use a respirator, such as shortness of breath, dizziness, chest pains, or wheezing.

Observations made during fit testing and program evaluation indicates an issue.

A change occurs in workplace conditions that may result in an increased physiological burden on the employee.

The Safety and Risk Manager will arrange an appropriate time for the exam and shall be paid by the employer. If a follow-up or a referral to the employee's Primary Care Physician (PCP) is needed, the employee will be responsible for this evaluation and treatment. Should the PCP determine the employee cannot wear the N95 mask, the employee, supervisor and Department Head will be advised. If the employee wants to voluntarily wear the mask, observance of the General Industry

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standard 1910.134 of the Occupational Health Respiratory Protection Program requires the employee to read, understand and sign the Appendix D form. The Safety and Risk Manager shall be responsible for supplying the employee with this form and training them on the proper usage, cleaning, and storage of the N95 mask. The Safety and Risk Manager will also be responsible for this record keeping.

VI. Fit Testing Procedures

All employees wearing N95 respirators must be fit tested with the same make, model, style, and size of respirator that will be used during recognized crisis or situations. The Respiratory Protection Program Administrator (Fire Department designee) will oversee the fit testing of these employees.

Fit tests will be conducted on all employees who use N95 respirators following the initial medical evaluation, at least annually thereafter, or whenever the employer observes or receives a report of changes in the employee's physical condition that could affect respirator fit, or the employee states that the fit of the respirator is unacceptable.

Factors that may affect mask fit are:

Significant weight change, facial scarring, dental changes, reconstructive or cosmetic facial surgery or any other condition that would interfere with mask fit.

Fit tests will be administered using an OSHA-accepted qualitative test for smell and taste reaction. The protocol used will be stated on the fit test record for each employee. Fit testing shall follow OSHA's mandatory guidelines for qualitative testing protocol.

VI. Respirator Training

The Safety and Risk Manager will provide training to those who use N95 respirators. The training will be comprehensive, understandable, and occur annually. Proper documentation of this training shall occur.

The Safety and Risk Manager and the Fire Department designee shall ensure that each employee can demonstrate knowledge of at least the following:

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Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator.

What the limitations and capabilities of the respirator are.

How to inspect, put on and remove, use, and check the seals of the respirator.

What the procedures are for maintenance and storage of the respirator.

How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators.

The general requirements of this program.

Retraining shall be administered annually or when inadequacies appear necessary to ensure safe respirator use.

VII. Respirator Usage

Designated employees will use their N95 respirators under conditions specified by Town Manager's authority during a Public Health Emergency Crisis and in accordance with the training they received. All employees shall conduct user seal checks every time they use the respirator by cupping both hands around the mouth and taking deep breaths as trained. Should they feel incoming air around the shield, employees will readjust or tighten their masks until no inflowing air is felt around the edges of the N95 respirator.

Employees are not permitted to wear headphones, jewelry, or other articles that may interfere with the face piece to face seal. This may also include glasses if they interfere with the seal.

VIII. N-95 Filtering Face Piece Respirator

This Respiratory Protection Program applies only to the N-95 respirator and use of any other respiratory protection device must be preapproved by the program administrator and appropriate testing shall be done.

N-95 filtering face piece respirators mask shall be worn when there is a threat of a potential exposure to airborne contaminants or pathogens such as tuberculosis, SARS or COVID - 19.

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Employees should visually inspect the N95 respirator to determine if the structural and functional integrity of the respirator has been compromised. Over time, components such as the straps, nose bridge, and nose foam material may degrade, which can affect the quality of the fit and seal. If the structural and functional integrity of any part of the respirator is compromised, or if a successful user seal check cannot be performed, discard the respirator.

Cleaning, disinfecting, storing, inspecting, shall be completed before and after each use of the mask. Should the N95 respirator become contaminated and rendered useless, the mask will be discarded and the employee should contact the Safety and Risk Manager for additional respirators.

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§1910.134 Appendix D

Information for employees using respirators when not required under the standard (mandatory)

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use is encouraged, even when exposures are below the exposure limit, to provide an additional level of comfort and protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirator to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA standards. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

1. Read and heed all instructions provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations.
2. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Department of Health and Human Services, certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.
3. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designed to protect against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors, or very small solid particles of fumes or smoke.
4. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

[63 FR 1270, Jan. 8, 1998; 63 FR 20098, 20099, Apr. 23, 1998, as amended at 69 FR 46993, Aug. 4, 2004; 71FR 16672, Apr. 3, 2006]

Employee Name – Print

Employee Signature

Date