

**Town of Pikeville  
Personnel Policy  
Pikeville, North Carolina  
March, 1998**

**PERSONNEL POLICY**  
**Town of Pikeville**

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SPECIAL NOTE: The article and subsection codification effort is only an attempt to display a logical format. Actual codification should be the responsibility of the Town's Code Contractor and Town Attorney after final adoption of the recommended policies.

## PERSONNEL RESOLUTION OF THE TOWN OF PIKEVILLE

WHEREAS, the Mayor and Board of Commissioner Members of the Town of Pikeville recognizes the importance of its municipal employees in meeting the service needs of Town residents; and

WHEREAS, it is the desire of the Mayor and Board of Commissioners to maintain a municipal work force composed of qualified, competent, dedicated employees; and

WHEREAS, the Mayor and Board of Commissioners recognize the necessity of equitable rates of pay and reasonable conditions of employment in the maintenance of such a work force; and

WHEREAS, it is the desire of the Mayor and Board of Commissioners to establish a system of personnel administration that will assure equity of compensation and fair and reasonable employee treatment;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PIKEVILLE that the following guidelines shall cover the appointment, classification, salary, promotion, demotion, dismissal, and employment conditions of the employees of the Town of Pikeville, North Carolina, replacing where appropriate the existing articles and sections on personnel, pay plans, class specifications and benefits.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_

## **Article I. Preface**

### **Section 1.**

The employment relationship between the Town and the employee is terminable at the will of either at any time and with or without cause and with or without notice. No employee, officer, agent or representative of the Town has any authority to enter into any agreement or representation, verbally or in writing, which alters, amends, or contradicts this provision or the provisions in this policy. Any exception to this policy of at will employment must be expressly authorized in writing, approved by the Board of Commissioners and executed by the officers designated by the Board of Commissioners.

### **Section 2.**

None of the benefits or policies set forth in this policy are intended because of their publication to confer any rights or privileges upon employees or to entitle them to be or remain employed by the Town. The contents of this document are presented as a matter of information only. Although the Town believes wholeheartedly in the plans, policies, and procedures described herein, they are not conditions of employment.

### **Section 3.**

These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel policies. The Town explicitly reserves the right to modify any of the provisions of this policy at any time and without any notice to employees. Notwithstanding any of the provisions within this policy, employment may be terminated at any time, either by the employee or by the Town, with or without cause and with or without advance notice.

## **Article II. General Provisions**

### **Section 1. Guiding Principle/Purpose**

Each employee of the Town serves an important function. Not only is he/she entrusted with the responsibility of performing a specific job to the best of their ability, but they also serve as a representative of the Town to the general public. Their speech and behavior can give the citizens and visitors a good or bad impression of Town government, and is therefore expected to conduct themselves in a manner that is above reproach at all times.

This personnel policy contains information about the responsibilities and benefits which apply to all full-time employees of the Town of Pikeville. Part-time employees may have different benefits and conditions of employment and should refer any questions about their employment to their supervisors.

The purpose of this policy is to establish a personnel system which will recruit, select, develop and maintain an effective and responsible work force. All appointments and promotions of Town employees exercised by the Town Board shall be made on the basis of merit, fitness, and demonstrated ability. This policy is established under the authority of Chapter 160A-Article 7 Part 2 of the General Statutes of North Carolina.

### **Section 2. Coverage**

The provisions of this policy shall be applicable to all regular and probationary employees except as provided below:

1. The Town Attorney, and elected officials shall be exempted from the provisions of this policy.



2. Part-time officials appointed by the Board of Commissioners and employees of advisory or special boards and commissions who work an irregular schedule, shall be exempt from all provision of this policy except where specifically included.

### **Section 3. Definitions**

- (a) Probationary Employee. A person appointed to a budgeted position who has not satisfactorily completed the probationary period (See Article IV, Section 10 of this policy).
- (b) Part-time Employee. An employee, either regular or temporary, who is regularly scheduled 1000 hours or less per year.
- (c) Full-time Employee. An employee, either regular or temporary, who is regularly scheduled to work the number of hours per workweek designated by the Board of Commissioners as full-time.
- (d) Regular Employee. An employee who has successfully completed the prescribed probationary periods shall be considered regular. However, all Town positions are subject to budget review and approval each year by the Board of Commissioners, and all employees' work and conduct must meet standards of performance and behavior. Therefore, reference to regular employees or permanent positions should not be construed as a contract or right to perpetual funding or employment.
- (e) Temporary Employee. A person appointed to serve in a position for a defined time period, usually less than one year.

- (f) Completed Year. A period of twelve (12) months in which the employee is in active pay status or is receiving Workers' Compensation payments while on leave without pay.
- (g) Completed Month. Any month in which an employee works at least ~~half the~~ workdays.
- (h) Class of positions. A position or group of positions which have the same generic title and class specification (e.g., sanitation worker).
- (i) Class specification. A statement of general duties, responsibilities, distinguishing features, ~~illustrative examples of work,~~ required knowledge, skills and abilities and training for a class of positions.
- (j) Grievance. A claim or complaint based upon an event or condition which affects the circumstance under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.
- (k) Adverse Action. A reprimand, demotion, dismissal, reduction in pay, layoff, suspension, or an undesirable transfer.
- (l) Standby Status. When a non-exempt employee is required to limit their normal off duty activities to be available for emergencies which may arise in his/her area of employment or to tend to the needs of the Town. Normally they will be required to be within pager range or be able to be contacted and respond within a designated period of time.

- (m) Trainee. A Trainee is an employee that does not possess all of the qualifications that a position requires, but can be trained to meet these required qualifications. The salary paid a Trainee is below the entry level of the position that they are being trained for as stipulated in Article III Section 5.
- (n) Immediate Family. Immediately Family is defined as spouse, mother, father, guardian, children, sister, brother, grandparents, half, step, in-law and adopted relationships that can be derived from those named, or anyone living as a part of the same household.
- (o) Position/Job Description. A detailed statement of job duties and activities pertaining to a specific position. It is differentiated from a class specification by being more detailed and covering only one position.

#### **Section 4. Merit Principle**

The purpose of this policy and the rules and regulations set forth, is to establish a fair and uniform system of modern personnel administration for all employees of the Town.

The Town shall embrace the following merit system 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, or disabilities. 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 ability, knowledge, skill, and performance.
- (c) Employees shall be retained on the basis of the adequacy of their performance. They shall be guided in ways to correct inadequate performance and separated when inadequate performance cannot be corrected.
- (d) Employees shall be protected against coercion for partisan political purposes.
- (e) Employees shall receive equitable and adequate pay and benefits and eligible employees shall receive merit pay increases based upon their performance subject to the availability of funds.

#### **Section 5. Responsibility of Board of Commissioners**

The Board of Commissioners shall establish personnel policies and rules **including**  
**the classification and pay plan**

The Board of Commissioners shall adopt or provide for rules and regulations, or resolutions concerning personnel policies and other measures that promote the hiring and retention of capable, diligent, and honest employees under the authority of Chapter 160A-164 of the North Carolina General Statutes, to be administered by the Board or its designee. The Board of Commissioners shall prescribe the office hours, workdays, and holidays to be observed by the various offices and departments of the Town.

## Section 6. Responsibility of the Town Administrator

The Town Administrator shall be responsible to the Mayor and Town Board of Commissioners.

The Town Administrator shall:

- (a) Oversee the operation and maintenance of the Town's electric distribution system, water pumping, wells and distribution system, wastewater collection and treatment facilities, streets maintenance and other municipal service functions
- (b) Prepare annual budget for consideration and approval by the Board of Commissioners and see that Town expenditures conform to the budget as approved;
- (c) Be responsible for the maintenance of the Town's financial system including overseeing the maintenance of required records and timely filing of required reports, maintenance of utility accounts and supervise timely billing and collection of such bills, including taking whatever action is necessary to keep all accounts current ;
- (d) Be responsible for the maintenance of all Town Hall property;
- (e) Establish and maintain a roster of all persons in municipal service, setting forth each officer and employee, class title or position, salary, any changes in class title and status, and such data as may be deemed desirable or useful.

- (f) Prepare, annually, performance evaluations on each Town employee for review and approval by the Board of Commissioners.
- (g) Perform such other duties as may be assigned by the Board of Commissioners not inconsistent with this policy.

## Article III. The Pay Plan

### Section 1. Adoption

The rules and regulations contained this Article and other Articles of this policy is hereby adopted as the pay plan for the Town. The Pay Plan shall include all authorized classes of positions included in the Classification Plan.

### Section 2. Maintenance of the Pay Plan

The Town Administrator, as directed by the Board, shall be responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the Town, and other factors. To this end, the Town Administrator shall, each year prior to preparation of the annual budget solicit information affecting the levels of salary ranges, including internal relationships between classes to reduce or eliminate any inequities, and shall present to the Board of Commissioners such changes in salary ranges as appear to be warranted.

### **Section 3. Transition to Pay Plan**

The following principles shall govern the transition to a new pay plan:

1. No employee shall receive a salary reduction as a result of the transition to a new pay plan.

### **Section 4. Use of Salary Ranges**

Salary ranges are intended to furnish administrative flexibility in recognizing individual performance among employees holding positions in the same class by rewarding employees for meritorious service. The following general provisions will govern the granting of increases within the pay range:

- (a) The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant appointment at a higher rate. Appointment above the minimum step may be made when deemed necessary and in the best interest of the Town. Above-the-minimum appointments will be based on such factors as the qualifications of the applicant being higher than the desirable education and experience for the class, a shortage of qualified applicants available at the minimum step, the refusal of qualified applicants to accept employment at the minimum step, or other similar factors.

### **Section 5. Salary of Trainee**

An applicant hired or an employee promoted to a position in a higher class, who does not meet all the established requirements of the position, may be appointed at

a rate in the pay plan below the minimum established for the position. In such cases, a plan for training, including a time schedule, will be prepared.

Trainee salaries may be no more than two steps below the minimum salary established for the position for which the person is being trained. An employee will remain on the trainee step until the Board of Commissioners determines that the trainee is qualified to assume the full responsibilities of the position. The Board of Commissioners shall review the progress of each employee in a trainee status every three (3) months, or more frequently as necessary, to determine when the trainee is qualified to assume the full responsibilities of the position. Provided, however, that a trainee shall not be in such status for longer than one (1) year.

#### **Section 6. Pay Rates in Promotion, Demotions, Transfer, and Reclassification**

When an employee is promoted, demoted, transferred, or reclassified, the rate of pay for the new position will be established in accordance with the following rules:

- (a) Promotion: An employee who is promoted shall receive a five per cent (5%) pay increase in base salary or an increase to the minimum step of the new pay range, whichever is higher.
- (b) Demotion: An employee who is demoted may have the salary remain the same if the demotion is voluntary, except that the salary cannot exceed the maximum for the class, or reduced to a step in the lower range, if the demotion is for cause.



- (c) Transfer: An employee transferring from a position in one class to a position in another class assigned the same pay range shall continue to receive the same salary.

### Section 7. Pay Rates in Salary Range Revisions

When the Board of Commissioners approves a change in salary range for a class of positions, the salaries of employees whose positions are allocated to that class shall be affected as follows:

- (a) When a class of positions is assigned to a lower pay range, the salaries of employees in that class will remain unchanged. If this assignment to a lower pay range results in an employee being paid at a rate above the maximum step established for the new class, the salary of the employee shall be maintained at that level until such time as the classification's pay range is increased above the employee's current salary or the employee is promoted into a classification with a pay range maximum above their salary rate..
- (b) General salary range adjustments ( market adjustments) to the salary schedule shall be effected by adjusting the Town's overall salary schedule up (or down) by the same percentage amount. Market adjustment shall normally be considered by the Town Board prior to adopting a new fiscal year budget. When a rate adjustment is made to a pay range, to reflect market changes, employees in classes within that pay range may or may not receive the rate adjustment, depending on the Town's financial condition. If financial conditions do not permit the Town to pass those rate changes to employees, it is better to raise

the salary schedule rates and not pass the rate adjustment on to employees than to ignore market changes. Ignoring market changes will cause pay schedules to lose competitiveness and increase difficulty in recruitment and retention of good employees.

#### **Section 8. Pay for Part-Time Work**

The pay plan established by this policy is for full-time service. An employee appointed to a class of position for less than full-time service shall be paid a pro-rated amount determined by converting the established salary of that classification to an hourly rate.

Persons employed on a part-time basis to perform work that is not covered by the Town's Classification Plan, shall be paid at a rate that is set by the Commissioners.

#### **Section 9. Overtime**

To the extent that local government jurisdictions are so required, the Town shall comply with the Fair Labor Standards Act (FLSA).

The Town Board, following FLSA regulations, shall determine which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions. "Non-exempt" employees will be paid at a straight time rate for hours up to the FLSA established limit for their positions (usually 40 hours in a 7 day "work week" or "work period"). Hours beyond the FLSA established limit in a "work period", will be compensated in the appropriate manner outlined below. In determining eligibility for overtime in a "work period", only hours actually worked shall be considered. Authorized Leave such as holiday, vacation, sick leave, etc., shall not be counted as hours worked.

Overtime work must be of an unusual, unscheduled, or emergency nature and be directed or authorized by the Town Administrator or authorized representative of the Town Administrator, in writing.

Whenever practicable, departments will schedule time off on an hour-for-hour basis within the applicable "work period" for non-exempt employees, instead of paying overtime. When time off within the "work period" cannot be granted, overtime worked will be paid at a time-and-one-half rate, in accordance with FLSA regulations. Employees in positions determined to be "exempt" from FLSA (as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work periods. These employees may be granted occasional unofficial compensatory leave where the convenience of the Town operation allows.

#### **Section 10. On Call/Call-Back Pay**

Employees who are "on call" are expected to respond to any "after normal work hours" needs of the Town, when approved by the Town Administrator. When a "non exempt employee" is actually called back, after normal work hours, the time actually spent on the after hours call(s) or one(1) hour, for each incident requiring travel from home, whichever is greatest, is counted as hours worked for that work period. Time counted includes travel from home to the work station and back home.

#### **Section 11. Performance Pay**

At least once each year, employees shall have their performance evaluated and goals and objectives agreed to by their supervisor and reviewed by the Board of Commissioners. Also any area of improvement will be discussed and a course of action outlined. Such evaluation shall be utilized as the basis for a performance

increase. The completed evaluation shall be placed in the employee's permanent personnel file.

The performance evaluation system provides a history of work progress of the individual employee with the Town. The performance evaluation system may also be used as a tool to determine eligibility for promotion, as a basis for demotion or discharge of an employee. The supervisor should use the evaluation system as a tool for counseling with employees and as a communications piece for discussing work progress, problems and opportunities.

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

Annually an adjustment may be made to the employee's base salary based on the results of their performance review. Employees evaluated as performing at a "superior" level shall be eligible for a 5% pay increase. Those employees evaluated as performing at an "above expectation" level shall be eligible for a 2.5% pay increase. Employees evaluated as performing at an "expected" level or below, shall not receive any pay increase. These increases are considered to be over and above any "across the board" pay schedule market adjustment

#### **Section 12. Payroll Deductions.**

Only payroll deductions specifically mandated or authorized by federal, state, or Town act may be deducted at each period from each employee's pay. Any

deductions other than those required by state and federal laws, shall require employee written approval and proper notification.

### **Section 13. Work Week and Pay Period**

The standard seven day work week for the Town of Pikeville is 12:01 a.m. Saturday to 12:00 midnight on the following Friday. The Town's work hours are Monday through Friday from 8:00 a.m. to 5:00 p.m. with one hour off for lunch. If work permits, employees may get a fifteen (15) minute break in the morning and another in the afternoon.

All employees shall be paid on a weekly basis with the pay day being every Friday at 12:00 noon. The pay received on Friday will pay the employee for work performed through that Friday.

### **Section 14. Effective Dates of Salary Adjustments**

Approved salary adjustments shall become effective at the beginning of the next pay period or at such a later date as may be provided.

### **Section 15 Salary Reductions**

Salary reductions may be necessitated by a shortage of funds or other valid and appropriate reason(s). In such instances, all classes of positions shall be given due consideration, and the nature and extent of such reduction determined by the Town Board.

## **Article IV. Recruitment And Employment**

### **Section 1. Statement of Equal Employment Opportunity Policy**

It is the policy of the Town to foster, maintain, and promote equal employment opportunity. The Town shall select employees on the basis of the applicants qualifications and without regard to age, sex, race, color, creed, religion or national origin or disability. The Town of Pikeville will make reasonable accommodations to the known physical or mental impairments of otherwise qualified individuals, unless the result would create an undue hardship on the Town. Throughout its recruitment and employment efforts the Town will do whatever is required and legally permissible to maintain a "drug free workplace".

### **Section 2. Implementation of EEO Policy**

All personnel responsible for recruitment and employment shall continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable performance-related job requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, race, color, creed, religion, national origin, or disability. Notices with regard to equal employment matters shall be posted in conspicuous places on Town government premises in places where notices are customarily posted.

### **Section 3. Recruitment**

Each department head shall be responsible for assisting in recruiting employees for vacancies in their respective departments. All opportunities for employment shall be publicized, including applicable salary ranges and employment qualifications. Notice of vacancies shall be posted at designated conspicuous sites within Town buildings.

Individuals shall be recruited from a geographic area as wide as is necessary to insure that well qualified applicants are obtained for Town service. The Town shall consider among its recruitment sources organizations and news media which are utilized by and are available to minority group applicants and applicants with disabilities, to the extent that these organizations service the Town's labor market. The Town shall ensure that communications with applicants with disabilities are as effective as communications with other applicants.

#### **Section 4. Job Announcements**

Employment announcements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding discrimination in employment matters.

#### **Section 5. Applications for Employment**

All persons expressing interest in employment with the Town shall be given the opportunity to file an application for employment when a position is vacant or when the Town is attempting to fill such positions.

#### **Section 6. Application Reserve File**

The Town Administrator shall establish a system of maintaining up-to-date records which reflect the town efforts in equal employment opportunity. Such records shall include data necessary to accomplish required reports under the provisions of the Equal Employment Opportunity Act of 1972. Applications shall be kept in a reserve file for two (2) years, in accordance with Equal Employment Opportunity Commission guidelines.

The EEO form 4, when completed, shall provide for an analysis of the status of actual equal employment opportunity with the Town government and for an evaluation of progress made in this regard.

#### **Section 7. Qualification Standards**

- (a) Employees shall meet the employment standards established by the position classification plan and such other reasonable, job-related minimum standards of character, aptitude, knowledge, skills, abilities, and physical condition as may be established by the Town Board with the advice and recommendation(s) of department commissioners.

The Town may condition an offer of employment on the result of a medical examination, including a drug test, required post-offer, and before the applicant begins employment duties, if all entering employees in the same job category are subjected to the same such examination. However, if the applicant's medical examination reveals a disability, the Town may not refuse to hire the applicant if the disability can be reasonably accommodated.

Additionally all applicants shall furnish proof of legal status to work in the United State and fill in the required I-9 form before beginning work.

- (b) The Town's policy includes the responsibility for insuring that qualifications for both entry level and promotional level jobs shall be reviewed periodically to assure that requirements are fair, will be fairly administered and conform to the actual job performance requirements.



- (c) In keeping with both these responsibilities, the Town may employ an applicant in a trainee capacity who does not meet all minimum qualifications for a particular job if the deficiencies can be eliminated through orientation and on-the-job training.

### **Section 8. Appointments**

It is the Town's policy to create career opportunities for its employees when possible. Therefore, when a current employee applying for a vacant position possesses the best qualifications of all applicants, that applicant shall be appointed to that position. However, if other applicants possess comparable qualifications and if the Town would continue any perceived historical discriminatory employment practices by automatically promoting or transferring the current employee without considering other applicants, then the Town must carefully consider the qualifications of other applicants in filling this position.

The Town shall publicize opportunities as outlined in this policy. If selections cannot be made from current employees wishing to be considered for the vacant position(s), or from available lists of qualified applicants and/or applicants responding to media advertisements, then the Mayor shall assist department commissioners with recruitment of qualified applicants.

After a commitment is made to an applicant or employee, the Town Administrator shall, at the next meeting of the Board of Commissioners, announce the commitment. This announcement shall include, the salary to be paid and the reasons for selecting the particular applicant over others. All offers of employment may be conditioned on the applicant passing a physical examination and drug test. The applicant may have their personal physician conduct the examination or may

request the Wayne County Health Department to conduct the examination and drug screening at no cost to the applicant

#### **Section 9. Limitation of Employment of Relatives**

- (a) No person shall be hired or assigned to work under the supervision of a relative, nor in the same department as a relative, nor shall any employee's relative be employed without prior approval of the Town Board.
- (b) Employment of a relative of any member of the governing body of the Town of Pikeville is prohibited without prior approval of the Town Board.
- (c) This policy shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with (a) above prior to the adoption of this policy.
- (d) This policy refers specifically to a spouse, children (step or adopted included), siblings (step or adopted included), parent, grandparent, grandchild, and "in-laws" of the employee or spouse or anyone living as a part of the same household.

#### **Section 10. Probationary Period of Employment**

An employee appointed to an authorized regular position shall serve a probationary period of not less than three (3) months. The initial probationary period for law enforcement employees shall be twelve (12) months. This time period is to be considered a continuation of the selection process, a sort of on-the-job trial or test period. It is a time when the employee determines if this is the career that they want and the employer determines if the employee is right for the position.

An employee serving a probationary period following initial appointment may be dismissed at any time during the probationary period. A regular employee serving a probationary period following a promotion shall be demoted as provided in Section 13 of this article if unable to perform assigned duties of the new job satisfactorily. The promoted employee will continue with all benefits during their promotional probationary period.

All employees serving a probationary period following initial employment may accumulate sick and vacation leave but shall not be permitted to use paid vacation or any paid leave during the first three (3) months of employment unless the denial of such leave will create an unusual hardship. Vacation leave may be taken during this period only with prior approval of the Board of Commissioners.

In unusual cases, for specific reasons approved by the Town Administrator the probationary period may be extended for a maximum length of time equal to the initial employment probationary period. In such cases, the employee must be notified of the purpose of the extension, the conditions and performance expectations, and the length of time of the extension.

Before the completion of any probationary period, the Town Administrator shall indicate in writing:

1. That the new employee's progress, accomplishments, strengths, failures, and weaknesses has been discussed with the new employee, and,
2. whether the new employee is performing satisfactory work,

3. whether the employee should be retained and given a probationary increase or have the probation extended,
4. whether the employee should be retained in the present position, transferred, demoted or discharged.

Upon successful completion of the prescribed probationary period, the employee shall be granted a five percent (5%) probationary pay increase.

#### **Section 11. Promotion**

- (a) Candidates for promotion shall be chosen on the basis of existing or anticipated job openings, on their qualifications and on their work records. Performance appraisals and work records of all personnel shall be carefully examined when openings for positions in higher classifications occur.
- (b) Vacancies in positions shall be filled as far as practicable by the promotion of employees in the service of the Town, subject to the limitations of Article V Section 9.
- (c) When a vacancy occurs, the Town Administrator shall review all applications received, including those from current Town employees wishing to be promoted into the position. If a current Town employee is chosen for promotion, the Town Administrator, at the next meeting of the Board of Commissioners, announce the promotion and the reasons for selecting the employee over other applicants.

### **Section 12. Demotion**

Any employee whose work in his or her present position is unsatisfactory or whose personal conduct is unsatisfactory may be demoted provided the employee shows promise of becoming a satisfactory employee in another position. Such a demotion shall be preceded by the warning procedures outlined in Article VII, Section 2(a) or 2(b) of this policy, whichever is applicable.

Representative causes for demotion because of failure in work performance and failure in personal conduct are listed in Article VIII, Sections 2(a) and 2(b) of this policy.

If the demotion is for failure in performance of duties or failure in personal conduct, the employee shall be provided with written notice citing the recommended effective date and reasons for demotion and appeal rights available to the employee.

An employee who wishes to accept a position with less complex duties and responsibility may be demoted for reasons other than unsatisfactory performance of duties or failure in personal conduct.

### **Section 13. Transfer**

If a vacancy occurs and an employee in another department is eligible for a transfer, the employee should make the request in writing to the receiving department commissioner. If selected, the department commissioner wishing to hire the employee shall request the transfer, subject to the approval of the Board of Commissioners.

An employee who has successfully completed a probationary period may be transferred to the same or similar class in a different department without serving another probationary period.

#### **Section 14. Reinstatement**

An employee who has been separated because of a reduction in force or who resigned while in good standing may be reinstated within one year of the date of separation and credited with all previously accrued benefits that have not been paid to them. An employee who has been suspended for cause may be reinstated at the end of the suspension period at the same or a lower pay grade occupied by them at the time of the suspension.

## **Article V. Work Conditions and Expectations**

#### **Section 1. Work Period and Schedule**

The standard seven day work week for the Town of Pikeville is 12:01 a.m. Saturday to 12:00 midnight on the following Friday. The Town's work hours are Monday through Friday from 8:00 a.m. to 5:00 p.m. with one hour off for lunch. If work permits, employees may get a fifteen (15) minute break in the morning and another in the afternoon.

All employees shall be paid on a weekly basis with the pay day being every Friday at 12:00 noon. The pay received on Friday will pay the employee for work performed through that Friday.

Full-time, non-exempt, employees are subject to the overtime provisions set forth in Article III, Section 9 of this policy. Law enforcement employee's work schedule(s) will be established and maintained in accordance with Title 29 Code of Federal Regulations, Part 500 through 899.

Exempt employees in administrative, professional or managerial positions shall work the number of hours necessary to assure the satisfactory performance of their duties.

When the activities of a particular department require some other schedule to meet work needs, the Board of Commissioners may authorize a deviation from the normal schedule.

### **Section 2. Reporting For Work**

Because of the nature of Town work, regular attendance by each employee is mandatory. If an employee is going to be unable to report for work as scheduled, the employee must notify their immediate supervisor immediately. Such notice must be given as far in advance of the time assigned for reporting to work as possible. An employee absent from work because of illness or injury should advise their supervisor immediately of their work status and estimated return to work date on a daily basis. Frequent absence or tardiness for any reason may subject an employee to disciplinary action, up to and including dismissal. Unscheduled absences fall into two (2) categories:

Excused absence. Absence for reasons which are necessary and compelling. The supervisor or department commissioner, upon notification of the absence, is responsible for determining if it is excused. An appropriate, sick or other leave time may be utilized to cover the absence, with the approval of an employee's supervisor or department commissioner.

Unexcused absence. Absence which results when an employee does not report for work or notify their supervisor or department commissioner of their absence; or an absence which the supervisor, after notification, determines does not result from compelling reasons.

If an employee has transportation problems due to weather, they may use vacation leave, take leave without pay or make up the time lost. Any request to make up the time lost must be approved by the supervisor or department commissioner, and may not result in overtime.

Essential services must always be kept at an adequate level. Therefore, these departments cannot always allow employees to report late or leave early during adverse weather.

### **Section 3. Political Activity Restricted**

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic, social, fraternal, or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States of America. However, no employee shall:

- (a) Engage in any political or partisan activity while on duty or within any period of time during which they are expected to render services for which they receive compensation from the Town;



- (b) Use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- (c) Be required as a duty of employment or as a condition for employment, promotion, or tenure of office to contribute to, solicit for, or act as custodian of funds for political or partisan purposes;
- (d) Coerce, solicit or compel contributions, while on duty, for political or partisan purposes by another employee of the Town; or
- (e) Use any supplies or equipment of the Town for political or partisan purposes.
- (f) Display any political advertisement in or on Town property.
- (g) Be a candidate for or hold elective office while in a pay status with the Town of Pikeville. Should an employee decide to be a candidate for elective office, they must take an unpaid leave of absence or resign their employment. If they take an unpaid leave of absence and are elected to an elective office, they must resign as an employee of Pikeville.

Town employees in certain federally aided programs are subject to the Hatch Act as amended in 1975. This federal act, in addition to prohibiting (b), (c) and (e) also prohibits candidacy for elective office in a partisan election.

All constitutional and elected officers are exempt from this entire section, but no such officer shall use any public funds, goods, supplies, or materials for partisan political purposes.

Any violation of this section shall subject such employee to disciplinary action up to and including dismissal.

#### **Section 4. Outside Employment**

The work of the Town will take precedence over other occupational interests of employees. All outside employment for salaries wages, or commission and all self-employment must be approved by the department commissioner and recommended to the Town Board for its final approval. Employees are expected to work only on Town business when on Town time. Conflicting outside employment will be grounds for disciplinary action up to and including dismissal.

#### **Section 5. Conformance to Immigration Law and Selective Service**

##### **Requirements**

All employees are required to furnish proof of citizenship or other required documents indicating a legal right to work in the United States. Copies of the completed form I-9 shall be a permanent part of their personnel file.

All male employees and applicants for employment between the ages of 18 and 25, covered by registration requirements of the selective service law, must furnish proof that they are registered for selective service and a copy of such proof shall be a permanent part of their personnel file.

### **Section 6. Confidential Information**

No official or employee shall, without the approval of the commissioners and/or Mayor or by court order, disclose confidential information concerning the property, government, or affairs of the Town. Nor shall they, under any circumstance, use such information to advance the financial or other private interest of themselves or others.

### **Section 7. Controlled Substances**

The Town declares its intention to be a "drug-free work place" No employee shall manufacture, distribute, dispense, use or be under the influence of intoxicating beverages or non-prescribed controlled drugs of any kind while on duty. Nor shall an employee report for duty while under the influence of any alcoholic beverage or non-prescribed controlled or illegal drug. Any employee using medication or a controlled drug by prescription which may affect job performance or safety, shall notify their supervisor upon reporting to work. Any employee convicted or pleading guilty under any criminal drug statute must notify their supervisor or department commissioner no later than five (5) days after such conviction. Any employee who violates this condition of employment may be disciplined up to and including dismissal, or may be required to participate in a drug abuse assistance or rehabilitation program approved by the Town. ( See Article V Section 13 of this policy for the Town's Alcohol and Drug policy.)

### **Section 8. Use of Town Owned Equipment**

The Board of Commissioners specifically forbids the personal use of any Town owned equipment or supplies by any employee, official or individual unless authorized by the Board of Commissioners. Should authorization be granted, use will be limited to the use specified in the authorization.

Use of Town owned vehicles is governed by the Town Policy below. Further clarifications are covered in paragraphs (c) through (f).

- (a) Vehicles Owned by the Town may be provided to one or more employees in connection with Town business and shall be used only on Town business. The employee operating the Town vehicle must have the appropriate valid operators license, operate the equipment in a safe manner and in compliance with all vehicle operation laws. Town vehicles are not to be used to transport personal property such as an employee's dog, weekly groceries and other similar items or use. When the vehicle is not used in the Town's business, it is kept on the Town's business premises. The Town's premises and residence of any employee using the vehicle are at different locations. Pursuant to Federal and State law, the employee, nor an individual whose use would be taxable to the employee, may use the Town vehicle for personal use. The Board of Commissioners reasonably believes, based on Town policy and state law, that no employee or any individual use these vehicles for personal use. Failure to comply with these requirements or loss driving privileges may result in the employee being re-assigned or dismissed.
- (b) For bona fide non-compensatory business reasons, the Town may require certain employees to commute to and from work in Town vehicles that are not exempted by IRS regulations. In accord with federal and state law, an employee may not use the Town owned vehicle for personal use other than commuting. The Town has a

written policy forbidding personal use of any Town vehicle and the employee using the vehicle is not an elected or appointed official. Under these conditions the Town will account for commuting use by including an appropriate amount in the employee's gross income, as specified in IRS regulations.

- (c) Certain vehicles may be used to commute without any income being added to the employee's gross income. For example a "qualified specialized utility repair truck" used to commute to enable the employee to respond in emergency situations to restore or maintain water or sewer services and not used for personal reasons is exempt from having an adjustment made to the employee's gross income.
- (d) Use of clearly marked police vehicles to commute, and not used for personal use, are also exempt from the requirement to adjust the employee's gross income. Under certain conditions an unmarked police vehicle used to commute and not for personal use may also qualify for this exemption.
- (e) Only Town employees and Board of Commissioners are authorized to operate Town vehicles.
- (f) Only authorized persons are to be transported in Town vehicles. The only exceptions are emergency situations.

### **Section 9. Discrimination/Sexual Harassment**

No discrimination shall be exercised, threatened, or promised against or in favor of any applicant or employee because of their race, religion, national origin, political beliefs, sex or disabilities.

Harassment in any form shall not be tolerated and may lead to dismissal of the offender(s). The Town expressly prohibits any form of sexual harassment and seeks to guarantee all employees the right to work in an environment free from such harassment.

The Town is committed to providing a work environment free of sexual harassment, an environment that shows respect for the individual and to inform all employees of their right to be free of unlawful sexual harassment in the work place.

Sexual harassment is:

Unwelcome advances, requests 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 condition of an individual's employment,
2. submission or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating intimidating, hostile or offensive working environment.

Sexual harassment may include, but is not limited to, any repeated or unwanted, unwarranted, verbal or physical sexual advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone in the work place that are offensive or objectionable to the recipient, causes the recipient discomfort or humiliation, or interferes with the recipients job performance.

All complaints of sexual harassment shall be filed in accordance with Article VIII of this policy and employees found guilty of such practice will be disciplined as outlined in Article VIII of this policy.

#### **Section 10. Personal Indebtedness**

It is expected that each employee of the Town will keep his/her financial affairs arranged in such a way that the Town will not be embarrassed by excessive personal indebtedness.

#### **Section 11. Surrender of Property**

An employee who is suspended or discharged shall be required to return all items of equipment and supplies, including uniforms, owned by the Town. Return of such equipment must precede the issuance of such an employee's final salary check

#### **Section 12. Alcohol and Drug Policy**

##### **General**

The Town of Pikeville will provide a safe and productive work environment for all employees and its citizens. Employees shall report for work and remain on the job in a condition in which they can safely and efficiently perform their job duties. All

employees may be required to submit to random drug and alcohol testing as outlined in the paragraphs below.

The Town of Pikeville expressly prohibits the possession, sale, use, distribution, dispensation, manufacture or purchase of controlled substances or related paraphernalia by Town employees while at the workplace. Such an act is grounds for immediate termination.

The Town of Pikeville expressly prohibits the possession, sale, use, distribution, dispensation, manufacture, purchase or storage of alcohol by Town employees while at the workplace. Such an act is grounds for immediate termination.

Employees with substance abuse problems are encouraged to seek help from counselors, from other types of medical professionals, or in treatment facilities. Participation in a treatment or rehabilitation program for substance abuse will not be grounds for dismissal provided the employee voluntarily enters such a program prior to being identified as a substance abuser by means identified in this policy.

#### **Additional Requirements**

The Omnibus Transportation Employee Testing Act of 1991 (final rules implemented February 15, 1994) requires in part, that any commercial motor vehicle operator who is subject to the commercial driver's license (CDL) requirement in the State of North Carolina be tested for alcohol and controlled substances.

Department of Health and Human Services (DHHS) mandatory guidelines for controlled substances testing and quality assurance standards shall be used.



Controlled substances testing shall be conducted by a laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).

Federally mandated alcohol testing must be conducted by a Breath Alcohol Technician (BAT) trained to proficiency as demonstrated by successful completion of a course of instruction. Alcohol testing shall be conducted using an Evidential Breath Testing (EBT) device.

The employees of the Town of Pikeville shall comply with all rules and regulations set forth in the following policy.

**Policy**

1. Employees Who Must Be Tested for Alcohol and Drugs
  - (A) Drivers of commercial motor vehicles with a gross vehicle weight rating (GVWR) of 26,001 pounds or more.
  - (B) Drivers of commercial motor vehicles with a gross combination weight rating of 26,001 pounds or more, including a towed vehicle with a gross vehicle weight rating of 10,000 or more.
  - (C) Drivers of motor vehicles designed to transport 16 or more passengers, including the driver.
  - (D) Drivers of motor vehicles of any size transporting hazardous materials and amounts requiring placarding.

Note: Fire Department personnel who operate emergency equipment are not covered by these rules.

2. Types of Drug and Alcohol Test Required by the Regulations.

(A) Pre-Employment Testing - Drug testing only must be conducted prior to the first time a driver performs safety-sensitive functions. This testing must be conducted on external applicants as well as current employees transferring into positions requiring the performance of safety-sensitive functions. The test results must indicate a verified negative drug test.

(B) Post Accident Testing - Must be conducted on any surviving driver who was performing safety-sensitive functions with respect to the vehicle if:

1. the accident involved a fatality, or
2. the driver receives a citation under State or local law for a moving traffic violation arising from the accident.

Testing for drugs and alcohol should occur within two hours of the accident. If the employee is unable to be tested within two hours, reasons for the delay must be documented. If an alcohol test shall cease and the reason for the inability to conduct the test shall be documented. If a drug test required by this section is not administered within thirty-two hours of the accident attempts to conduct the drug test shall cease and the

reason for the inability to conduct the test shall be documented.

(C) Random Testing - Must be conducted on a random, unannounced basis throughout the year on employees who perform safety-sensitive functions and other employees as determined by the Town. Random testing for drugs and alcohol shall be conducted at the rate mandated by the Regulations. During the first year of the program Regulations state that a minimum of 25 percent of the CDL holders must be tested for alcohol and 50 percent for drugs.

(D) Reasonable Suspicion Testing - Must be conducted when a trained supervisor or Town official believes an employee has used a prohibited drug or has misused alcohol as defined in this Policy. The determination of reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odor of the employee.

Testing for alcohol should occur within two hours of the determination of reasonable suspicion. If the employee is unable to be tested within two hours, reasons for the delay must

be documented. If an alcohol test required by this section is not administered within eight hours, attempts to conduct the alcohol test shall cease and the reason for the inability to conduct the test shall be documented.

3. Prohibited Conduct

- (A) No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. A Breath Alcohol Test result of 0.04 or greater is considered a positive test result.
- (B) No employee shall be on duty or operate a commercial motor vehicle while the employee is in possession of alcohol.
- (C) No driver shall use alcohol while performing safety-sensitive functions.
- (D) No driver shall perform safety-sensitive functions within four hours after using alcohol.
- (E) No driver required to take a post-accident test as defined in this policy shall use alcohol for eight hours following the accident, or until he undergoes a post-accident alcohol test, whichever comes first.

- (F) No employee shall refuse to submit to an alcohol or drug test required by pre-employment, post-accident, random, reasonable suspicion return-to-duty, or follow-up testing requirements.
- (G) No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when 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.
- (H) No employee shall report for duty, remain on duty or perform a safety-sensitive function, if the employee tests positive for drugs.

4. Consequences of Engaging in Prohibited Conduct

- (A) No driver shall perform safety-sensitive functions, including the driving of a commercial motor vehicle, if the driver has engaged in conduct prohibited by this policy.
- (B) An employee who does not pass the drug test will be terminated.
- (C) A driver who does not pass the Breath Alcohol Test will be terminated.
- (D) An employee who refused to submit to a drug or alcohol test as required by this policy will be terminated.

- E) A driver who has a confirmed Breath Alcohol Test result of 0.02 - 0.039 shall not be allowed to continue to perform safety-sensitive functions. The driver will be removed from duty without pay for this 24-hour period and will receive a notation in his/her personnel file about the importance of reporting to work without the presence of alcohol in his/her system. The driver can be subject to a return-to-duty alcohol test, under the authority of the Municipality.
- (F) An employee who tests positive for a controlled substance and/or alcohol shall be referred to a Substance Abuse Professional (SAP) for evaluation, counseling and further treatment (if necessary).

5. Additional Requirements

- (A) As required by the Federal Drug-Free Workplace Act, if an employee is convicted of a violation of a criminal drug statute and the violation occurred while the employee was at work, the employee must notify his department commissioner of the conviction within five (5) days after the conviction. Failure to notify the department commissioner of the conviction will result in termination.
- (B) All drug test results are reviewed and interpreted by a Medical Review Officer, or MRO. The MRO is a licensed physician with knowledge of substance abuse disorders. If the laboratory reports a positive test result to the MRO, the MRO will contact

the driver, typically by telephone, and discuss the result with him. The MRO attempts to determine if there is a legitimate medical reason for the driver to have the drug in his system. If there is none, the test result is reported as positive. If there is a legitimate medical purpose for the use of the drug, the test result is reported as negative.

6. Definitions

(A) Alcohol Test - A test for the presence of alcohol in the body.

This presence must be determined by the use of a Breath Alcohol Test or other device approved by USDOT.

(B) Drug Test - A test for the presence of the following drugs or drug metabolites in the urine or blood of an employee.

- a. Amphetamines (including Methamphetamine)
- b. Cannabinoids (Marijuana)
- c. Cocaine (including Crack)
- d. Opiates
- e. Phencyclidine (PCP)
- f. Other drugs may also be included as directed by Federal Law or expanded Town policy.

(C) Negative Drug Test - A drug test which does not show the presence of drugs at a level specified to be a positive test.

- D) Positive Drug Test - A drug test which does indicate the presence of a drug or drug metabolic in the urine as blood at the level specified to be positive by the Substance Abuse and Mental Health Services Administration (SAMHSA). All positive test results will be confirmed using a different technology than the first test, such as the Gas Chromatography Mass Spectrometry (GCMS) process.
- (E) Negative Alcohol Test - An alcohol test which indicates a breath alcohol concentration of less than 0.02.
- (F) Positive Alcohol Test - An alcohol test which indicates a breath alcohol concentration of 0.04 or greater.
- (G) Refusal to Submit - Occurs when a driver:
1. fails to provide an adequate amount of urine for a drug test without a valid medical explanation after he has received notice of the test.
  2. fails to provide an adequate amount of breath for an alcohol test without a valid medical explanation after he has received notice of the test.
  3. engages in conduct that clearly indicates that he is failing to follow through with the testing process or conduct that interferes with the ability to obtain an adequate specimen.



(H) Safety-Sensitive Function - The following list of activities constitutes safety-sensitive functions:

1. Driving a commercial motor vehicle.
2. Inspecting, servicing, or conditioning any commercial motor vehicle.
3. All time at a Town facility or other public property waiting to operate a commercial motor vehicle.
4. Performing all other functions in or upon any commercial motor vehicle except resting in a sleeper berth.
5. Loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle.
6. All time spent performing the driver requirements associated with an accident.
7. Repairing, obtaining assistance, or remaining in attendance of a disabled commercial motor vehicle.
8. Performing a road test.

### **Section 13. Employee Safety and Health**

The personal safety and health of every employee is important to the Town of Pikeville, and it is Town policy to meet this responsibility by providing safe and healthful places and conditions of employment and by constantly striving to improve the quality of the work place.

Most of the personal protective equipment recommended by the North Carolina Occupational Safety and Health Act (OSHA) is supplied at no cost. The Board of Commissioners or Town Administrator will inform employees of any items of protective equipment an employee must furnish at their own expense.

The protection of one's fellow employees and the public on Town property is a responsibility shared by all. If an employee knows of safety or health conditions that could be improved where he/she works, he/she should notify the Town Administrator, department commissioner, Mayor, or Board of Commissioners. All Town employees are fully covered by the North Carolina Workers' Compensation Act and are required to report all accidents and injuries on the job to the Town Administrator's office within 24 hours so that appropriate action can be taken and the necessary forms filed.

The following Safety Program Policy governs the activity of all Town employees:

"The Town of Pikeville considers the safety of its employees a major responsibility. The Town will constantly endeavor to encourage safe working habits and provide safe working conditions for its employees. It is recognized that accident control can only be successful when support comes from top management, when adequate coordination and advice comes from staff members, when supervisors accept safety responsibilities, and when employees participate in the elimination of unnecessary safety hazards."

The principles of our safety programs are as follows:

- (a) Management and supervisory personnel shall provide support for the prevention of accidents and for the implementation of this policy.
- (b) All accidents and safety incidents shall be investigated to determine their causes and the remedial action required to prevent recurrence.
- (c) Supervisors shall be responsible for the safe condition of equipment and materials, for encouraging good housekeeping practices, and for promoting overall safe working conditions. Regularly scheduled inspections of work places shall be conducted to identify safety hazards, and corrective actions shall be initiated to control unsafe acts, conditions, or procedures.
- (d) Accident prevention principles shall be incorporated into both training for new employees and on-going training programs for all employees.
- (e) The Town Administrator shall analyze hazardous working conditions and develop standard operating procedures to insure that hazardous conditions are minimized and that safe work practices are used.
- (f) Personal protective equipment shall be used by employees to reduce the probability of injury.

- (g) Each employee shall be charged with the responsibility of making safety a daily concern. This responsibility must be accepted by everyone, regardless of his/her position in the organization.

#### **Section 14. Media Contact**

Pikeville personnel shall make every effort to maintain good working relationships with the media. All requests for information shall be handled with respect and referred to the appropriate personnel that has the information requested. The department commissioner, Mayor or Board of Commissioners shall be notified, as soon as practical, as to the nature of the request and the organization making the request. If possible any reply should come from the Mayor or the Board of Commissioners.

Employees should ascertain that the requesting person is in fact representing a media organization. Employees should also be mindful of their personal liability for providing information on employees, former employees, Town policy, projects or events.

#### **Section 15 Attitude and Common Courtesy**

When contacting the public in any manner, especially on public business, Town employees shall do so in a courteous manner. Every employee shall, at all times, endeavor to conduct themselves in a manner that reflects credit upon his/her department and the government of the Town of Pikeville.

#### **Section 16 Gifts and Favors**

- (a) No official or employee of the Town shall accept any valuable gift, whether in the form of service, loan, things, or promise from any

person, firm or corporation which, to the employee's knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town.

- (b) No official or employee shall accept any gift, favor or thing of value that may tend to influence that employee in the discharge of duties.
- (c) No official or employee shall grant in the discharge of duties any improper favor, service, or thing of value.

#### **Section 17 Travel**

The following travel policies shall be applicable to all regular Town employees, Town Attorneys, Mayor and Board of Commission Members, Town Administrator, Members of advisory or special boards, or other officials designated by the Board of Commissioners.

- (a) Travel on official Town business outside of the Town of Pikeville must be authorized by the by the Town Board of Commissioners. A request for travel must describe the travel requested, the purpose of the trip, and the period of time away from the Town. The individual traveling will be expected to provide a report to the Town on the official out of town business and the benefits derived from such travel.
- (b) Reimbursement shall be as follows:
  - 1. Costs associated with travel by Town Vehicle;
  - 2. Travel by personal vehicle shall be reimbursed at the IRS approved mileage rate for the shortest usually travel route;
  - 3. Approved travel by public conveyance the actual cost of the fare;

4. Overnight trips or longer shall be approved in advance and reimbursed for all room and board expenses paid out of pocket. Employees will be expected to commence the return to Pikeville as soon as practical after the conclusion of their business.
5. Special expenses such as, tolls, parking fees, registration fees, tips, and other related expenses will be reimbursed at the actual out of pocket cost.
6. When an employee or official enters into a job-related training program, such as those sponsored by the Institute of Government, the Town of Pikeville will pay for such expenses as tuition and books. The employee or official will not be expected to pay these expenses out of pocket. In addition the employee or official shall be covered by all other provisions of these travel policies.
7. Participation in out of town business meetings, authorized training courses and authorized professional conferences is considered "time worked" for the purpose of computing wages for non-exempt employees when such time, including travel, when it cuts across their normal work schedule or corresponding hours on a non-work day. Thus a Monday through Friday, 8:00 a.m. to 5:00 p.m. employee traveling on official duties on Saturday or Sunday, will have those same hours considered as "time worked". Regular meal period time is not considered as "time worked".
8. Employees of the Town traveling on official business, in training courses or professional meetings, shall be covered by Workers' Compensation.

9. Employees and officials traveling on official business on a reimbursable basis for the Town shall keep an accurate record of their expenses. Receipts for hotel, special expenses and travel costs attached to a signed travel claim are required before any reimbursement is made.

## **Article VI. Leaves Of Absence**

### **Section 1. Holidays**

The Town of Pikeville provides 64 hours of paid holidays per year to be observed on the following days, and other days as the Board of Commissioners may designate, for employees and officers of the Town working the basic workweek. Each holiday is considered an eight (8) hour day.

New Year's Day	July 4 <sup>th</sup>
Good Friday	Labor Day
Memorial Day	Thanksgiving
Christmas (2 Days)	

When a holiday falls on a Saturday or Sunday, Monday shall be observed as the holiday. However, when Christmas falls on a Saturday, Sunday or Monday, Friday will be observed as Christmas Eve and Monday as Christmas Day. The holiday hours paid shall be eight (8) hours.

In order to be eligible for holiday pay, an employee must have been in pay status for a full regularly scheduled workday before and after the holiday, unless excused by the Board of Commissioners.

### **Section 2. Effect of Holidays on Other Types of Leave**

Regular holidays which occur during a vacation, sick or other leave period of any officer or employee of the Town shall not be considered as vacation, sick or other leave.

Employees required to perform work on regularly scheduled holidays shall be compensated at their regular pay for the hours worked on the holiday, in addition to the pay for the holiday, or given time off equivalent to the hours worked on the holiday.

### **Section 3. Vacation Leave**

Only regular full time and probationary employees are entitled to paid vacation leave. Vacation leave shall be used for rest and relaxation and may be used for medical appointments, when sick leave is exhausted, legal appointments and absences due to adverse weather conditions. It shall be used at the discretion of the employee and at the convenience of the appropriate supervisor. Such leave is subject to the restrictions in Article VI, Section 3, paragraphs (a) through (g). "Completed year" shall mean a period of twelve (12) months in which the employee is in active pay status or is receiving workers' compensation while on leave without pay. A completed month will be deemed to mean any month in which an employee works all work days.



(a) Initial Appointment

Probationary Employees serving a probationary period following initial appointment may earn paid vacation leave, but shall not be permitted to take vacation leave until completion of three (3) months of employment.

(b) Vacation Leave - Amount of Allotment

When Calculating vacation leave for employees whose yearly base hours are 2080, the employees normal work day expressed in hours, up to a maximum of eight (8) shall be used. Those employees shall earn vacation leave at the following rate:

<u>Length of Town Service</u>	<u>Hours Provided Each Year</u>	<u>Hours Earned Each Pay</u>
Less than 2 years	40 Hours	.769
2 to 10 years	80 Hours	1.54
10 to 20 years	120 Hours	2.31
20 or more	160 hours	3.08

(c) Vacation Leave - Annual leave is credited to each employee each pay day.

(d) Maximum Vacation Leave Accumulation

Employees may carry over up to 80 hours of unused leave from year to year. However, no employee shall have a balance of more than 240 hours at any time. Once the maximum of 240 hours is reached, the employee will not earn additional vacation time until their balance falls below 120 hours.

(e) Vacation Leave - Manner of Taking Leave

Vacation leave may be taken in increments of eight (8) hours by a regular employee after three (3) months of employment subject to the approval of the

supervisor, who may not grant leave if it is in the Town's best interest not to grant the leave. Two weeks notice to the Town Administrator is required in granting vacation leave to ensure citizens receive uninterrupted service. All employees so designated by the Town Administrator, who earn at least 80 hours per year must take at least five (5) consecutive work days of accrued vacation per calendar year.

(f) Vacation Leave - Terminal Pay of Vacation Leave

An employee who is separated without failure in performance of duties or personal conduct, shall be paid for any vacation leave balance, up to 240 hours, at the date of separation, provided completion of three (3) months or more of continuous service has occurred and provided that written notice has been submitted to their immediate supervisor at least two weeks in advance of the effective date of separation. For involuntary separation due to failure in personal conduct as outlined in Article VII, Section 2(b) of this policy, accumulated vacation leave may be withheld at the discretion of the Board of Commissioners at the time of an employee's separation. Employees who do not give proper notice (2 weeks for most employees, 30 days for department heads) will not be paid for their accumulated vacation upon termination.

(g) Vacation Leave - Payment for Accumulated Vacation Upon Death

The designated beneficiary of an employee who dies while employed by the Town shall be entitled to payment for the balance of vacation leave, up to 240 hours, credited to the employee's account.

#### **Section 4. Sick Leave**

Sick leave with pay is not a right which an employee may demand but a privilege granted by the Board of Commissioners for the benefit of an employee when sick. Sick leave shall be granted to an employee, after three (3) months of initial employment, absent from work for any of the following reasons: sickness, sickness in the immediate family as defined by the Family Medical Leave Act, bodily injury, quarantine, required physical or dental examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others. Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave, when possible, or not later than one (1) hour after the beginning of a scheduled work shift or as otherwise required by the Town Administrator or Police Chief. Unexcused absences are serious matters and must be avoided.

##### **(a) Sick Leave - Manner of Allotment**

Employees shall have sick leave allotted at the end of each pay period at the rate of 1.54 hours (80 hours per year). Sick leave shall be taken in increments of four (4) hours by a regular employee after three (3) months of employment, subject to the approval of the supervisor.

For the purpose of calculating sick leave compensation, the actual hours taken as sick leave will be used.

##### **(b) Sick Leave - Maximum Accrual**

Unused Sick leave shall accumulate to a maximum of 240 hours and may be carried forward from year to year, so long as an employee's balance does not exceed the maximum of 240 hours. Once the maximum is reached, accrual stops until the balance falls below the maximum of 240 hours.

(c) Sick Leave - Physician's Certificate

The Town Administrator may require a physician's certificate concerning the nature of the illness and the employee's physical capacity to resume duties for each occasion on which an employee uses sick leave of sixteen (16) or more hours, or after sixteen (16) or more hours have been used in a six month period. Town Administrator shall be responsible for the enforcement of this provision to the end that (1) employees shall not be on duty when their presence may endanger their health or the health of other employees, and (2) there will be no abuse of sick leave privileges.

Under Family and Medical Leave act guidelines, the Town may require that a request for leave because of a serious illness of the employee or the employee's child, spouse or parent, be supported by a doctor's certification, which shall include the following:

The date on which the serious health condition began;

The probable duration of the condition;

Appropriate medical facts regarding the condition;

A statement that the leave is needed to care for a child, spouse or parent and an estimate of the amount of time that is needed  
;or,

That the employee is unable to perform the functions of the position, whichever applies.

Where certification is necessary for intermittent leave for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment, shall be provided.

If the Town has reason to doubt the validity of medical certification, the Town may require the employee to get a second opinion from a doctor designated by and paid for by the Town. If the second opinion differs from the original medical opinion, the Town may require the employee to get a third opinion from a doctor jointly approved by the Town and the employee, but paid for by the Town. The Third opinion is final and binding on both the Town and the employee. The Town may require and pay for the employee to obtain periodic re-certification on a reasonable basis, usually no more frequently than every thirty (30) days.

(d) Sick Leave on Separation

Employees who resign and who are not reinstated within one (1) year, or are dismissed from Town employment, shall lose all sick leave credit. No employee shall be paid for any sick leave balance.

**Section 5. Leave Without Pay Policy**

A regular or probationary employee may be granted a leave of absence without pay for up to one (1) year by the Town Board of Commissioners. The leave shall be used for reasons of inability to report to work, personal or family disability, continuation of education or special work that will permit the Town to benefit by the experience gained or the work performed, or any absence that is not covered by one of the provided paid leaves.

For extended leave without pay absences, the employee shall apply in writing to their supervisor for leave and may be carried on the Town's books in a non-pay status during their absence. The employee is obligated to return to duty within, or at the end of, the time determined appropriate by the Board of Commissioners. Failure to report at the expiration of a leave of absence, unless an extension has been requested, shall be considered a resignation. When on such extended leave without pay, unless the absence is due to personal disability [ see paragraph (a) below], the employee must assume payment of all Town paid benefits, including health insurance and neither vacation nor sick leave shall be earned or accrue. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority and pay. If the employee decides not to return to work, the Town Administrator should be notified immediately.

(a) Leave Without Pay - Effect on Benefits

An employee shall retain all unused vacation and sick leave while on leave without pay. An employee ceases to earn or accrue leave credits on the date leave without pay begins. An employee on leave without pay due to personal disability will continue to be eligible for town paid benefits for a period of six (6) months subject to any regulations adopted by the Board of Commissioners and the regulations of the respective insurance carriers.

**Section 6. Family and Medical Leave Act**

The Family and Medical Leave Act was passed by Congress to balance the demands of the workplace with the needs of families, to promote stability and

economic security of families and to promote national interests in preserving family integrity; to minimize the potential for employment discrimination on the basis of sex by ensuring generally that leave is available for medical reasons ( including maternity related disability) and for compelling family reasons; and to promote the goal of equal employment opportunity for women and men. In order to be eligible an employee must:

- (a) work for a covered employer;
- (b) have worked for the employer for a total of 12 months;
- (c) have worked at least 1,250 hours over the previous 12 months;
- (d) work at a location where at least 50 employees are employed by the employer within 75 miles.

Regular employees: An eligible employee is entitled to a total of twelve (12) work weeks, paid (such as sick or vacation leave) and/or unpaid leave during any twelve (12) month period for one or more of the reasons listed below:

- (a) For the employee to care for the employee's child, spouse, or parent where that child, spouse, or parent has a serious health condition; or,
- (b) Because the employee has a serious health condition that makes the employee unable to perform the functions of the employee's position.
- (c) For the birth or placement of a child for adoption or foster care.

Temporary employees: This policy does not cover temporary employees since the maximum length of temporary employment is one year. However, if, by exception, a temporary employee is extended beyond one year, the employee would be covered if they worked at least 1,250 hours during the previous twelve (12) month period. Any leave granted to a temporary employee would be leave with out pay.

(2) Definitions.

(A) Parent: a biological or adoptive parent or an individual who stood in loco parentis (a person who is in the position of a parent ) to an employee when the employee was a child. This definition does not include mother-in-law or father-in-law of the employee.

(B) Child: is a son or daughter who is under 18 years of age or is 18 years of age or older and incapable of self care because of a mental or physical disability who is;

(1) a biological child

(2) an adopted child

(3) a foster child-a child for whom the employee performs the duties of a parent as if it were the employee's child

(4) a step child- a child of the employee's spouse from a former marriage

(5) a legal ward-a minor child placed by the court under the care of a guardian

(6) a child of an employee standing in loco parentis

(C) Spouse; a husband or wife



employee to receive certification that the employee is able to return to work, if the leave was for the employee's own serious health condition.

**Benefits Protection** - The employee shall be reinstated without loss of benefits accrued when the leave began. All benefits accrue during any period of paid leave. However, no benefits will be accrued during any period of leave without pay.

**Health Benefits** - The Town must continue the employees health coverage as if the employee were continuing to work. The Town may recover the premiums if the employee fails to return to work at the end of the FMLA leave unless the employee fails to return for the following reasons:

- (a) continuation, recurrence, or onset of a serious health condition: or,
- (b) other reasons beyond the employee's control.

The Town is not responsible for maintaining health premiums on the employee once the FMLA has been exhausted and the employee does not return to work.

**Providing False Information** - Any employee that knowingly provides false information for the purpose of obtaining such leave or uses FMLA leave for purposes other than listed in this policy may be subject to having said leave withdrawn, losing all benefits accrued during said leave period and disciplinary action.

### **Section 7. Parental Leave**

Full-time regular employees who are parents, guardians, or persons "standing in loco parentis" of a school-aged child shall be granted four hours per year of unpaid leave to attend or otherwise be involved at their child's school. However, Parental leave is subject to the following conditions:

- (a) The leave shall be at a mutually agreed upon time between the supervisor and the employee;
- (b) A written request must be submitted to the supervisor for the leave at least 48 hours before the time desired for the leave;
- (c) Written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave.

For the purposes of this section, "school" means any public school, private church school, church of religious charter, non-public school, preschool and child daycare facilities.

### **Section 8. Workers' Compensation Leave**

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may receive benefits and elect to use accumulated vacation and sick leave as a supplemental payment for the difference between his regular net salary and the net payments received under the Workers' Compensation Act. However, under no circumstances can Pikeville require the employee to endorse his Workers' Compensation check over to the Town. Upon reinstatement, an employee's salary will be computed on the basis of the last salary

earned plus any increment or other salary increase to which the employee would have been entitled during the disability covered by Workers' Compensation.

Temporary employees and employees without any leave balance will be placed in a leave without pay status and will receive only benefits for which they may be adjudged eligible under the Workers' Compensation Act.

#### **Section 9. Funeral Leave**

An employee may have up two (2) days leave at full pay granted in case of death in the immediate family. Immediate family is defined as spouse, child, spouse of child, parents of employee or spouse, grandparent, grandchild, brother or sister of the employee or spouse, any relationship of the above created by step or half relative, or anyone living as a member of the employee's household. Additional time may be taken with the approval of the Town Administrator, Police Chief or the Board of Commissioners and should be charged to vacation leave or leave without pay.

#### **Section 10. Temporary Disability Leave**

Accumulated sick leave is available to employees for the period of medically necessary temporary disability in the same manner as for any other illness.

Leave without pay may be available for a period of time before the employee is medically/mentally disabled, when known in advance, and a period of time after the medical/mental disability ends. Normally this leave shall not exceed three (3) months. However, upon the attending physicians advice and in consultation with and approval of the Town Board, the employee may alter the duration of this disability leave.

The employee may elect to use accumulated vacation leave (1) before going on sick leave, (2) after accumulated sick leave has been exhausted, and/or (3) after the temporary disability has ended. If an employee is temporarily disabled and has exhausted all accumulated sick leave, that employee may be eligible to receive leave without pay for personal disability under the provisions of Section 6 of this Article. If an employee wishes to retain all accumulated sick leave and vacation leave, leave without pay may be taken for the entire period.

Reinstatement to the same position or one of like classification, seniority and pay shall be made upon the employee's return to work within the approved time period.

#### **Section 11. Military Leave**

Regular employees who are members of the National Guard or Armed Forces Reserve will be allowed fifteen (15) calendar days military training leave annually without pay.. If such military duty is required beyond this fifteen (15) calendar days period, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave without pay, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the Town during this period. Regular employees who are guardspersons and reservists have all job rights specified in the Veterans Readjustment Assistance Act.

#### **Section 12. Civil Leave**

A Town employee called for jury duty or as a court witness for the federal or state government or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated vacation or sick leave. While on civil leave, benefits and leave shall accrue as though on regular duty.

### **Section 13. Education Leave**

An employee of the Town of Pikeville may be granted leave of absence with pay, up to twelve (12) months, for job training, certification, or other job related training or education. Arrangements for expenses and compensation shall be made prior to the leave of absence on a case-by-case basis, as recommended by the Town Administrator or Police Chief and approved by the Board of Commissioners. An employee granted educational leave with pay shall agree to return to employment with the Town upon completion of the subject education and remain in the employ of the Town for a time period equal to twice the time of the paid leave. Failure to remain in the employ of the Town for the specified time will obligate the employee to reimburse the Town for expenses paid by the Town related to this educational training.

### **Section 14. Personal Leave**

An employee of Pikeville shall be allowed up to sixteen (16) hours per fiscal year of personal leave. Personal leave shall be taken in increments of fifteen (15) minutes up to a maximum of four (4) hours per occurrence with permission of their supervisor. Personal leave is to be used for personal matters that cannot be transacted outside of normal work hours, medical appointments and absences due to adverse weather conditions. Any time used beyond four (4) hours per occurrence will be charged to another appropriate leave. Any unused personal leave in any fiscal year expires June 30<sup>th</sup> of that fiscal year.

## Article VII. Separation, Discipline And Reinstatement

### Section 1. 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, reduction in force, disability, retirement, dismissal, or death.

- (a) Resignation: A minimum of two (2) weeks' notice for most employees is expected of all resigning personnel. Such notice should be given to the department commissioner or Board of Commissioners.

Employees who do not give proper notice (2 weeks for most employees) shall be deemed a resignation without notice and will not be paid for their accumulated vacation leave balance upon termination.

Three days without reporting to work or contacting the appropriate official shall be considered a resignation.

- (b) Demotion: A regular employee whose performance of duties is unsatisfactory over a period of time shall be notified in writing by the supervisor or department commissioner how their performance is deficient and what must be done for their performance to be satisfactory. The employee will be given up to three months to improve their performance to a satisfactory level. If at the end of the three months the appraising official determines that the performance is still unsatisfactory, a recommendation to demote to a position for which the

employee is more suited or to dismiss shall be made to the Town Board of Commissioners by the appraising official.

- (c) Reduction in Force: In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance, organizational needs, and seniority, in that order, in determining those employees to be retained. Employees who are laid off because of reduction in force shall be given at least two (2) weeks notice of anticipated layoff. No regular employee shall 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.
- (d) Disability: An employee who is injured on or off the job, who becomes ill, or suffers any other condition that meets the American With Disabilities Act definition of disability, is protected by the Act, if they can perform the essential functions of the job, with or without reasonable accommodations.

The Town shall make a reasonable accommodation to the known physical or mental impairment of an otherwise qualified employee with a disability, unless the Town can demonstrate that the accommodation would impose an undue hardship on its operations.

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment and reasonable accommodations, as required by the

American with Disabilities Act (ADA), cannot be made. Action may be initiated by the employee or the Town, but in all cases it shall be supported by medical evidence as certified by a competent physician.

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's service for which the employee may be suited.

- (e) Dismissal: Dismissals shall be preceded by an automatic three (3) day suspension without pay pending completion of an investigation or placed in a administrative leave status not exceeding 30 days. The investigation shall include an opportunity for the employee to explain their side of the situation. If performance is not substantially improved during the administrative leave status or the investigation provides sufficient cause, after a hearing of the employee by the Board of Commissioners, the employee may be dismissed and discharged. If the Board of Commissioners determines that a dismissal action is appropriate, such dismissal shall be effective at the end of the three (3) day suspension or the end of the administrative leave status. If a dismissal is made at the end of this period, a written summary giving the circumstances and facts leading to the dismissal shall be prepared. A copy of the summary shall be mailed to the employee by certified mail and one copy shall be filed in the employee's personnel folder.
- (f) Death: All compensation due in accordance with Article VI, Section 3 (g) of this policy will be paid to the designated beneficiary of a



deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

## **Section 2. Disciplinary Actions**

The Town establishes rules so that each department can operate in an orderly and efficient manner in order to better serve the public. An employee who engages in activities which disrupt or impair the operation of any department is subject to disciplinary action. Disciplinary action may take the form of a verbal or written warning, probation, suspension or dismissal depending on the nature of the offense and the work record of the employee in question. Disciplinary action can be taken by the Town Board of Commissioners because of failure in performance of duties or failure in personal conduct. The department commissioner shall provide the employee with a written notice including the recommended effective date, reasons for the action, and appeal rights available to the employee.

### **(a) Failure in Performance of Duties**

Failure in the performance of duties includes any aspects of the employee's job which are not performed as required to meet the standards set by The Board of Commissioners..

The following causes relating to failure in the performance of duties are representative, but not all inclusive, of those considered to be adequate grounds for suspension, demotion or dismissal:

- (1) Inefficiency, negligence or incompetence in the performance of duties;**

- (2) Careless, negligent or improper use of Town property or equipment;
- (3) Demonstrates incapacity or inability to perform duties;

Prior to making a decision to terminate employment, the employee will have the opportunity to discuss the dismissal and the reasons for the dismissal recommendation with the supervisor and/or Board of Commissioners.

(b) Failure in Personal Conduct

An employee may be suspended, demoted or dismissed for causes relating to personal conduct detrimental to Town service without warning in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons.

The following causes relating to failure in personal conduct are representative, but not all inclusive, of those considered to be adequate grounds for suspension, demotion, or dismissal:

- (1) Fraud in securing appointment;
- (2) Conduct unbecoming a public officer or employee;
- (3) Conviction of a felony or of a misdemeanor which would adversely affect performance of duties, or the entry of a plea of no contest to either;
- (4) Misappropriation of Town funds or property;

- (5) Falsification of Town records for personal profit or to grant special privileges;
- (6) Reporting to work under the influence of alcohol or narcotic drugs or partaking of such things while on duty or while on public property, except that prescribed medication may be taken within the limits set by a physician so long as medically necessary;
- (7) Willful damage or destruction of property;
- (8) Willful acts that would endanger the lives and property of others;
- (9) Acceptance of gifts in exchange for "favors" or "influence";
- (10) Incompatible outside employment or conflict of interest;
- (11) Violation of political activity restrictions.
- (12) Insubordination
- (13) Discourteous treatment of the public or other employees;
- (14) Absence without approved leave;
- (15) Habitual improper use of leave privileges;
- (16) Habitual pattern of failure to report for duty at the assigned time and place.

Following are explanations of various types of disciplinary actions which may be taken:

- (1) Verbal Warning: Informal counseling of an employee by the immediate supervisor, department commissioner or public works director and documented with date, time of counseling, and subject matter in the employees personnel file.

- (2) Written Warning: Formal counseling of an employee by the immediate supervisor, department commissioner, Town Administrator, or Police Chief. This written warning shall contain a description of the problem, corrective action or performance required, possible consequence of failure to meet the conditions set forth in the warning and signatures of both the employee and the supervisor and included in the employee's personnel file.
- (3) Disciplinary Probation: A period of time, usually not to exceed 90 calendar days, during which the employee is expected to improve job performance or behavior with regard to rule infractions. An employee is informed by their immediate supervisor, department commissioner or Public Works Director of the terms and length of such disciplinary probation, written and signed by both the employee and their supervisor, and included in the employee's personnel file.
- (c) Disciplinary Suspension: A period of time, usually one to ten days during which an employee is not permitted to work and is not paid. An employee placed on suspension is informed of same by their immediate supervisor, department commissioner, or Public Works Director, written and signed by both the employee and their supervisor, indicating the dates of the suspension, and included in the employee's personnel file.
- (d) Immediate Disciplinary Suspension: Such suspension may be enacted without pay and without notice by the Town Administrator, Police Chief, department commissioner, Mayor and/or Town Board of

Commissioners for causes related to personal conduct in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When such occurs the employee shall be told to leave Town property at once and remain away until further notice. A written summary giving the circumstances and facts leading to the suspension shall be prepared with one copy being sent to the employee by certified mail, a copy to the Town Board of Commissioners and a copy shall be filed in the employee's personnel folder.

- (e) Non-Disciplinary Suspension: During the investigation, hearing or trial of an employee on any criminal charge or during the course of any civil action involving an employee, the Town Board of Commissioners may suspend the employee without pay for the duration of the proceedings as a non-disciplinary action. However, the investigation, hearing, trial, or civil action must involve matters that may form the basis for disciplinary suspension, demotion or dismissal in order for the non-disciplinary suspension to be allowed.

Full recovery of pay and benefits for the period of non-disciplinary suspension may be authorized by the Town Board of Commissioners, if the suspension is terminated with full reinstatement of the employee.

- (f) Demotion: Failure in personal conduct may be cause for the employee to be demoted as a disciplinary action. An employee demoted as a disciplinary action, is informed of same by their immediate supervisor, department commissioner, in writing and signed by both the employee and their supervisor, indicating the effective date, and included in the employee's personnel file.

- (g) Dismissal: Termination of employment at the instigation of the Town. An employee demoted or dismissed for causes relating to personal conduct shall be given a statement of the charges, be allowed to respond in writing, have a hearing and no sooner than the day following the hearing, be given a prompt written statement of the hearing, and the decision of the Town Board of Commissioners. A copy of the statement shall be signed by the employee and supervisor and one (1) copy shall be filed in the employee's personnel file.

### **Section 3. Employee Appeal**

A regular employee wishing to appeal a demotion, suspension or dismissal may present the matter in accordance with the provisions of the grievance procedure prescribed in Article VIII of this policy.

### **Section 4. Reinstatement**

An employee who resigns while in good standing or who is dismissed because of a reduction in force may be reinstated within one (1) year of the date of separation, with the approval of the Town Board of Commissioners. An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service or with a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with Chapter 43 of Public Law 93-508.

An employee who is reinstated shall be credited with previous service and previously accrued sick leave and will receive all benefits provided in accordance with this policy and state law. The salary paid a reinstated employee shall be as close as reasonably possible, given the circumstance of each employee's case, to the salary step previously attained by the employee in the salary range for the previous class of work, plus any approved "across-the-board" pay increases.

## **Article VIII. Grievance Procedure**

### **Section 1. Policy and Purpose**

In establishing or enacting the following procedure, it is the intent of the Town Board to establish an informal process by which the desires and wishes of each and every employee of the Town may be accommodated, insofar as possible. It is not the intent of the Town Board in enacting this provision to establish any legal procedure for the determination of rights, nor to create any legal rights or procedural rights which do not otherwise exist simply by reason of the fact of employment.

The grievance procedure is designed to ensure an employee or group of employees of fair, impartial and prompt consideration of a problem or dissatisfaction without fear of reprisal. The procedure also encourages employees at all levels to express themselves regarding conditions of work. The grievance procedure is intended to promote better understanding of policies, practices and procedures; to instill confidence in employees that fair and impartial treatment will be received; and develop in supervisors a continuing sense of responsibility for maintaining effective working relationships with subordinate employees.

All employees, including supervisors, are expected to discuss their problems and misunderstandings with their superiors. Open two way communication is a proven factor in reducing and resolving grievances.

When an employee feels the need to resolve a work related problem, dissatisfaction or complaint, the following procedure is available:

## **Section 2. Definition**

A grievance is any dispute concerning the interpretation or application of this personnel policy, or any other policy, practice or procedure affecting working conditions for the Town. A grievance might involve alleged safety or health hazards, unfair or discriminatory supervisory practices, misapplication of department work rules, unsatisfactory physical facilities or equipment or other complaints related to conditions of work or disciplinary action, other than matters of management discretion. The areas of management discretion and therefore non-grievable subjects are as follows: Any condition of employment accepted at the time of employment and/or subsequent change(s) thereto; determining the employee benefit package; determining the proper classification and pay; determining types of training; scheduling and distribution of personnel; determining methods, means, and personnel to carry out operations; relieving employees from work because of lack of work, funds or other valid reasons; hiring, promotion, transfer, non-disciplinary demotion and assignment decisions and maintaining the efficiency of governmental operations. While the foregoing are considered non-grievable, employees are encouraged to express any concerns that they have concerning actions taken in these areas. Complaint processes involving issues covered by other parts of this policy are excluded from this procedure. Nothing herein shall be interpreted to change the status of any employee from that of an employee at will.

## **Section 3. Procedure**

When a permanent employee or group have a claim or complaint concerning the condition of their employment with the Town, and such has not been resolved informally, the successive steps described below are to be taken toward resolution of the matter.



The number of days indicated at each step of the grievance procedure should be considered as the maximum number of days allowed for presentation of and response to the grievance at that level. However, when mutually agreed upon, time limits given below may be extended by those concerned.

Employees (Applicants) who use this procedure shall be free from discrimination, coercion, restraint or reprisal.

Step One. The employee or group of employees with a grievance shall present the matter in writing to the Board of Commissioners within ten (10) days of its occurrence or within ten (10) days of the time the employee learns of its occurrence. If the exact date cannot be established for the occurrence of a grievance circumstance, the ten (10) day limit will be waived, but the employee should file the grievance within a reasonable time period. The filing should stipulate the relief expected by the employee or group. The Board of Commissioners shall promptly notify the employee and immediate supervisor of a date and time for the meeting which will be no later than fifteen (15) work days after the problem causing event. Every effort will be made during this informal discussion of the problem to resolve the grievance to the satisfaction of all concerned. The Board of Commissioners should be and is encouraged to consult with any employee or officer deemed necessary to reach a correct, impartial, and equitable determination and shall give the employee an answer as soon as possible, but within three (3) work days. The grievance and answer shall be reported to the employee, to the immediate supervisor, and placed in the employees personnel file. The Town Board's decision shall be final.

#### **Section 4. Discrimination Appeal Procedure**

Any applicant for Town employment, Town employee, or former Town employee who has reason to believe that employment, promotion, training, or transfer was denied them, or that demotion, layoff, or termination of employment was forced upon them because of age, sex, race, color, national origin, religion, creed, political affiliation, or disability, except where specific requirements constitute a bona fide occupational qualification necessary to proper and efficient administration, shall have the right to appeal directly to the Town Board using the grievance procedure outlined in Section 3 of this article if so desired. An employee or applicant must appeal an alleged act of discrimination within thirty (30) calendar days of the alleged discriminatory action.

#### **Section 5. Back Pay Awards**

Back pay and benefits may be awarded to reinstated employees in suspension, demotion, improper dismissal, and discrimination cases.

### **Article IX. Insurance/Retirement/Benefits**

The following benefits are provided by the Town so long as funding is provided in each fiscal year's budget.

#### **Section 1. Insurance Benefits**

The Town offers group hospitalization, dental and life insurance. Such provisions and costs shall be as determined by the Town Board. Optional dependent coverage shall be provided at the expense of the employee. Employees are eligible for the above benefits after the completion of thirty(30) days of employment.

## **Section 2. Unemployment Insurance**

In accordance with Public Law 94-566 and Chapter 1124 of the Session Laws of 1977 of the North Carolina General Assembly, local governments are covered by unemployment insurance effective January 1, 1978. Town employees who are laid off or released from the Town service may apply for unemployment compensation through the local office of the Employment Security Commission who will determine the employee's eligibility for this benefit.

## **Section 3. Old Age and Survivor's Insurance**

The Town, to the extent of its lawful authority and power, has extended social security benefits for its eligible employees and eligible groups and classes of such employees. Each Town employee shall be included in the Social Security program as a condition of employment.

## **Section 4. Workers' Compensation**

All employees are covered with workers' compensation insurance as required by the General Statutes of North Carolina.

## **Section 5. Credit Union Membership**

Employees of the Town of Pikeville are eligible for membership in the N. C. Local Government Employees' Federal Credit Union. Administration of this credit union is being provided under contract with the N. C. State Employees' Credit Union.

## **Section 6. Compulsory Retirement**

Excluding disability or voluntary earlier retirement, each employee shall normally retire on the first day of the month following his/her 70<sup>th</sup> birthday. However subject to

the recommendations of a medical doctor and approval of the Town Board, the employee may be granted one or more one year extensions.

#### **Section 7. Longevity Pay**

The Town will pay a longevity bonus to each employee as funds are provided in the Town's annual budget. The amount will equal \$5.00 for each year of employment or \$25.00 whichever is the highest amount.

## **Article X. Personnel Records And Reports**

#### **Section 1. Personnel Records Maintenance**

Such personnel records as are necessary for the proper administration of the personnel system will be maintained by the Board of Commissioners or his/her designee. The Town shall maintain, in personnel records, only information that is relevant to accomplishing personnel administration purposes.

The following information on each Town employee shall be maintained:

- (a) Name;
- (b) Age;
- (c) Date of original employment or appointment to Town service;
- (d) Current position title;
- (e) Current salary;
- (f) Date and amount of most recent change in salary;
- (g) Date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification;
- (h) Office to which employee is currently assigned.
- (i) Current mailing address (maintained confidentially)

- (j) Immigration form I-9

**Section 2. Access to Personnel Records**

As required by G. S. 160A-168, any person may have access to the information listed in Section 1 of this Article, except item (i), for the purpose of inspection, examination, and copying, during the regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Board of Commissioners may adopt. Access to such information shall be governed by the following provisions:

- (a) All disclosures of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: name of employee; information disclosed; date information was requested; name and address of the person to whom the disclosure is made; and purpose for which information is requested. This information must be retained for a period of 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 photocopying 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 a writ of mandamus or other appropriate relief.

### **Section 3. Confidential Information**

All information contained in a Town employee's personnel file, other than the information listed in Section 1 of this Article, except that Article X, Section 1 (i) "current mailing address" shall be confidential), shall be maintained as confidential (in accordance with the requirements of G. S. 160A-168 and shall be open to public inspection only in the following instances:

- (a) the employee or his duly authorized agent may examine all portions of his personnel file, except, (1) letters 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 patient.
- (b) A licensed physician designated in writing by the employee may examine the employee's medical record.
- (c) A Town employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- (d) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- (e) An official of an agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such information is deemed by the Board of Commissioners 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 official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.

- (f) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file 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.
- (g) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.
- (h) A record shall be made of each disclosure and placed in the employee's file (except of disclosures to the employee and the supervisor).

#### **Section 4. Records of Former Employees**

The provisions for access to records apply to former employees as they apply to present employees.

#### **Section 5. Remedies of Employees Objecting to Material in File**

An employee who objects to material in his file may place in the file a statement relating to the material they consider to be inaccurate or misleading. The employee

may seek the removal of such material in accordance with established grievance procedures.

**Section 6. Penalty for Permitting Access To Confidential File By Unauthorized Person**

G. S. 160A-168 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee's personnel 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.

**Section 7. Penalty for Examining and/or Copying Confidential Material Without Authorization**

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.

**Section 8. Destruction of Records Regulated**

No public official may destroy, sell, loan, or otherwise dispose of any public record except in accordance with G. S. 121-5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the offices where it is usually kept, or whoever alters, defaces, mutilates or destroys it will be guilty of a misdemeanor and upon conviction will be fined not less than ten dollars, not more than five hundred dollars as provided in G. S. 132-3.



# **Article XI. Implementation Of Policies**

## **Section 1. Conflicting Policies Repealed**

All policies, ordinances or resolutions that conflict with the provisions of this policy are hereby repealed.

## **Section 2. Separability**

If any provision of this policy or any rule, regulation or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of this policy and the application of such remaining provisions of this policy of such rules, regulations or orders to persons or circumstances other than those held invalid will not be affected thereby.

## **Section 3. Violations of Policy Provisions**

An employee violating any of the provisions of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.

## **Section 4. Effective Date**

This policy shall become effective upon adoption.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk

# Town of Pikeville Salary Schedule February, 1997

Salary Grade Number	Step 1		Step 2		Step 3		Step 4		Step 5		Step 6		Step 7		Step 8	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
1 (A)	\$12,000.00	\$12,300.00	\$12,608.00	\$12,923.00	\$13,246.00	\$13,577.00	\$13,916.00	\$14,264.00	\$14,621.00	\$14,987.00	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00
(W)	\$230.77	\$236.54	\$242.46	\$248.52	\$254.73	\$261.10	\$267.62	\$274.31	\$281.17	\$288.21	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27
(H)	\$6.77	\$5.91	\$6.06	\$6.21	\$6.37	\$6.53	\$6.69	\$6.86	\$7.03	\$7.21	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36
2 (A)	\$12,608.00	\$12,923.00	\$13,246.00	\$13,577.00	\$13,916.00	\$14,264.00	\$14,621.00	\$14,987.00	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00
(W)	\$242.46	\$248.52	\$254.73	\$261.10	\$267.62	\$274.31	\$281.17	\$288.21	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19
(H)	\$6.06	\$6.21	\$6.37	\$6.53	\$6.69	\$6.86	\$7.03	\$7.21	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78
3 (A)	\$13,246.00	\$13,577.00	\$13,916.00	\$14,264.00	\$14,621.00	\$14,987.00	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00
(W)	\$254.73	\$261.10	\$267.62	\$274.31	\$281.17	\$288.21	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98
(H)	\$6.37	\$6.53	\$6.69	\$6.86	\$7.03	\$7.21	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22
4 (A)	\$13,916.00	\$14,264.00	\$14,621.00	\$14,987.00	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00
(W)	\$267.62	\$274.31	\$281.17	\$288.21	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67
(H)	\$6.69	\$6.86	\$7.03	\$7.21	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22	\$9.46	\$9.71
5 (A)	\$14,621.00	\$14,987.00	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00
(W)	\$281.17	\$288.21	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31
(H)	\$7.03	\$7.21	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18
6 (A)	\$15,362.00	\$15,746.00	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00
(W)	\$295.42	\$302.81	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31	\$417.50	\$427.94
(H)	\$7.39	\$7.57	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18	\$10.44	\$10.70
7 (A)	\$16,140.00	\$16,544.00	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00
(W)	\$310.38	\$318.15	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31	\$417.50	\$427.94	\$438.63	\$449.60
(H)	\$7.76	\$7.95	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18	\$10.44	\$10.70	\$11.00	\$11.26
8 (A)	\$16,958.00	\$17,382.00	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00	\$23,963.00	\$24,562.00
(W)	\$326.12	\$334.27	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31	\$417.50	\$427.94	\$438.63	\$449.60	\$460.83	\$472.35
(H)	\$8.15	\$8.36	\$8.57	\$8.78	\$8.99	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18	\$10.44	\$10.70	\$10.97	\$11.24	\$11.52	\$11.81
9 (A)	\$17,817.00	\$18,262.00	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00	\$23,963.00	\$24,562.00	\$25,176.00	\$25,805.00
(W)	\$342.63	\$351.19	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31	\$417.50	\$427.94	\$438.63	\$449.60	\$460.83	\$472.35	\$484.15	\$496.25
(H)	\$8.57	\$8.78	\$9.00	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18	\$10.44	\$10.70	\$10.97	\$11.24	\$11.52	\$11.81	\$12.10	\$12.41
10 (A)	\$18,719.00	\$19,187.00	\$19,667.00	\$20,159.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00	\$23,963.00	\$24,562.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,121.00
(W)	\$359.98	\$368.98	\$378.21	\$387.67	\$397.37	\$407.31	\$417.50	\$427.94	\$438.63	\$449.60	\$460.83	\$472.35	\$484.15	\$496.25	\$508.65	\$521.35
(H)	\$9.00	\$9.22	\$9.46	\$9.69	\$9.93	\$10.18	\$10.44	\$10.70	\$10.97	\$11.24	\$11.52	\$11.81	\$12.10	\$12.41	\$12.72	\$13.04

APPENDIX A

# Town of Pikeville Salary Schedule February, 1997

APPENDIX A

Salary Grade Number	Step 1		Step 2		Step 3		Step 4		Step 5		Step 6		Step 7		Step 8	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
11 (A)	\$19,667.00	\$20,663.00	\$21,180.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00	\$23,963.00	\$24,562.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00
(W)	\$378.21	\$397.37	\$407.31	\$417.50	\$427.94	\$438.63	\$449.60	\$460.83	\$472.35	\$484.15	\$496.25	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46
(H)	\$9.46	\$9.93	\$10.18	\$10.44	\$10.70	\$10.97	\$11.24	\$11.52	\$11.81	\$12.10	\$12.41	\$12.72	\$13.03	\$13.36	\$13.69	\$14.04
12 (A)	\$20,663.00	\$21,710.00	\$22,253.00	\$22,809.00	\$23,379.00	\$23,963.00	\$24,562.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00
(W)	\$397.37	\$417.50	\$427.94	\$438.63	\$449.60	\$460.83	\$472.35	\$484.15	\$496.25	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88
(H)	\$9.93	\$10.44	\$10.70	\$10.97	\$11.24	\$11.52	\$11.81	\$12.10	\$12.41	\$12.72	\$13.03	\$13.36	\$13.69	\$14.04	\$14.39	\$14.75
13 (A)	\$21,710.00	\$22,253.00	\$23,379.00	\$23,963.00	\$24,562.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00
(W)	\$417.50	\$438.63	\$449.60	\$460.83	\$472.35	\$484.15	\$496.25	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75
(H)	\$10.44	\$10.97	\$11.24	\$11.52	\$11.81	\$12.10	\$12.41	\$12.72	\$13.03	\$13.36	\$13.69	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49
14 (A)	\$22,253.00	\$23,379.00	\$24,562.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00
(W)	\$438.63	\$460.83	\$472.35	\$484.15	\$496.25	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13
(H)	\$10.97	\$11.52	\$11.81	\$12.10	\$12.41	\$12.72	\$13.03	\$13.36	\$13.69	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28
15 (A)	\$23,963.00	\$25,176.00	\$25,805.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00
(W)	\$460.83	\$484.15	\$496.25	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10
(H)	\$11.52	\$12.10	\$12.41	\$12.72	\$13.03	\$13.36	\$13.69	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10
16 (A)	\$25,176.00	\$26,450.00	\$27,111.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00
(W)	\$484.15	\$508.65	\$521.37	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73
(H)	\$12.10	\$12.41	\$13.03	\$13.36	\$13.69	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97
17 (A)	\$26,450.00	\$27,789.00	\$28,484.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00
(W)	\$508.65	\$534.40	\$547.77	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12
(H)	\$12.72	\$13.03	\$13.69	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88
18 (A)	\$27,789.00	\$29,196.00	\$29,926.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00
(W)	\$534.40	\$561.46	\$575.50	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35
(H)	\$13.36	\$14.04	\$14.39	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83
19 (A)	\$29,196.00	\$30,674.00	\$31,441.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00
(W)	\$561.46	\$589.88	\$604.63	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50
(H)	\$14.04	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84
20 (A)	\$30,674.00	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,422.00	\$45,524.00
(W)	\$589.88	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$853.83	\$874.16
(H)	\$14.75	\$15.12	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.35

# Town of Pikeville Salary Schedule February, 1997

Salary Grade Number	Step 1		Step 2		Step 3		Step 4		Step 5		Step 6		Step 7		Step 8	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
21 (A)	\$32,227.00	\$33,033.00	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,426.00	\$45,537.00	\$46,675.00
(W)	\$619.75	\$635.25	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$854.35	\$875.71	\$897.60
(H)	\$15.49	\$15.88	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.36	\$21.89	\$22.44
22 (A)	\$33,859.00	\$34,705.00	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,426.00	\$45,537.00	\$46,675.00	\$47,842.00	\$49,038.00
(W)	\$651.13	\$667.40	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$854.35	\$875.71	\$897.60	\$920.04	\$943.04
(H)	\$16.28	\$16.69	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.36	\$21.89	\$22.44	\$23.00	\$23.58
23 (A)	\$35,573.00	\$36,462.00	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,426.00	\$45,537.00	\$46,675.00	\$47,842.00	\$49,038.00	\$50,264.00	\$51,521.00
(W)	\$684.10	\$701.19	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$854.35	\$875.71	\$897.60	\$920.04	\$943.04	\$966.62	\$990.79
(H)	\$17.10	\$17.53	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.36	\$21.89	\$22.44	\$23.00	\$23.58	\$24.17	\$24.77
24 (A)	\$37,374.00	\$38,308.00	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,426.00	\$45,537.00	\$46,675.00	\$47,842.00	\$49,038.00	\$50,264.00	\$51,521.00	\$52,809.00	\$54,129.00
(W)	\$718.73	\$736.69	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$854.35	\$875.71	\$897.60	\$920.04	\$943.04	\$966.62	\$990.79	\$1,015.56	\$1,040.94
(H)	\$17.97	\$18.42	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.36	\$21.89	\$22.44	\$23.00	\$23.58	\$24.17	\$24.77	\$25.39	\$26.02
25 (A)	\$39,266.00	\$40,248.00	\$41,254.00	\$42,285.00	\$43,342.00	\$44,426.00	\$45,537.00	\$46,675.00	\$47,842.00	\$49,038.00	\$50,264.00	\$51,521.00	\$52,809.00	\$54,129.00	\$55,482.00	\$56,869.00
(W)	\$755.12	\$774.00	\$793.35	\$813.17	\$833.50	\$854.35	\$875.71	\$897.60	\$920.04	\$943.04	\$966.62	\$990.79	\$1,015.56	\$1,040.94	\$1,066.96	\$1,093.56
(H)	\$18.88	\$19.35	\$19.83	\$20.33	\$20.84	\$21.36	\$21.89	\$22.44	\$23.00	\$23.58	\$24.17	\$24.77	\$25.39	\$26.02	\$26.67	\$27.34

**TABLE 4**  
**TOWN OF PIKEVILLE**  
**ALLOCATION OF CLASSES TO SALARY GRADE**

<u>SALARY GRADE</u>	<u>SALARY RANGE</u>	<u>CLASSIFICATION TITLE</u>
1	\$12,000-\$16,958	
2	\$12,608-\$17,817	
3	\$13,246-\$18,719	Sanitation Worker
4	\$13,916-\$19,667	
5	\$14,621-\$20,663	
6	\$15,362-\$21,710	Sanitation Driver
7	\$16,140-\$22,809	Utilities Maintenance Mechanic
8	\$16,958-\$23,963	
9	\$17,817-\$25,176	Police Officer
10	\$18,719-\$26,450	Water and Wastewater Technician
11	\$19,667-\$27,789	
12	\$20,663-\$29,196	Master Police Officer
13	\$21,710-\$30,674	Finance Officer/Town Clerk
14	\$22,809-\$32,227	
15	\$23,963-\$33,859	
16	\$25,176-\$35,573	Police Chief
17	\$26,450-\$37,374	Town Administrator/Tax Collector
18	\$27,789-\$39,366	
19	\$29,196-\$41,254	
20	\$30,674-\$43,342	

# TOWN OF PIKEVILLE

## CLASSIFICATION PLAN

(Schematic list of Position Classes by Functional Group)

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### CLASS TITLE

### CLASS CODE

#### Administration

*Town Administrator/Tax Collector	100-00
Town Clerk/ Finance Officer	100-02

#### Public Works

Water and Wastewater Technician	200-04
Utilities Maintenance Mechanic	200-05
Sanitation Driver	205-08
Sanitation Worker	205-11

#### Police

*Police Chief	300-00
Master Police Officer	300-04
Police Officer	300-07

\* Indicates those classes of positions exempt from wage and hour provisions of the FLSA.