



**CITY OF MANCHESTER  
NEW HAMPSHIRE**



**EMPLOYEE HANDBOOK**

# EMBODY THE MANCHESTER SPIRIT



## SERVICE

BE RESPONSIVE,  
TRANSPARENT,  
AND EFFICIENT.

S



## PRIDE

ACT PROFESSIONALLY.  
APPLY BEST PRACTICES.  
CONTINUALLY IMPROVE.

P



## INTEGRITY

BE HONEST,  
TRUSTWORTHY,  
AND ACCOUNTABLE.

I



## RESPECT

TREAT EVERYONE WITH DIGNITY.  
EMBRACE DIVERSITY.  
LISTEN.

R



## INITIATIVE

EXPLORE IDEAS.  
BE RESOURCEFUL.  
ACT.

I



## TEAMWORK

COLLABORATE AND BUILD TRUST  
- AMONG COLLEAGUES, ACROSS  
DEPARTMENTS, WITH THE PUBLIC.

T



### VISION STATEMENT

TO BE A FIRST CLASS (IY) TO LIVE, WORK AND VISIT, BUILT UPON OUR RICH HISTORY OF CULTURE, EDUCATION, ENVIRONMENT AND COMMERCE.

### MISSION STATEMENT

TO PROVIDE EXCELLENT SERVICE TO MEET THE NEEDS OF THE PUBLIC IN WAYS THAT MERIT THEIR TRUST AND CONFIDENCE.

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## **\*WELCOME TO MANCHESTER\***

We are delighted that you have chosen to join our City and hope that you will enjoy a long and successful career with us. As you become familiar with our vision, mission, core values and culture, we hope you will take advantage of opportunities to enhance your career and further the City of Manchester's goals.

### **MANCHESTER'S VISION**

To be a first class city to live, work and visit, built upon our rich history of culture, education, environment and commerce.

### **MANCHESTER'S MISSION**

To provide excellent service to meet the needs of the public in ways that merit their trust and confidence.

### **MANCHESTER'S CORE VALUES – “SPIRIT”**

**SERVICE:** BE RESPONSIVE, TRANSPARENT, AND EFFICIENT.

**PRIDE:** ACT PROFESSIONALLY, APPLY BEST PRACTICES, CONTINUALLY IMPROVE.

**INTEGRITY:** BE HONEST, TRUSTWORTHY, AND ACCOUNTABLE.

**RESPECT:** TREAT EVERYONE WITH DIGNITY, EMBRACE DIVERSITY, LISTEN.

**INITIATIVE:** EXPLORE IDEAS, BE RESOURCEFUL, ACT.

**TEAMWORK:** COLLABORATE AND BUILD TRUST - AMONG COLLEAGUES, ACROSS DEPARTMENTS, WITH THE PUBLIC.

### **MANAGEMENT PHILOSOPHY**

It is the philosophy of the Board of Mayor and Aldermen that our employees are our most important resource. We are committed to maintaining an organizational culture that:

- attracts and retains the best employees;
- rewards our employees for superior performance, commitment, loyalty, service delivery, knowledge, skills and abilities;
- encourages openness and trust in our dealings with one another;
- provides opportunities for professional growth and personal development;

- stimulates participation, teamwork and creativity; and
- balances employee needs with business necessity.

## **EQUAL EMPLOYMENT OPPORTUNITY**

The City of Manchester is committed to the full utilization of all human resources and to a policy of equal employment opportunity. The City will not discriminate against its employees or applicants for employment on criteria that includes, but is not limited to, race, color, gender, age, national origin, religion, marital status, sexual orientation, gender identity, results of genetic testing, physical or mental disability or veteran status.

## **OUR EMPLOYEE RELATIONS PHILOSOPHY**

The City of Manchester will provide the best possible climate for maximum professional development and achievement for all employees. Our practice is to treat each employee as an individual, while at the same time foster a sense of teamwork in each department and throughout the City.

The City's goals are described in the Mission Statement. In order to attain these goals, we will do our best to assist you in developing your fullest potential. You and your supervisor will work together to define the goals and objectives that will measure your professional development.

Open communication is essential to everyone's success. Issues should be discussed and resolved in a mutually respectful atmosphere, taking into account the circumstances facing each individual employee. We encourage you to bring your suggestions, criticisms and questions to the attention of your supervisor. We will give careful consideration to these comments in our continuing efforts to improve public service.

## **EMPLOYMENT AT WILL**

Employment at the City of Manchester is on an at-will basis unless otherwise stated in a written individual employment agreement authorized by the Board of Mayor and Aldermen. This means that either the employee or the City may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook is intended to or creates an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit be continued for any period of time.

## **EMPLOYEE ORIENTATION**

You will be scheduled to attend Employee Orientation Training that will provide you an overview of the benefits and services you are entitled to as a City employee. If you have any questions regarding this information, ask your supervisor or call the Human Resources Department at 624-6543. You may also visit the City of Manchester's H.R. website.



## **ABOUT THIS HANDBOOK**

Employees will be asked to sign a receipt of notification to the electronic link of the employee handbook. The programs and information outlined in this handbook should be regarded as guidelines that may change over time. In an effort to be responsive to the needs of our organization and the public, changes to this handbook may be made when necessary. If its terms conflict with the law, the law governs. Our handbook is located at:

<https://www.manchesternh.gov/Departments/Human-Resources/Policies/Employee-Handbook>.

The handbook is your guide to City policies and the current benefit plans available to our employees. This information may be affected by labor contracts (Collective Bargaining Agreements), City ordinances and/or department policies. You are encouraged to ask your supervisor for information about department policies and rules. If questions arise regarding the interpretation of the benefit plans, the answers will be determined by reference to the actual plan documents and policies rather than this handbook.

**Alphabetical list by Department  
CITY OF MANCHESTER PHONE DIRECTORY**

<b>CITY OF MANCHESTER - PHONE DIRECTORY</b>		
<b>AIRPORT</b>	<b>ONE AIRPORT RD, STE. 300</b>	<b>624-6539</b>
<b>ASSESSORS OFFICE</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6520</b>
<b>CENTRAL FLEET SERVICES</b>	<b>475 VALLEY STREET</b>	<b>624-6474</b>
<b>CITY CLERK</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6455</b>
<b>CITY SOLICITOR</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6523</b>
<b>CONTRIBUTORY RETIREMENT</b>	<b>1045 ELM STREET</b>	<b>624-6506</b>
<b>DEPT. of PUBLIC WORKS</b>	<b>475 VALLEY STREET</b>	<b>624-6444</b>
<b>EMPLOYEE MGMT RESOURCES</b>	<b>1045 ELM STREET</b>	<b>624-6489</b>
<b>EPD</b>	<b>300 WINSTON STREET</b>	<b>624-6522</b>
<b>FACILITIES DIVISION</b>	<b>475 VALLEY STREET</b>	<b>624-6444</b>
<b>FINANCE</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6460</b>
<b>FIRE</b>	<b>100 MERRIMACK STREET</b>	<b>669-2256</b>
<b>HEALTH</b>	<b>1528 ELM STREET</b>	<b>624-6466</b>
<b>HUMAN RESOURCES</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6543</b>
<b>INFORMATION SYSTEMS</b>	<b>100 MERRIMACK STREET</b>	<b>624-6577</b>
<b>LIBRARY</b>	<b>405 PINE STREET</b>	<b>624-6550</b>
<b>MAYOR</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6500</b>
<b>MANCHESTER ECONOMICS</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6505</b>
<b>ORDINANCE VIOLATIONS</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6546</b>
<b>PARKING DIVISION</b>	<b>25 VINE STREET</b>	<b>624-6580</b>
<b>PARKS, REC/CEMETERY</b>	<b>475 VALLEY STREET</b>	<b>624-6444</b>
<b>PLANNING &amp; COMMUNITY DEV.</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6450</b>
<b>POLICE</b>	<b>405 VALLEY STREET</b>	<b>668-8711</b>
<b>RISK MANAGEMENT</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6503</b>
<b>SCHOOL DEPARTMENT</b>	<b>195 MCGREGOR ST</b>	<b>624-6300</b>
<b>SENIOR SERVICES</b>	<b>151 DOUGLAS STREET</b>	<b>624-6533</b>
<b>TAX COLLECTOR</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6575</b>
<b>VOTER REGISTRATION</b>	<b>ONE CITY HALL PLAZA</b>	<b>624-6480</b>
<b>WATER TREATMENT PLANT</b>	<b>1581 LAKESHORE DRIVE</b>	<b>624-6513</b>
<b>WATERWORKS</b>	<b>281 LINCOLN STREET</b>	<b>624-6494</b>
<b>WELFARE</b>	<b>1528 ELM STREET</b>	<b>624-6484</b>
<b>YOUTH SERVICES</b>	<b>848 ELM STREET, STE. 302</b>	<b>624-6470</b>

## **\*ON THE JOB\***

### **STANDARDS OF CONDUCT**

Every employee is obligated to observe and follow City policies and procedures and to maintain proper standards of conduct at all times. If an individual's actions interfere with the orderly and efficient operation of a department, disciplinary measures will be taken.

### **PROPER DRESS AND CARE OF EQUIPMENT**

Every employee should always dress in a professional and appropriate manner, according to the needs of his or her position. Employees requiring special clothing or uniforms during work hours are required to ensure that uniforms are clean, neat and presentable at the start of each workday.

Employees in departments requiring the use of tools and equipment shall maintain these in good working order.

### **CONFLICT OF INTEREST**

As a City employee, you must avoid actions that may result in, or create the appearance of, using this public office for any private gain. Employees must remain impartial in conducting City business and shall not give preferential treatment to any person, group or organization. Employees must not engage in any outside employment with any government or private activity that may conflict with, create the appearance of a conflict, or be construed as being endorsed by the City. The City expects all employees to conduct themselves and City business in a manner that reflects the highest standards of ethical conduct and in accordance with all federal, state, and local laws and regulations.

### **POLITICAL ACTIVITIES**

The City does not permit the use of any City equipment or materials for any political activities.

## **GIFTS**

The City does not permit any employee to accept or solicit any gifts or offerings during the course of business. Employees must report all gift offerings to their supervisor or department head.

## **RELEASE OF INFORMATION**

Members of the public can request City information under the Right to Know Law. Any questions concerning what qualifies as public information should be directed to the City Solicitor's Office at 624-6523. Use of private cell-phones or private e-mail for work purposes may fall under the Right to Know request category under certain circumstances.

## **CONFIDENTIALITY AND PRIVACY**

It is every employee's responsibility to maintain the confidentiality of City information. Everyone must work to ensure that such information is not improperly disclosed. Employees must use discretion and care in maintaining confidentiality and should limit access and release of information to those who have a legitimate need to know or have authorization for its release. Information about current and former employees, as well as information related to private citizens, is confidential. Any questions regarding the release of information should be directed to your department head and/or the City Solicitor's Office at 624-6523.

The City respects every employee's right to privacy, but this right is not absolute. All the equipment, materials and furnishings used in your job belong to the City and are subject to City control and monitoring.

Employee medical files are confidential and are stored separately from personnel files. City supervisors, emergency and safety personnel shall be allowed access to this information as necessary to provide emergency medical treatment or a disability-related accommodation.

Employees may review their personnel file in the Human Resources

Department during regular business hours (8:00 AM – 5:00 PM). Positive identification is required.

### **MEDICAL INFORMATION PRIVACY**

The City complies with the federal Health Insurance Portability and Accountability Act (HIPAA). Therefore, the City only collects information needed to carry out its business such as that which you supply to enroll in health and dental insurance plans. Examples of protected health information include diagnoses, treatments and names of providers. The City does not typically have access to this information nor does it request it, the exception being information necessary to process requests for Family and Medical Leave (FMLA). All protected health information obtained is kept in confidence.

If you have concerns or questions, please discuss with the City of Manchester's Privacy Officer, who is the Human Resources Director.

### **WORKPLACE COMMUNICATIONS/E-MAIL**

City E-mail and software applications are considered City property. They are intended for City business. With Department Head approval, employees may use email for personal reasons as long as it does not interfere with their duties.

All communications sent by employees via the City's E-mail system must comply with City policies and be handled in a professional and respectful manner.

Each employee is responsible for the content of any text, audio or images that (s)he places or sends over the City's Email system. No E-mail or other electronic communications may hide the identity of the sender or represent the sender as another person. All messages communicated on the City's E-mail system must display the writer's name.

City E-mail and software application transmissions shall not be used for transmitting, retrieving or storing obscene materials, abusive, profane or offensive language, or any derogatory or inflammatory messages about race, age, disability, religion, marital status, national origin, physical attributes, transgender or sexual preference. Any employee abusing the E-mail privilege is subject to disciplinary actions as determined by policy and the department head. Please refer to the City Resources Policy for further information; a copy is available in your department or on the G-Drive under:

**FIN\Forms & Policies\CityofManchesterBusinessExp-Trvl Policy**

Copyrighted materials belonging to other entities shall not be sent except with the appropriate permission. Confidential materials should not be sent using E-mail. Employees should not have any expectation of privacy in their use of City computers, phones, or other communication tools. The City reserves the right to access and monitor all E-mail messages and files for violations of standing restrictions.

## **DISCIPLINARY ACTIONS**

### **Non - Affiliated Employees**

Employees may be suspended, demoted, terminated or otherwise subject to disciplinary action if they provide unsatisfactory service, violate regulations or ordinances.

Regular, non-affiliated employees may appeal demotions, suspensions without pay or terminations to the Personnel Appeals Board, as defined by City ordinance.

### **Affiliated Employees**

Disciplinary and termination policies and procedures for affiliated employees shall be in accordance with established Collective Bargaining Agreements. For more information, consult the appropriate Collective Bargaining Agreement.

## **\*YOUR PAY AND PROGRESS\***

### **RECORDING YOUR TIME/HOURS OF EMPLOYMENT**

Attendance and punctuality are important factors for your success as an employee. If you are absent from work or late in arriving, you must notify your supervisor as soon as possible. Your supervisor will advise you as to the appropriate method for recording your time. You are required to maintain an accurate record of all time worked.

The City has a variety of work schedules that are dictated by department needs, Collective Bargaining Agreements and/or ordinances and policies. Department heads may institute flexible time schedules consistent with funding and operational activities as approved by the Human Resources Director.

### **PAYROLL**

Employees are paid each Thursday, unless otherwise stipulated by contract or department policy. When payroll falls on a holiday, checks will be distributed on the previous workday. The employee's paycheck represents the net take home pay after deductions, such as federal income taxes, insurance premiums and other authorized deductions. Employees have the option of receiving a payroll check or may be paid through the direct deposit program. All employees are encouraged to use direct deposit for convenience, security and cost savings.

### **FLEXIBLE SPENDING PLAN (FSA)**

The City offers a FSA program. There are three components to this program:

**Non-reimbursable Medical Expenses:** There are certain expenses not covered by the City's health and dental insurance. Examples of these expenses are co-payments for office visits to the doctor, co-payments for prescriptions, orthodontics, eyeglasses, etc. This plan allows you to estimate how much you will spend out of pocket for non-reimbursable expenses for a year.

Once you have calculated an amount, you need to complete paperwork to have this deducted from your weekly paycheck. Once you have accumulated receipts for the non-reimbursable eligible expenses, you submit them to the FSA provider who will send you a check in the amount that you have submitted even if your payroll deductions are not yet sufficient to cover the expenses. Or, you may use a flex benefit card, which automatically deducts the expense from your account. \*\*Not available to anyone with a HSA (Health Savings Account) per IRS regulations.

**Health and Dental Insurance Premium Offset:** Employees may have their health and dental insurance premiums deducted on a pre-tax basis.

**Dependent Care:** This also allows employees to have a pre-tax payroll deduction for daycare expenses.

## **COMPENSATION PROGRAM**

The City recognizes the need to provide a compensation program that is competitive in the marketplace, internally consistent and recognizes our employees' efforts and achievements.

The City has established a classification plan with assigned pay grades for every position. Positions are evaluated based on the knowledge, skills and abilities required for the job. Employees have an opportunity to advance within their pay grade as their career with the City progresses.

## **PROBATIONARY PERIOD – FULL TIME EMPLOYEES**

The first six months of employment with the City is considered a probationary period. During this time, employees are eligible for paid holidays as long as they report to work on their scheduled workday before and after the holiday. Upon successful completion of the probationary period, employee status will change as is appropriate to their position. All permanent employees in the city service, except part-time employees who work less than one-half of the regular work week, temporary, and seasonal employees, shall be eligible for sick leave with pay.. Police and Fire Department employees have a probationary period of one year, but are eligible



to use vacation and sick leave after six months.

## **NON-PROBATIONARY EMPLOYEES**

Upon completion of the probationary period, regular, full-time employees have the opportunity to receive yearly advances in their pay grade. Advances are based on job performance and length of service. Salary advances require the recommendation of employee's department head and the approval of the Human Resources Director or the Human Resources and Insurance Committee, except as otherwise provided for in Collective Bargaining Agreements.

## **PERFORMANCE APPRAISAL**

The City is committed to providing opportunities for professional growth and development. Your progress will be formally evaluated at the end of your probationary period, on an annual basis and on special occasions when warranted. This process will help you to identify your strengths and areas of expertise as well as those areas that may need further development. The plan may be modified as necessary as you attain your goals, or if your job duties change significantly. Your supervisor will fully explain the performance appraisal process to you.

The evaluation criteria will include the information regarding your ability to perform your job in a manner that meets or exceeds the expectations of your department and the City. At this time, you may receive an increase (if applicable) in your salary if you meet the work standards developed by you and your supervisor.

## **OVERTIME PAY**

Overtime shall be paid as indicated in Collective Bargaining Agreements and City ordinances and/or policies beyond normal work hours as a required part of the job.

Non-affiliated, non-exempt staff shall be entitled to overtime compensation at one and one-half times the basic hourly rate for all hours worked over forty hours in a regular work week. Work on Sunday or a holiday will also require overtime compensation, provided that such Sunday work is not part of their regular work

schedule in the labor and trade groups only. Administrative employees working on a holiday will receive a floating holiday and straight time, provided they did not work over 40 hours. No overtime compensation will be given unless such work has received prior authorization by your Department Head. Individuals who work unauthorized overtime shall be subject to disciplinary action.

### **COMPENSATORY TIME**

Any compensatory time off in lieu of overtime payment shall be at the time and one-half rate for non-exempt positions. Such compensatory time earned may not exceed 80 hours accrued. Compensatory time must be used prior to termination from employment. Compensatory time rules may be controlled by applicable collective bargaining agreements.

### **TEMPORARY ASSIGNMENTS AT PLUS RATES**

If you are qualified for and temporarily required to serve in a higher class of position, you will receive the entrance rate of that class or one rate step above your present rate, whichever is higher, or as established in Collective Bargaining Agreements and City ordinances, for the duration of your assignment.

### **STAND-BY PAY**

Any employees who are assigned during their normal off-duty hours by their departments to standby duty, in immediate communication with the department during the standby period, and available at a minimum notice for emergency call-back duty shall be compensated for the inconvenience resulting thereby as follows:

**Non-exempt employees** – From Monday through Friday from the end of the normal work shift to the beginning of the next normal work shift the rate of \$10.00 per day. For standby on Saturday, Sunday or a holiday, \$20.00 per day.

Should any collective bargaining agreement provide a higher standby pay than indicated above, then employees who are not members of that bargaining agreement shall receive no less

standby pay.

**Exempt employees** – Exempt employees are not entitled to standby pay unless it is provided for in a collective bargaining agreement or is approved by the BMA.

Stand-by pay for affiliated employees will be paid in accordance with the applicable Collective Bargaining Agreement.

### **CALL BACK PAY**

Any non-exempt employee who is called back for emergency or overtime work will be paid a minimum guaranteed payment equivalent to three hours of pay at the overtime rate of time and one-half or in accordance with the Collective Bargaining Agreements.

### **NIGHT SHIFT**

If you are assigned to permanent night shifts, or periodic rotating night shifts (with the exception of uniformed Police and Fire and part-time personnel), you will be paid at a rate one step higher than your normal rate when half or more of your shift is worked after 6 PM or before 8 AM. This rate shall be paid only while you are actually working on such shift or are on an authorized vacation or sick leave with pay, provided that you are so assigned both immediately before and after such leave, and, as defined by City ordinance and/or Collective Bargaining Agreements.

### **WORK TRAVEL/TRAVEL ALLOWANCE**

Mileage reimbursements are authorized for employees who use their personal vehicle to conduct their daily work or to attend work-related activities. The owner/operator of a personal vehicle assumes responsibility for all costs involved in the operation and maintenance of his/her vehicle while conducting City business. Prior to authorizing use of a private vehicle the Department Director shall obtain a photocopy of the employee's valid driver's license and proof of valid liability insurance. City policy determines the food/lodging allowances for employees traveling on official business. For information on current rates, refer to your Collective Bargaining Agreement or contact the Finance Department at 624-

## **TUITION REIMBURSEMENT**

This benefit is available to all regular, full-time and part-time (on a pro-rated basis) employees, on a first-come, first-served basis. All employees who have completed six (6) months of continuous employment are eligible. Employees may apply for reimbursement on a fiscal yearly basis. Employees requesting tuition reimbursement must complete and submit their request to their department head for approval prior to the start date of the educational course, training or program. For information on current rates, refer to your Collective Bargaining Agreement or contact the Human Resources Department at 624-6543.

## **RETIREMENT**

Eligible City classified employees are enrolled in the Manchester Employee Contributory Retirement System Defined Benefit Plan. Contributions are established by referendum: the current rate is 5% annually.

Employees in the Manchester Employee Contributory Retirement System are vested after five (5) years of service. For more information, consult the City of Manchester Employee Contributory Retirement System at 624-6506.

Eligible uniformed Police and Fire employees are enrolled in the State of New Hampshire Retirement System. Contributions vary on an annual basis. For more information, contact the New Hampshire Retirement System at 410-3500.

## **DEFERRED COMPENSATION**

The City offers a Deferred Compensation plan for employee savings and retirement planning. The program is offered through the City's deferred comp carrier. The program is offered on a pre-tax basis. For more information, please contact the Human Resources Office at 624-6543.

## **\*EMPLOYEE BENEFITS\***

### **VACATION**

Use of vacation leave must be approved by your supervisor and should be requested well in advance of the scheduled leave date. Vacation leave is not earned during a period of unpaid leave. Vacation leave credits are accrued on a monthly basis for affiliated employees and on a weekly basis for non-affiliated employees. Vacation leave credit accruals vary depending upon current City Ordinances &/or current Collective Bargaining Agreements.

Vacation leave is available on a prorated basis, to regular, part-time employees who work more than twenty hours a week and are not seasonal or temporary according to work schedules and with the approval of their department head. No vacation shall accrue on hours in excess of 40 hours per week.

Upon termination, employees will be paid for their accrued unused vacation days, up to a maximum of 400 hours.

If an employee is terminated for any cause during the first six months of employment, he/she shall not be eligible for payment for any unused vacation credits.

Vacation Credits: With Department Head approval, employees may purchase up to 80 hours of vacation credits.

### **HOLIDAYS**

Employees are entitled to receive holiday pay and/or time off as defined by City ordinances and Collective Bargaining Agreements. If a holiday falls on Saturday, it is observed on Friday; if a holiday falls on Sunday, it is observed on Monday. The Human Resources Department issues an annual list to all departments of the paid holidays for each year.

City Non-Affiliated employees observe the following annual paid holidays. Affiliated employees should check their Collective Bargaining Agreement for additional information:

<b>January:</b>	New Year's Day; Martin Luther King, Jr. Day;
<b>February:</b>	Presidents' Day;
<b>May:</b>	Memorial Day;
<b>June:</b>	Juneteenth Day
<b>July:</b>	Independence Day;
<b>September:</b>	Labor Day;
<b>October:</b>	Columbus Day;
<b>November:</b>	Election Day; Veteran's Day; Thanksgiving Day;
<b>December:</b>	Christmas Day.

- (1) Any employee in any class of positions, except those in the labor and trades group, shall receive their regular pay for the holiday payment at straight time for all hours worked on a holiday.
- (2) Any employee in any class of positions in the labor and trades group only shall receive their regular pay for the holiday plus payment at time and one-half their regular rate of pay for all hours worked on a holiday.
- (3) Forfeiture of holiday pay. Any employee shall forfeit their right to payment for any holiday if they have an unexcused absence on the last regular work day proceeding such holiday or on the next regular work day following such holiday.

## **PERSONAL LEAVE**

Full time employees are entitled to two personal leave days per year, if 6 sick leave days or less are used in the previous full calendar year, except as otherwise provided in Collective Bargaining Agreements. Part time employees who work a minimum of 20 hours/week on average and qualify will receive personal leave on a prorated basis.

## **BEREAVEMENT LEAVE**

All employees are entitled to bereavement leave benefits as determined by Collective Bargaining Agreements or City Ordinances. You will be excused from work for not more than five workdays, between date of death and funeral, in the event of the death of a spouse, parent, child, brother, sister, mother-in-law, father-in-law, son-in-law, daughter-in-law or a blood relative or ward residing in the same household or abode. Employees may be excused for one day for the death of a grandparent, grandchild, aunt/uncle, and/or brother/sister-in-law.

## **JURY DUTY**

Leave with pay may be authorized for jury duty, if selected by a court, when the hours of duty conflict with your work schedule. An employee called as a juror signs over the check received for jury duty payable to the City of Manchester. If the check for jury duty includes mileage reimbursement, the employee will cash the check and write a personal check payable to the City of Manchester for just the jury duty portion – not to include the mileage reimbursement.

## **INCLEMENT WEATHER**

Under normal circumstances, if you are absent due to severe weather or another emergency situation, you may be required to use vacation time, compensatory time, personal days or an unpaid absence in the event you do not report to work or desire to leave work early. When the State of New Hampshire or the City declares a state of emergency, the Mayor may authorize absence from work without the use of chargeable leave.

## **LEAVE OF ABSENCE WITHOUT PAY**

A department head may authorize up to 90 days without pay in a rotating year.

The Board of Mayor and Aldermen may authorize special leaves of absence, with or without pay, for any period not to exceed one calendar year, so an employee may attend college, address urgent personal business requiring the employee's attention for an

extended period, and for other purposes deemed beneficial to City service.

## **SICK LEAVE**

Employees are eligible for sick leave as defined by City Ordinances or Collective Bargaining Agreements. The sick leave accrual rate is fifteen days per year with a maximum rate established at 120 days for all employees, except as otherwise specified by applicable Collective Bargaining Agreements.

If you are eligible for sick leave with pay, you may use sick leave, with approval of your department head, for absence due to your illness or injury, that of a spouse, child or other blood relative or ward residing in your household; or for exposure to a contagious disease.

If you wish to use sick leave you must inform your immediate supervisor of the fact and reason as soon as possible. Failure to do so, within a reasonable time, may be cause for denial of pay for the period of absence.

Your department head shall require a doctor's certificate before approving sick leave with pay for a period of more than three workdays, and for shorter periods if there is an appearance of misuse of sick leave or other reasons.

Upon death (while employed by the City) or paid retirement, employees may be paid up to 80 days of accrued sick leave, plus  $\frac{1}{4}$  of the balance of sick days accrued over 80 but not more than 120 days. On separation from service under satisfactory conditions and 15 years of continuous service, non-affiliated employees are paid up to 60 days of accrued sick leave. Affiliated employees should refer to their Collective Bargaining Agreements.

## **SICK LEAVE BANK**

Sick Leave Bank is a *voluntary program* offered to all regular



employees who have completed the probationary period. You must complete the appropriate membership application and be accepted in order to be eligible for the benefit. Members donate one sick leave day per year to the bank. The purpose of the bank is to provide relief to employees who suffer long-term illness or injuries that are non-job related. The Bank will provide additional paid benefit days for an employee who has exhausted his or her accrued sick leave. Please check pertinent sick leave bank practices within your department.

### **FAMILY MEDICAL LEAVE ACT**

Employees who work 1,250 hours in the previous twelve (12) month period are entitled to Family Medical Leave Act (FMLA) for the birth or adoption of a child or if they have a serious health condition (as defined by the Act), or if they need time to care for a family member with a serious health condition. In addition, leave to care for a covered service member with a serious injury or illness, as well as, leave due to a qualifying exigency is also available.

Employees who wish to take FMLA must apply to the Human Resources Department. Employees who are granted FMLA leave must first use all paid leave before going on unpaid status for the remaining time period.

When the need for FMLA leave is planned, you must give thirty (30) days' notice prior to the expected leave date. When leave is unforeseeable, you must give notice as soon as practical. Employees on FMLA leave must report every thirty (30) days to their department head regarding their status and intention to return to work. Employees who are ready to return to work (when out due to their own serious health condition) shall submit a fitness-for-duty certification from their health care provider.

Refer to the City FMLA Policy for additional information or contact the Human Resources Department at 624-6543.

### **LIFE INSURANCE**

Regular employees who work a minimum of 20 hours each week

receive one (1) times their annual salary, rounded to the next higher \$1000, (to a maximum of \$50,000) in life insurance coverage at no cost. Additional employee coverage may be purchased at group rates up to \$150,000 with no proof of insurability provided it is requested within 30 days of being hired, and up to \$300,000 upon approval of proof of insurability. Optional dependent coverage is also available at group rates. **You must complete an application form to be eligible for this additional coverage.** For more information, contact your department payroll clerk or the Human Resources Department at 624-6543.

### **LONG TERM DISABILITY**

Regular employees who work a minimum of 30 hours per week receive Core Long Term Disability which covers them for 24 months. Employees can purchase Optional Long Term Disability which will cover them up to their normal Social Security retirement age with no proof of insurability provided it is requested within 30 days of hire date. For more information, contact your department payroll clerk or the Human Resources Department at 624-6543.

### **DENTAL INSURANCE**

Regular, full-time employees are eligible to receive dental insurance benefits the first day of the month following completion of three (3) full months of continuous employment. **You must complete an application form to be eligible for coverage.**

For example, if an employee is hired on January 3, 2018, his or her dental insurance takes effect on May 1, 2018, provided the necessary enrollment forms are submitted to Human Resources.

### **MEDICAL INSURANCE**

Regular, full-time employees are eligible to receive health insurance the first of the month following their date of hire. **You must complete an application form to be eligible for coverage.** For example, if an employee is hired on January 3, 2020, his or her health insurance begins on February 1, 2020, provided the necessary enrollment forms are submitted to Human Resources. For more information, contact the Human Resources Department at 624-6543.

## **EMPLOYEE ASSISTANCE PROGRAM**

The Employee Assistance Program (EAP) is a voluntary, **confidential** program designed to help employees, and their families, deal with personal issues or problems that may affect their general wellbeing and/or their job performance.

The EAP will help you and/or your family identify the issues that may affect your wellbeing and connect you with the necessary resources that can help you resolve those issues. You may contact the EAP directly, or your supervisor may recommend that you seek the assistance of the EAP through a supervisory referral. The program is administered by **COMPSYCH GuidanceResources**, **(866)883-0872** or **Online: [guidanceresources.com](http://guidanceresources.com)**; **App: GuidanceNow**; **Web ID: City of Manchester**.

## **\*HEALTH AND SAFETY\***

### **EACH EMPLOYEE'S RESPONSIBILITY**

The City values the health, welfare and safety of every employee and strives to provide a safe, respectful and healthful workplace. It is the responsibility of each employee to practice safe work habits. Every task must be performed with a shared concern for fellow employees, the public, and city government. A violation of a safety precaution is an unsafe act and may lead to disciplinary action. Please observe the following precautions:

- notify your supervisor immediately of any emergency. If you are injured or become ill at work, you must inform your supervisor immediately;
- use, adjust and repair machines, and equipment only if you are trained and qualified;  
know the locations, contents and use of first aid materials, police and fire alarms, and fire-fighting equipment;
- wear personal protective equipment in accordance with the job you are performing;
- understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess - ask your

- supervisor; and
- the use of alcoholic beverages or the illegal use of drug substances during work hours will not be tolerated.

## **WORKERS' COMPENSATION**

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment.

The City abides by all applicable state workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to immediately notify their supervisor and Risk Manager at 624-6503.

## **USE OF CITY VEHICLES AND EQUIPMENT**

City-owned vehicles are to be operated only by authorized City employees. All employees who drive City vehicles and operate City equipment shall have the appropriate training and license(s) for the motor vehicle or equipment. Except as otherwise approved, vehicles and equipment shall be returned to appropriate City department parking areas after each use. The use of City vehicles and equipment is intended strictly for City business and not for personal use and enjoyment.

All employees and passengers on City business shall wear their seat belts, while operating or riding in any vehicle utilized for City business.

If you are required to operate City motor vehicles or equipment, you must report any driving conviction, nolo contendere plea, and loss of license or other driving violations to your supervisor on the same day or on the next business day following the action. You may not operate any City vehicle during a period of revocation.

**If you are involved in any type of motor vehicle accident while operating a City-owned vehicle, you must contact the police to**

**report to the scene of the accident.** You must report any accident to your supervisor as soon as possible following the occurrence.

### **SMOKE-FREE WORKPLACE**

It is contrary to state law, to smoke in any public building. Therefore, smoking is not permitted in any City building or facility.

### **SUBSTANCE ABUSE**

Employees will not work, report to work, be present at City buildings, facilities and work sites, use City vehicles or engage in City activities while under the influence of alcohol or controlled drugs. The unlawful or unauthorized manufacture, distribution, dispensation, possession, sale or use of alcohol or controlled substances on City premises, in City vehicles or while engaged in City activities is also strictly prohibited. Any violation of this policy may result in disciplinary action up to and including termination. The City may conduct a search of City-owned property if there is a reasonable suspicion that unlawful substances are contained within.

Employees may be subject to drug and/or alcohol testing, as required by Federal statutes and regulations, City ordinances and The Drug-Free Workplace Act.

### **DOMESTIC VIOLENCE AND THE WORKPLACE**

If you or family members are/is a victim of domestic violence, you are strongly encouraged to contact the Employee Assistance Program for information on resources that can assist you in protecting yourself and your family member. Any requests for information will be held as confidential as possible.

## **\*CITY POLICIES\***

### **NON-DISCRIMINATION**

The City is committed to the policy of assuring equal employment opportunity as reflected in federal and state statutes and regulations regarding the hiring, placement, training and promotion of qualified applicants and employees without regard to race, color, sex, national origin, religious creed, age, ancestry, marital status, disability, pregnancy, sexual orientation, transgender or veteran status.

### **AMERICANS WITH DISABILITIES ACT**

The City will not discriminate on the basis of physical mental or pregnancy related disabilities in hiring or employment practices nor in the provision of City programs, services and activities. To ensure equal employment opportunities to qualified individuals with a disability, the City will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of the City would result.

Employees who may require a reasonable accommodation (including a location for lactation after pregnancy) should contact the Human Resources Department.

### **DRUG AND ALCOHOL POLICY**

The abuse of drugs or alcohol in the workplace may be detrimental to an employee's health, impair an employee's ability to properly perform his or her work, and present a danger to the employee and others. It is the policy of the City of Manchester to provide a work environment that is free from the illegal use and/or abuse of drugs and/or alcohol.

### **Definitions**

- A. "Alcohol" shall mean "liquor" or "beverage" as defined by RSA 175:1.
- B. To "refuse" shall mean:

- 1) To fail to provide an adequate breath or urine sample without a valid medical explanation;
- 2) To fail to sign a testing form or a medical consent form;
- 3) To not make oneself readily available for testing; or
- 4) To engage in any other conduct that obstructs or delays the testing process.

C. "Work hours" shall mean any hours within the basic workday or any other period when an employee is required to perform any other work for the City.

## **Prohibitions**

A. No employee shall:

- 1) Engage in any drug—or alcohol—related conduct during work hours, which is unlawful under federal, state, or local law during work hours;
- 2) Work or report to work under the influence of drugs or alcohol. For the purposes of this prohibition only, "under the influence" shall mean:
  - a) having alcohol concentration as such is defined by RSA 259:3-b, of .04 or greater; or
  - b) having a quantity of drugs in one's system sufficient to meet or exceed the threshold for a positive test under US DOT regulations for holders of commercial driver's licenses.
- 3) Use any drug in a manner or for a purpose, other than as prescribed by a doctor or the manufacturer, which impairs his or her job performance;
- 4) Consume alcohol or possess a container of alcohol with a broken seal during work hours; or
- 5) Refuse to submit to tests.

B. No supervisor shall:

- 1) Having reasonable suspicion that an employee is under the influence of drugs or alcohol or misusing drugs, permit the employee to perform or continue to perform his or her job;
- 2) Permit an employee who is subject to a return-to-duty test to work until the employee successfully completes said test.

C. "Work hours" shall mean any hours within the basic workday or any other period when an employee is required to perform any other work for the City.

Nothing in this policy shall be construed so as to limit the authority of any supervisor to take action he or she deems necessary to protect the health or safety of employees where the use of alcohol or drugs is involved.

## **Testing**

Testing will be in accordance as provided in 49 CFR 382.307 (reasonable suspicion testing). The collection of breath (alcohol) samples and urine (drug) specimens, testing and confirmation procedures shall be conducted in accordance with 49 CFR, Part 40, as it may be amended from time to time by the U.S. Department of Transportation, except that special custody and control forms and alcohol testing forms shall be used.

## **Pre-employment Testing**

All offers of initial employment for safety sensitive and/or contractual positions shall be conditioned upon the successful completion of drug and alcohol testing.

The Human Resources Department shall schedule testing with the City of Manchester provider. The City shall pay costs of pre-employment testing.

## **Reasonable Suspicion**

If a supervisor has personal knowledge of or reasonably trustworthy



information of specific facts or circumstances which would reasonably lead him or her to believe that an employee is under the influence of drugs and/or alcohol, that supervisor shall direct that employee to submit to both a drug and alcohol test.

Under such circumstances, a supervisor shall:

- 1) Direct the employee to submit to a drug and alcohol test;
- 2) Arrange for transportation for the employee to the testing site;
- 3) Arrange for transportation for the employee to his or her home upon completion of testing;
- 4) Document all the facts and circumstances underlying the supervisor's decision in writing.

### **Return to Duty and Follow-up Testing Counseling**

An employee who tests positive shall be referred to a Substance Abuse Professional (SAP) selected by the City for assessment and shall be required to complete all designated tests and programs to the SAP's satisfaction prior to their eligibility of returning to work.

Employees referred to the Substance Abuse Professional (SAP) shall be required to complete return-to-duty and/or follow-up testing as outlined by the SAP.

### **Confidentiality of Information**

The City shall maintain drug and alcohol test results in the Human Resources Department, separate from employee personnel files. Any employee may, upon written request, have access to records relating to his/her drug test.

Except upon written consent of the employee, as required by law, or as otherwise provided herein, the City shall not disclose records relating to drug and/or alcohol tests to any third party.

The City may disclose and rely upon the records relating to drug and alcohol tests in any lawsuit, grievance or other proceeding challenging the test or the resulting discipline or where the employee's intoxication due to drugs and/or alcohol is a defense to liability.

Testing pursuant to this policy is not intended to be used for law enforcement purposes.

### **Disciplinary Action**

**Any employee who violates this policy shall be subject to disciplinary action, up to and including termination.**

**Other Policies** Nothing in this policy shall be construed to repeal or limit the terms of any other City policy.

**Effective Date** This policy shall become effective for all employees upon passage by the Board of Mayor and Aldermen.

## **DRUG-FREE WORKPLACE POLICY**

The City of Manchester believes that illegal drugs have no place in the workplace. Furthermore, the Drug-Free Workplace Act requires federal contractors to certify adoption and implementation of programs to prevent unlawful possession, use or distribution of illicit drugs by employees. For these reasons, the City of Manchester adopts the following regulations.

### **Prohibited Conduct**

The unlawful manufacture, distribution, dispensation, possession or use of controlled substances is prohibited in the City's workplace. Employees working on or under a contract or grant referenced in 41 U.S.C. §§ 701, 702 shall abide by the terms of this policy as a condition of their employment on said contract or grant. An employee who violates any provision of this policy shall be subject to discipline, up to and including termination.

## **Employee Obligations**

All employees shall notify their department head and the City of Manchester Human Resources Director in writing of any criminal drug statute conviction as defined by Federal Law for a violation occurring no later than 5 days after such conviction.

## **Employer Obligations**

The City of Manchester Human Resources Director shall notify the contracting agency within ten (10) days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

The City of Manchester shall within thirty (30) days after receiving notice from an employee of such conviction:

- a. take appropriate action against employee, up to and including termination of employment
- b. at the employee's expense, require employee to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes through the Employee Assistance Program.
- c. The City of Manchester shall provide each employee a copy of this policy and post it prominently throughout the areas where employees work.

## **Education Program**

The City of Manchester Human Resources Director in conjunction with department heads shall establish and implement a program to inform employees about:

- a. the dangers of drug and alcohol abuse;
- b. the City of Manchester's policy of maintaining a drug-free environment;
- c. the availability of drug or alcohol counseling, rehabilitation, and employee assistance programs; and
- d. penalties for violations of this policy.

The City of Manchester shall make a good faith effort to continue to maintain a drug-free environment through the implementation of this policy and ensure that all new employees are informed of the policy.

## **SEXUAL HARASSMENT POLICY**

### **I. Policy**

1. Sexual harassment by employees or any other person is prohibited and will not be tolerated.
2. Retaliation against any person because he or she has reported a matter, filed a complaint, testified, assisted or participated in any manner in an investigation under this Policy or opposed any practice prohibited by this Policy will not be tolerated.

### **II. Objectives and Philosophy:**

- A. It is the objective and philosophy of the City:
  - A. to provide employees with a working environment as free as possible from unlawful sexual harassment and sexual discrimination;
  - B. to prevent sexual harassment of employees by co-workers, management, supervisors, vendors, contractors, elected and appointed officials and the public;
  - C. to prevent retaliation against any employee;
  - D. to encourage prompt reporting of complaints of sexual harassment and retaliation; and
  - E. to resolve complaints promptly, discretely and at the lowest management level possible.

### **III. Definitions:**

1. The term “sexual harassment” as used in this Policy means:
  - A. unwelcome, offensive or workplace inappropriate verbal or physical conduct of a sexual nature directed at an individual because of his or her gender when:
    1. submission to the conduct is implicitly or explicitly made a term or condition of employment;
    2. submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual; or
    3. the conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, offensive, hostile or inappropriate work environment.
  - B. Sexual harassment may be overt or subtle. Examples of sexual harassment that are prohibited include, but are not limited to:
    1. sexual innuendo, suggestive comments, insults, threats, jokes;
    2. suggestive or insulting noises, staring, leering, whistling or making obscene gestures;
    3. propositions or pressure to engage in sexual activity;
    4. indecent exposure or sexual assault;
    5. touching, pinching, cornering, massaging or purposely brushing up against another person's body;
    6. inappropriate comments concerning appearance;
    7. sexual or sexually insulting communications or public postings, including electronic media, telephone calls

and written documents;

8. displaying, viewing, possessing or bringing to the workplace magazines, books, videos, TV or computer programs, music or pictures with a sexual connotation;
  9. hiring or promoting sex partners over more qualified persons;
  10. any harassing conduct which is sexual in nature, that is directed toward a person because of the person's gender;
  11. harassing conduct that occurs during non-working hours but is directed at a co-employee, such as harassing telephone calls made during off-duty hours, if such conduct carries over to the workplace and has the effect(s) outlined in paragraphs A1-3 above.
2. The term "retaliation" as used in this Policy means:
- A. any form of adverse action against an employee by a supervisor or co-employee because he or she has made a report of alleged sexual harassment or discrimination; has testified against or participated in any manner in an investigation of a report of sexual harassment; or has opposed any practice prohibited by this Policy or made unlawful by Title VII of the Civil Rights Act of 1964, as amended, and N.H. RSA 354-A:21 et. seq., as amended.
  - B. Examples of prohibited retaliation may include, but are not limited to:
    1. failure to hire or promote or withholding pay increases;
    2. poor performance reports;
    3. unduly onerous work assignments;
    4. spreading false and malicious rumors;
    5. demotion, discharge, or abolishing position

without legitimate reasons.

3. The term “complainant” as used in this Policy means an individual who believes he or she has been subjected to sexual harassment.
4. The term “respondent” as used in this Policy means an individual who has been accused of sexual harassment.

#### **IV. Reporting Procedure:**

1. If any employee has been a subject of or has observed sexual harassment, he or she should, if practical and appropriate under the circumstances, clearly tell the harasser that such conduct is offensive and it must stop. If confronting the harasser is not practical or appropriate under the circumstances, the employee should follow steps in #2 below.
2. If any employee has been a subject of or has observed sexual harassment, he or she should, and is encouraged to report the conduct as soon as possible after the alleged harassment occurs to any or all of the following:
  - A. the employee's immediate supervisor or the first level supervisor who is not involved in the alleged harassment;
  - B. the Human Resources Director or his/her designee; or
  - C. the City Solicitor.
3. All management or supervisory personnel who have received a complaint of sexual harassment shall immediately communicate the receipt of and content of the complaint to his or her department head and to the Human Resources Director or his/her designee. The Human

Resources Director or his/her designee shall then make arrangements for the prompt and proper investigation of such complaint.

4. In order to stop sexual harassment, all management and supervisory personnel are under an affirmative duty to report and take appropriate action on sexual harassment of which they are aware, even if the complainant desires confidentiality and desires that no formal complaint or report be filed. Supervisory and management personnel may be disciplined for failure to report such conduct or complaints.
5. Any employee who reports alleged sexual harassment should provide as many specific facts about the conduct as possible, including:
  - A. who committed the conduct;
  - B. what the specific conduct was;
  - C. when and where the conduct occurred;
  - D. if there were any witnesses and who they were;
  - E. if the conduct occurred more than once; and
  - F. if the complainant or any other employee told the respondent to stop the offensive conduct.
6. Employees are encouraged to report sexual harassment to the above-listed city officials or departments in order that the City can take immediate corrective action.

## **V. Investigation of Alleged Sexual Harassment:**

1. When a complaint of alleged sexual harassment is received, an investigation shall begin as soon as possible (usually within a matter of days after the Human Resources Department has been notified). The complainant shall be apprised of the status of the investigation on a regular basis, as appropriate.
2. The investigation shall include, but not necessarily be limited to, interviewing individuals who are believed to have knowledge of the matter, including the complainant



and the respondent, reviewing any relevant documents, materials, or information (whether in hard copy or electronically stored) and visiting/inspecting relevant work areas.

3. The respondent will be given sufficient information about the allegation and will be given an opportunity to respond to the complaint before any corrective action or discipline is imposed.
4. Respondents shall not be assumed to have violated this Policy unless the Final Report of Investigation determines that they have done so.
5. All employees shall cooperate in any investigation or may be subject to discipline for failure to cooperate.
6. Upon receipt of a complaint, the City shall take appropriate steps to prevent the alleged conduct from continuing, pending completion of the investigation. The City shall determine the steps to be taken by balancing the rights of the complainant including the severity of the alleged conduct and the rights of the respondent.

## **VI. Final Report of Investigation:**

1. The investigator shall issue a written report to the Human Resources Department, which shall include a review of the facts in the complaint, a description of the investigation, and a review of findings by the investigator. After a review of the report, the Director of Human Resources will issue a Final Report on the matter. The Final Report will determine whether or not a violation of this Policy has occurred.
2. The Human Resources Director shall provide a copy of the final report to the respondent's department head.

3. The Human Resources Director will provide the complainant and the respondent with a summary of the findings.

**VII. Confidentiality:**

1. All inquiries, complaints, investigations are to be treated discretely, and information is to be revealed only on a need-to-know basis.

**VIII. Corrective or Disciplinary Action:**

1. If the Final Report states that there is insufficient evidence that a violation of this Policy occurred, the Human Resources Director will inform the parties and the matter will be concluded.
2. If the Final Report states that a violation of this Policy occurred, the respondent's department head, after consultation with the Human Resources Department, will take appropriate corrective or disciplinary action to end the harassing conduct, including but not limited to:
  - A. counseling and training;
  - B. transfer or reassignment; or
  - C. reprimand, suspension, demotion, or termination of employment.
3. The department head and the Human Resources Director or his/her designee shall follow up with the complainant regarding resolution of the complaint periodically.
4. If corrective or disciplinary action is taken against any employee, he or she may file a grievance under the applicable collective bargaining agreement provisions, or when appropriate, file an appeal with the City Personnel Appeals Board.

## **IX. Modifications of Policy:**

1. The City reserves the right to change or modify this Policy at any time. This Policy is not intended to be part of any contract of employment between the City and any person.

## **WORKPLACE VIOLENCE POLICY**

It is the goal of the City of Manchester to provide a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees shall review and understand all provisions of this workplace violence policy. It is the City of Manchester's policy that employees maintain a working environment that encourages mutual respect, promotes civil and congenial relationships among employees and is free from all forms of harassment and violence.

### **Prohibited Conduct**

The City of Manchester does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. The list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

- Assaults;
- Threats of physical assaults, bullying or other verbal or nonverbal threatening behavior, that have the effect of threatening the safety of other persons or property; whether made in person or by other means (including but not limited to: telephone, text, fax, email, social media or written correspondence.)
- Verbal abuse or harassment by any means or medium (including but not limited to: using intimidation tactics making malicious, false and harmful statements about others, making threats, sabotaging another's work, stalking others, etc.);
- Aggressive or hostile behavior, aggressive outbursts, excessive display of anger or comments that creates a reasonable fear of harm to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;

- Committing acts motivated by, or related to, sexual or another form of harassment or domestic violence (including but not limited to: making malicious, false and harmful statements about others, publicly disclosing another's private information, failing to hire or promote, issuing poor performance reports, etc. as a form of retaliation);
- Any behavior or collection of behaviors that instill fear or generate a concern that a person might act out violently (including but not limited to: harsh words or insults, excessive profanity, arguing loudly, overt displays of anger, e.g. slamming doors, punching walls, etc.)

Reporting Procedures Any potentially dangerous situation must be reported immediately to a supervisor or department head who shall report it to the Human Resources Director or designee as soon as possible for further evaluation. Reports can be made confidentially and all reported incidents shall be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others on a need-to-know basis.

All parties involved in a situation will be counseled and the results of the investigation will be discussed with them. The Department head and/or Human Resources Director or designee will actively intervene at any indication of a possible hostile or violent situation.

*An employee who obtains a protective or restraining order that includes his/her work location as a restricted area shall provide his/her supervisor and Human Resources Director or designee;*

- *copy of the petition and declarations used to seek the order;*
- *a copy of any granted temporary protective or restraining order;*
- *a copy of any protective or restraining order which is made permanent.*

*The City Security Manager will conduct a further evaluation as soon as possible. Protective or restraining orders, reports, and incidents will be handled appropriately and information will be disclosed on a need-to-know basis.*

## **Risk Reduction Measures**

Hiring: The Human Resources Director or designee will ensure reasonable measures to conduct background investigations to review candidates' backgrounds and reduce the risk of hiring individuals with a history of violent behavior.

Safety: Security Managers will conduct annual inspections of their premises to evaluate and determine vulnerability to workplace violence or hazards. Necessary corrective action will be taken by the department in order to reduce risks.

Individual Situations: While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their supervisor or department head or Human Resources Director or designee if any employee exhibits behavior, which could be a sign of a potentially dangerous situation. Such behavior includes:

- Displaying overt signs of extreme stress, resentment, hostility or anger;
- Making threatening remarks;
- Sudden or significant deterioration of performance;
- Displaying irrational or inappropriate behavior;
- Inappropriate use of alcohol or illegal substances.

If the information is provided to a supervisor, the Department Head will be notified who shall notify the Human Resources Director or designee as soon as possible for further evaluation.

## **Dangerous/Emergency Situations**

Employees who confront or encounter an armed or dangerous person should remain calm and refrain from challenging or disarming the individual. If the police can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given. Once the situation has ended the department head and police shall be notified.

## **Enforcement**

Any employee determined to have violated this policy shall be subject to disciplinary action up to and including termination. Non-employees engaged in violent acts on City premises shall be reported to the proper authorities.

## **SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, AND DATING VIOLENCE POLICY**

### **I. Purpose:**

The City of Manchester [hereinafter “City”] institutes this policy as part of its commitment to a safer and more supportive organizational climate and to the prevention and reduction of the incidence and effects of domestic violence, sexual violence, and stalking [hereinafter “violence”] at the workplace. The City of Manchester recognizes that domestic violence, sexual violence, and stalking present unique issues for its workforce.

Domestic violence, sexual violence, and stalking are workplace issues even if incidents occur elsewhere. Domestic violence, sexual violence, and stalking cross economic, educational, cultural, age, gender, racial, and religious lines and occur in a wide variety of contexts. Therefore, the City will take every appropriate measure to prevent and/or address such violence in the context of:

- Subordinate/superior relationships;
- Heterosexual and same-sex intimate partner relationships, including marital, cohabiting, or dating;
- Heterosexual or same sex non-intimate partner relationships, such as between coworkers;
- Parent/child relationships; and
- Violent acts of others that could potentially occur within the workplace.

The purposes and goals of this policy are to:

1. Support a comprehensive workplace education and training program to prevent violence and promote healthy relationships for

employees and their families;

2. Create a supportive and healthful work environment that helps employees to avoid the use of violence in any context;

3. Institutionalize responsive policies and procedures to assist employees who are impacted by violence, including the provision of training on this policy to employees and management;

4. Prohibit sexual harassment by employees, consultants, volunteers or contractors, or any other person and will not be tolerated.

5. Prevent retaliation against any person because he or she has reported a matter, filed a complaint, testified, assisted or participated in any manner in an investigation under this Policy or opposed any practice prohibited by this Policy will not be tolerated.

## **II. Definitions:**

1. **Survivor or victim** - an individual who is currently subject to, or has in the past been subjected to, domestic violence, sexual violence, stalking or other forms of violence.

2. **Perpetrator** - an individual who commits or threatens to commit an act of domestic violence, sexual violence, or stalking, including unwarranted violence against animals.

3. **Domestic Violence**- is a pattern of coercive behavior, including acts or threatened acts, that is used by a perpetrator to gain power and control over a current or former spouse, family member, intimate partner, or person with whom the perpetrator shares a child in common. Domestic violence includes, but is not limited to: physical violence, injury, or intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; stalking; or economic abuse and control.

4. **Sexual Violence** - is a range of behaviors, including but not limited to: sexual harassment; a completed nonconsensual sex act (i.e., rape); an attempted nonconsensual sex act; abusive sexual contact (i.e., unwanted touching); and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal harassment). Some or all of these acts may also be addressed in The City's Sexual Harassment Policy. Sexual violence is any sexual act or behavior that is perpetrated against someone's will when someone does not or cannot consent. Survivors of sexual violence may know the perpetrator(s), such as a coworker or a supervisor, and/or may be involved in a dating or marital relationship with the perpetrator, or the perpetrator may be unknown to the survivor. Consent is not given when a perpetrator uses force, harassment, threat of force, threat of adverse personnel action, coercion, or when the survivor is asleep, incapacitated, or unconscious.

5. **Stalking** - refers to harassing, intimidating or threatening conduct that causes the survivor to fear for his or her safety or the safety of a family member, or would cause a reasonable person in a similar situation to fear for his or her safety. Stalking conduct includes, but is not limited to: following or spying on a person; appearing at a person's home or work; engaging in unwanted, harassing, or threatening phone calling, emailing, texting, etc.; waiting at places in order to make unwanted contact with the survivor or to monitor the survivor; leaving unwanted items, presents, or flowers for the survivor; and posting information or spreading rumors about the survivor on the internet, in a public place, or by word of mouth. Stalking may occur through use of technology including, but not limited to: email; voicemail; text messaging; and use of GPS and social networking sites.

6. **Protection or Restraining Order** - Protection orders, sometimes called restraining orders or stay away orders, allow a survivor to petition the court for protection from a perpetrator, as well as establish custody and visitation guidelines and provide for other forms of support, like rent or mortgage payments, which last for the duration of the order. Protection orders may also be issued in criminal cases as a condition of probation or condition of release



particularly in a domestic violence, sexual violence, dating violence, or stalking related crime.

**7. Workplace-Related Incidents** - Workplace-related incidents of domestic violence, sexual violence, dating violence, and stalking include acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety or well-being of any person associated with an employee of The City, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in, or utilizing the resources of the employer, including but not limited to facilities, work sites, equipment, or vehicles, or while on work-related travel.

**8. Non-Workplace Incidents** - Non-workplace incidents of domestic violence, sexual violence, dating violence, and stalking include acts, attempted acts, or threatened acts by or against any person or animal that occur anywhere outside a company's physical workplace, and/or while an employee is not engaged with or traveling for the employer.

**9. Workplace Safety Plan** - A strategy developed in collaboration with a victim and victim service provider to implement workplace safety options, including but not limited to: handling of court protection orders; procedures for alerting security personnel of threats or incidents; temporary or permanent adjustments to work schedules, locations, contact information, change in parking spots, and requests for escorts to and from workplace facilities.

### **III. Persons Covered by this Policy**

Persons covered by this policy include full and part-time employees, interns, contractors, volunteers, or temporary workers engaged by the City of Manchester or in any workplace location.

### **IV. Statement of Confidentiality**

The City of Manchester recognizes and respects an employee's right to privacy and the need for confidentiality and autonomy.

The City shall maintain the confidentiality of an employee's disclosure regarding violence to the extent allowed by law, and unless to do so would result in physical harm to any person, and/or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals within the workplace, the City shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others, and to comply with the law. The City shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The City shall also provide the employee with the name and title of the person to whom the City intends to share the employee's statements, and shall explain the necessity and purpose regarding said disclosure.

## **V. Employer Responses to Violence**

### **A. Responses to Survivors**

i. **Non-Discrimination and Non-Retaliation** - The City will not discharge or in any manner discriminate or retaliate against an employee because of the employee's status as a survivor of domestic violence, sexual violence, or stalking, if the survivor provides notice to the organization of the status, or the organization has actual knowledge of the status.

The City will not retaliate against a survivor of domestic violence, sexual assault, or stalking for requesting leave or a reasonable accommodation (see Section 5(A)(ii)), regardless of whether the request was granted.

### **ii. Leave and Other Reasonable Accommodations and Assistance**

The City recognizes that survivors of domestic violence, sexual assault, stalking and dating violence may need time off to obtain or attempt to obtain a protection or restraining order or any other legal assistance to help ensure his or her health, safety, or welfare or

that of his or her child. The City will work in collaboration with the employee to provide reasonable and flexible leave options when an employee or his or her child is a survivor of domestic violence, sexual assault, and/or stalking. The City will work with employee to provide paid leave first before requiring an employee to utilize unpaid leave.

An employee must provide reasonable advance notice to the employer of the need to take time off unless advance notice is not feasible. The City may require the employee to provide documentation or other certification verifying that the employee was a survivor of violence. To request Leave, employee should contact:

- A) the employee's immediate supervisor or the first level supervisor who is not involved in the alleged harassment;
- B) the Human Resources Director or his/her designee; or
- C) the City Solicitor.

The City will maintain the confidentiality of a person who requests leave under this policy, to the extent allowed by law.

The City will also provide reasonable accommodations for a survivor of domestic violence, sexual violence, or stalking who requests an accommodation for the safety of the survivor or to maintain his or her work performance while at work. Reasonable accommodations may include the implementation of safety measures, include a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting the violence that occurs in the workplace, an implemented safety procedure, another adjustment to a workplace facility, or work requirement in response to the violence, or referral to a survivor assistance organization. The City will assist an employee to enforce his or her protection order, if applicable.

iii. Access to Unemployment Insurance Benefits

The City recognizes that in certain situations it is no longer feasible for an employee who is a survivor of violence to continue working for The City. In such circumstance, The City shall provide to employee information regarding access to unemployment insurance benefits. The City has designated Human Resources Director to provide accurate information regarding unemployment benefits for survivors of violence.

#### iv. Work Performance

The City recognizes that employees who are survivors of violence may experience temporary difficulty fulfilling job responsibilities. If The City becomes aware that an employee's work performance or conduct has been impacted by domestic violence, sexual assault, and stalking, The City will offer support to the employee and work in collaboration with the employee to address the issues, in accordance with established policies within the workplace. The City may develop a work plan with employee, provide leave and other accommodations as specified in Section 5(A)(ii), provide referrals to support or advocacy agencies, advise employee of his or her rights regarding unemployment insurance as specified in Section 5(A)(iii), and maintain a separate and confidential record of employee's status as a survivor of domestic violence, sexual assault, and stalking to ensure to survivor that his or her rights and privileges of employment are not impacted or compromised as a result of the violence.

## v. Protection and Restraining Orders

The City recognizes that a survivor of violence may seek an order of protection, or may receive a protection or restraining order, as part of his or her efforts to become safe and as part of his or her workplace safety plan. The City recognizes that the workplace may or may not be included on an order as a location from which a perpetrator must remain away. If an employee chooses to disclose the existence of a protection or restraining order to The City, The City may, wherever possible, assist the employee to enforce his or her order, shall archive said order in a confidential and separate file from employee's personnel file, and, if applicable, may assist employee to gather documentation from the workplace, such as emails or voice messages, that could support the employee's efforts in the justice system or otherwise to obtain or maintain safety from a perpetrator.

## B. Reporting by Employees with Information About Violence

Employees who have information about or witness an act of violence perpetrated by an employee, or who have information about or witness violence against an employee, are required to report all information, as soon as possible after the alleged act of violence occurs, to any or all of the following:

- A) the employee's immediate supervisor or the first level supervisor who is not involved in the alleged harassment;
- B) the Human Resources Director or his/her designee; or
- C) the City Solicitor.

The City will not retaliate against, terminate, or discipline any employee for reporting information about alleged incidents of violence, as defined in this policy that may have been committed by any other employee, including a member of management. Prohibited acts of retaliation include, but are not limited to, demotion or withholding of earned pay, as well as acts of personal

retaliation, such as those related to an employee's immigration status or sexual orientation, for example.

Any employee who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy should contact the Human Resources Director, or the City Solicitor. See Section 7 regarding reporting of violations of this policy.

### C. Responses to Workers Who Commit Violence

If The City receives information that alleges or suggests that an employee has committed an incident of workplace-related or non-workplace violence, as defined in this Policy, or if any manager receives information that any employee has engaged in any incident of workplace-related or non-workplace violence, then the matter shall be referred to the Human Resources Director or designee, for the purpose of investigating the information or allegation. The City shall conduct an immediate investigation of the information or allegation; which investigation shall be completed within a timely manner.

Every employee shall have a duty to cooperate with the investigation, and failure to do so will result in disciplinary action being taken against the uncooperative employee up to and including termination. Any employee who fails to be completely truthful or who withholds information shall be subject to disciplinary action up to and including termination.

At the conclusion of the investigation conducted by The City, the investigator shall report her or his findings to the designated official. If the investigator concludes, by a preponderance of the evidence, that the employee has engaged in a workplace-related incident or non-workplace incident, as defined in this Policy, then that employee shall be subject to disciplinary action up to and including termination. The employee might also be required to participate in counseling or other remedial measures. Employees are prohibited from utilizing any workplace resources, such as work time, phones, email, computers, fax machines or other means to threaten, harass, intimidate, embarrass or otherwise harm another person.

An employee who is subject to a protection or restraining order, or a named defendant in a criminal action as a result of a threat or act of domestic violence, sexual violence, or stalking must notify the City of Manchester's Human Resources Department immediately regarding the existence of such criminal or civil action. Failure to disclose the existence of such criminal or civil actions in these circumstances will result in disciplinary action, up to and including termination from employment.

## **VI. Reporting by Employees Who Are Survivors**

Employees who are survivors of domestic violence, sexual assault, and stalking, and employees who are concerned about coworkers who might be survivors are encouraged to contact the Human Resources Director as the person to whom such contact should be made. The City of Manchester's designated service provider shall provide community referrals and resources to employees in order to assist employees with their concerns or experiences regarding violence.

## **VII. Reporting Violation of Policy**

A person who wishes to report a violation of this policy should also contact the Human Resources Director, or the City Solicitor. The City will not subject employees who report violence or report a violation of this policy to work-related or personal retaliation, as described in Section 5(B). Any allegations of violations of this policy will be immediately investigated in accordance with the timeline and procedure outlined in Section 5(C).

## **VIII. Modifications of Policy**

The City reserves the right to change or modify this Policy at any time.

This Policy is not intended to be part of any contract of employment between the City and any person.

## **SOCIAL MEDIA POLICY**

### **I. Purpose:**

The City of Manchester supports the use of social media technology to enhance communication, collaboration, and information exchange to meet the City's business mission and goals. This policy assists employees in making responsible decisions about their use of social media while acting in their official capacity or acting on behalf of the City.

The City of Manchester Social Media Policy can be found on the City's website here::

[https://www.manchesternh.gov/Portals/2/Departments/human\\_resources/City\\_Of\\_Manchester\\_Social\\_Media\\_Policy.pdf](https://www.manchesternh.gov/Portals/2/Departments/human_resources/City_Of_Manchester_Social_Media_Policy.pdf)

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