

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 1 OF THE YEAR 2002

A local law entitled "Employment Related Practices"

Be it enacted by the Mayor and Board of Trustees of the Village of Island Park as follows:

SECTION 1: EQUAL EMPLOYMENT OPPORTUNITY

Purpose:

It is the policy of the Village of Island Park to provide equal opportunity in employment to all employees and applicants for employment and to prohibit discrimination in employment because of race, creed, religion, color, sex, age, national origin, disability, military status, or any other classification protected under applicable law.

Policy:

This policy applies to all terms, conditions, and 'privileges of employment, including hiring, probation, training, promotion, transfer, compensation, benefits and assistance, layoff, recall, employee facilities, discharge, and retirement.

Discrimination in employment will not be tolerated. In addition, the, Village of Island Park will not tolerate retaliation against an employee for having opposed discrimination having made a complaint of discrimination, having advised of allegedly discriminatory conduct, or having participated in any manner in an Investigation or proceeding regarding an allegation of discrimination.

Employees are prohibited from engaging in any discrimination or retaliation.

The Village of Island Park has established a written affirmative action program which is intended to comply with applicable law.

The Village of Island Park also prohibits the 'harassment of any employee on the basis of his or her being a member of any protected classification. See Harassment Policy.

The Village of Island Park has appointed the Village Clerk as Equal Employment Opportunity Coordinator¹ whose responsibilities include monitoring compliance with this policy and reporting in accordance with applicable law.

Every employee has an obligation to report any discriminatory, conduct which he or she believes has occurred or is occurring, whether such conduct is directed toward that employee or another. If any employee or applicant for employment believes s/he has been discriminated against or believes s/he has observed or is aware of any discrimination, that should be immediately reported to the EEO Coordinator or, if the employee or applicant is uncomfortable reporting to the EEO Coordinator or if the allegation involves the EEO Coordinator, then to the Mayor. An investigation will be conducted and remedial action will be taken as appropriate.

Every employee, contractor or subcontractor who does not comply with this policy will be subject to disciplinary action (in the case of an employee), including but not limited to discharge, and penalties (in the case of a contractor or subcontractor), including but not limited to termination of contract.

The evaluation of employee job performance, including that of managers and supervisors, may be based, in part, on the employee's compliance with and promotion of the goals of this policy.

SECTION II: PERSONNEL RECORDS

Policy:

It is the policy of the "VILLAGE of ISLAND PARK" to maintain personnel records in order to document employment-related decision, evaluate and assess policies, and comply with governmental record-keeping and reporting requirements,

Comment:

The Village Clerk is responsible for overseeing personnel records. Every employee is responsible to keep his or her personnel records current and to notify the

Village Clerk, of changes in: name, address, telephone number, persons to be notified in case of emergency and all information necessary for benefits, insurance and tax-withholding purposes, such as marital status, dependents, addresses and telephone numbers of dependents and spouse and former spouse, and beneficiary designations. My employee who has change in number of dependents or marital status must promptly complete all required new withholding tax forms, such as Form W—4.

An employee may inspect and/or copy his/her own personnel file in accordance with applicable law. If an employee believes his/her file is incomplete or inaccurate or contains any improper material s/he may submit a written request to remove such information from the file. If the request is not granted, the employee may provide his/her own written statement of disagreement for inclusion in the file.

Information or copies of documents from an employee's personnel file may be provided in response to lawful subpoena and/or appropriate governmental agencies in accordance with applicable law and/or otherwise in accordance with the employee's authorization.

SECTION III: WORKPLACE HARASSMENT

Purpose

It is the policy of the VILLAGE OF ISLAND PARK to promote a productive work environment that is free of conduct that harasses, disrupts, or interferes with work performance or that creates an intimidating, offensive, or hostile environment.

Policy

All employees are expected to maintain and promote a productive working environment free of harassing or disruptive conduct and to report to management any harassment.

No form of harassment will be tolerated, including harassment because of an individual's race, national origin, religion, disability, pregnancy, age, military status, gender, sex. Although no form of harassment is to be tolerated, sexual

harassment is specifically and expressly prohibited. .

Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature constitute sexual harassment within submission to such conduct is made a term of condition of employment (expressly or implicitly), when submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or when such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive working environment.

Sexually harassing conduct includes, but is not limited to the following actions:

- a. Unwelcome sexual flirtations, propositions, offensive touching, commenting on a person's physical characteristics;
- b. Verbal abuse of a sexual nature, repetitive use of offensive words of a sexual nature describing body parts or the sexual act, telling suggestive ("dirty") stories, conversation between employees about subjects which are sexual in nature and perceived as offensive;
- c. Displaying in the workplace sexually suggestive objects, pictures, pornographic magazines, or representations of any action or subject sexual in nature which can be perceived as offensive;
- d. Retaliation against employees for complaining about sexually harassing behavior.

Offensive conduct between members of the same gender may constitute harassment, as well as conduct between members of the opposite sex.

Forms of harassment other than sexual harassment include slurs and other verbal or physical conduct relating to an individual's race, national origin, religion, disability, pregnancy, age, military status, or gender, which creates an intimidating, hostile, or offensive working environment or otherwise adversely affects an individual's employment opportunities.

Any employee who believes that the conduct or words of a supervisor, manager, other employee or non-employee constitutes harassment has a duty to report or complain about the situation to management as soon as possible.

Procedure

Any complaint or report of harassment should be directed to the VILLAGE CLERK. If the complaint or report concerns the VILLAGE CLERK, or any other reason the person making the complaint is uncomfortable bringing the complaint to _____, then the complaint should be made to the Mayor.

Complaints or reports of harassment will be investigated promptly. Employees are required to cooperate with any investigation. Retaliation against any employee for making a complaint or report or for providing information in an investigation is prohibited and will be grounds for disciplinary action.

Any violation of this harassment policy will be grounds for disciplinary action, including but not limited to warning, suspension, discharge, demotion, transfer, and/or probation. The VILLAGE of ISLAND PARK may also impose other remedial actions in appropriate circumstances in response to any complaint or report of harassment or upon investigation of any complaint or report, including but not limited to counseling, training, treatment¹ and/or the placing of conditions on continued employment.

If it is concluded that a complaint or report of harassment was intentionally false or that information provided in an investigation was intentionally false, the individual(s) providing such false complaint, report, or information will be subject to disciplinary action, up to and including discharge.

SECTION IV: DISCIPLINE

Purpose:

To describe the disciplinary policy of the VILLAGE of ISLAND PARK

Policy:

All employees are required to comply with all applicable rules, policies, directives, and standards of conduct and any noncompliance or violation is grounds for discipline. .

Conduct that interferes with operations discredits the VILLAGE OF ISLAND PARK or is offensive or dangerous to others in the work place is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive. Every employee is required to conduct himself/herself in accordance with that general a principle and with all applicable rules, policies and directives as well as with all other standards of conduct which a reasonable person would know is expected of someone in the workplace, whether or not such other standards are expressly set forth in any rule, directive or policy.

Procedure:

The VILLAGE OF ISLAND PARK has the sole right to determine the disciplinary process applicable in particular circumstances as well as the discipline to be imposed for any violation or non-compliance with any applicable rule, policy, directive, or standard of conduct.

The VILLAGE of ISLAND PARK may consider particular circumstances and any mitigating and/or exacerbating factors in determining the discipline to be imposed for any violation or non-compliance with any applicable rule, policy, directive, or standard of conduct.

Progressive discipline may be imposed in appropriate circumstances, but the determination of those circumstances as well as whether and what discipline is to be imposed is, at all times, in the sole discretion of the VILLAGE of ISLAND PARK. Progressive discipline may include, but is not limited to, counseling, warning, and suspension, as well as any other remedial steps deemed desirable¹ such as demotion, permanent or temporary disqualification, transfer, wage reduction, training and/or conditions on continued employment.

Discharge may be imposed for a first offense and may be imposed at any step. Whether or not any other step(s) of progressive discipline have been imposed first.

The VILLAGE CLERK should normally be consulted prior to imposition and/or determination of any discipline.

The VILLAGE OF ISLAND PARK may, in its discretion, keep documents and other records of disciplinary action, which may be considered in future personnel decisions.

In any case when it is deemed appropriate, an employee may be placed on suspension pending investigation and/or consideration of the case suspension shall be deemed to be investigatory and not disciplinary. In such circumstances, discipline, if any, shall be imposed after such investigation and/or consideration.

In any case involving serious misconduct or whatever it is deemed appropriate, such as a major breach of policy or violation of law, any procedures contained in this policy may be disregarded.

RULES OF CONDUCT

Purpose:

To describe rules of conduct applicable to employees.

Policy:

Conduct that interferes with operations¹ discredits the VILLAGE of ISLAND PARK, or is offensive or dangerous to others in the work place is grounds for discipline, whether such conduct is expressly prohibited by or in violation of any applicable rule, policy or directive. Every employee is required to conduct himself/herself in accordance with that general principle and with all Applicable rules, policies and directives as well as with all other standards of conduct which a reasonable person would know is expected of someone in the work place, whether or not such other standards are expressly set forth in any rule, directive or policy. Any noncompliance or violation is grounds for discipline.

General Rules of Conduct:

The following general rules of conduct apply to all employees. This list is not all-inclusive, but includes examples of unacceptable conduct which will be grounds

for discipline,

- A. All employees are expected to perform assigned tasks efficiently and safely and in accord with applicable quality standards and safety requirements.
- B. All employees are expected to comply with the attendance control policy and every directive to the employee from the VILLAGE of ISLAND PARK or from any authorized supervisor or manager, including any written memo, posting or other advisement to employees.
- C. All employees are expected to treat visitors, employees, managers, supervisors, and others in the work place with courtesy and respect.
- D. The following conduct is prohibited:
 - i. Dishonesty, including falsifying or altering any document, record, or report relating to the VILLAGE OF ISLAND PARK and/or relating to employment, such as a time card, employment application, medical report, or expense reimbursement request and including providing false or misleading information and/or failing to provide truthful and complete information in connection with any investigation; “
 - ii. Failure to observe starting, quitting, and and/or break times;
 - iii. Horseplay;
 - iv. Careless workmanship;
 - v. Violation of any security rule or any health, safety or environmental rule, or violation of any other applicable rule;
 - vi. Smoking in any area not designated for smoking;
 - vii. Working for a competitor or competing with the interests of the VILLAGE of ISLAND PARK.

- viii. Excessive and/or unexcused absenteeism and/or tardiness;
- ix. Job abandonment, including failure to report for work after an approved absence or leave of absence;
- x. Theft or attempted theft of, misappropriation of, or willful damage to the property of the VILLAGE of ISLAND PARK or the property of another person or entity at the work place;
- xi. Distribution, transfer¹ sale, possession or consumption at the work place or otherwise on the property of the VILLAGE of ISLAND PARK of alcohol, an intoxicant, or a controlled substance which has not been prescribed for the one in possession, the recipient, or the one consuming;
- xii. Reporting for work being under the influence or intoxicated at work, or being 'impaired at work due to the use of alcohol, antioxidant or a controlled substance;
- xiii Threatening, intimidating, coercing, abusing, or interfering with a supervisor, manager, independent contractor, supplier, visitor or co-employee, either by words or action;
- xiv. Violation of the harassment policy;
- xv. Insubordination;
- xvi. Fighting or assault;
- xvii. Sleeping on the job;
- xviii. Unauthorized possession of any firearm, weapon, or explosive at the work place or on property of the VILLAGE of ISLAND PARK or at any function of the VILLAGE of ISLAND PARK
- xix. Unauthorized disclosure of any confidential information relating

xx. Violation of any criminal law or any other offense involving moral turpitude.

xxi. Failure to report any accident, misconduct, or moral violation to the appropriate representative of the VILLAGE of ISLAND PARK or failing to cooperate with and/or failing to provide information requested in connection with any investigation; and

xxii. Receiving or soliciting a bribe or other similar improper payment or services.

SECTION V: THIS LOCAL LAW SHALL TAKE EFFECT UPON FILING WITH THE SECRETARY OF STATE.