

TOWN OF BETHANY
GENESEE COUNTY, NEW YORK



EMPLOYEE HANDBOOK

Approved 1/03

Compensation	
Wages	14
Probationary Wages	14
Part-time Wages	14
Pay Period/Pay Checks	14
Overtime	14
Holiday Work	15
Employee Benefits	
Holidays	16
Vacations	16
Sick Leave	16
Personal Leave	17
Insurance	17
Disability/Workers Compensation	17
Pensions	17
Seniority	17
Compliance Policies	
American with Disability Act	18
Harassment Policy	18
Smoke/Drug Free Workplace	18
Substance Testing	18
Safety (OSHA Standards)	18
Work Environment Complaint Policy	19
Communications Procedures	19
Code of Ethics Policy	20
Harassment Policy	22
Employee Acknowledgement Form	25

TABLE OF CONTENTS

Mission Statement	3
Disclaimer	3
Collective Bargaining	3
Employee Classifications & Definitions	4
Employment Policy	5
Employee Work Standards	5
Employment Guidelines	
Oath of Office	6
Vacancies	6
Filling of Vacancies	6
Notification of Vacancies	6
Residency Preference	7
Reference Checks	7
Probationary Period	7
Performance Appraisal	7
Prohibitive Conduct	7
Employee Corrective and Termination Procedures	8
Code of Ethics	10
Employee Files	10
Resignations	11
Operational Policies	
Departmental Hours	11
Emergency Situations	11
On the Job Injuries	11
Time Records	11
Expense Reimbursement	11
Vehicle Usage/Driver's License	11
Supplies, Equipment and Fuel Usage	11
Computer Systems/Internet	12
Telephone/Cell Phone Usage	12
Personal Appearance/Dress Code/Clothing Allowance	12
Visitors	12
Unauthorized Work	12
Attendance/Schedule Policies	
Attendance	13
Notification of Absence	13
Call-Ins	13
Meal and Rest Periods	13
Military Leave	13
Jury Duty	13
Family and Medical Leave	13
Bereavement Leave	13

may be represented by union representatives or attorneys of his/or choice at all stages of the termination proceedings. A written summary of the termination hearing will be accomplished and filed in the employee's file.

4. Hearing Officer's Recommendation to the Town Board. Upon completion of the termination hearing, the designated Hearing Officer shall make a formal recommendation to the Town Board, which, in executive session, will review the report and either, approve, modify or dismiss the recommendation.

The Hearing Officer's recommendation and Town Board's action may include:

- A formal reprimand signed by the employee's supervisor to be placed in the employee's file.
- Reimbursement of any costs or damages or imposition of a fine, as associated with the prohibited action; and/or
- Dismissal from employment with the Town with or without any severance payment.

Any conflict with the procedure set forth herein and civil service law, Section 75, compliance with the latter shall prevail. This termination procedure is intended to afford the employee due process of law, and the fullest reasonable opportunity to defend himself or herself. Termination decisions should not be made arbitrarily or capriciously, but upon reliable and established evidence.

Code of Ethics

The Code of Ethics established and contained at the end of this handbook govern the employee's actions regarding ethical matters including but not limited to: receiving gifts, confidentiality, prohibited activities, etc.

Adherence to the Code of Ethics established by the Town of Bethany and contained herein is mandatory for all employees, hired, appointive or elective.

Employee Files

Employee files are handled confidentially and are only accessible by those directly responsible for the administration of employee information and/or the employee's direct supervisor. All medical information will be maintained separately from the employee's general information. An employee has the right to review their personnel file at anytime and is directly responsible for updating information pertaining to current address, marital status, phone numbers, etc.

Resignations

An employee must submit written notification to either the Town Clerk or the employee's immediate supervisor at least four weeks, not less than two weeks, of their intent to leave employment.

CODE OF ETHICS

Resolved, the Town Board of the Town of Bethany, New York, hereby adopts the following Code of Ethics for the Town of Bethany.

ARTICLE I

Intent of Town Board

Section 1: Statement of Legislative Intent. The Town Board of the Town of Bethany recognizes that there are state statutory provisions mandating towns to establish rules and standards of ethical conduct for public officers and employees who, if observed, can enhance public confidence in local government. It is the purpose of this Code of Ethics to implement this objective through the establishment of standards of conduct, to provide for punishment of violation of such standards.

Section 2: The standards, prohibited acts and procedures established herein are in addition to any prohibited acts, conflicts of interest provisions and procedures prescribed by statute of the State of New York and also in addition to common law rules and judicial decisions relating the conduct of town officers to extent that the same are more severe in their application than this Code of Ethics.

ARTICLE II

Definitions

Section 1: The term "Town" shall mean any board, commission, district, council or other agency, department or unit of government of the Town of Bethany.

Section 2: The term "employee" shall mean any officer or employee of the Town, whether paid or unpaid, including members of any administrative board, commission or agency thereof.

Section 3: The term "Code" shall mean this Code of Ethics.

ARTICLE III

Code of Ethics

Section 1: Rule with Respect to Conflicts of Interest. No employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.

Section 2: A Town employee must disclose any interest he has in a matter before the Town Board or which otherwise may impeded him from properly discharging his public duties.

Section 3: Standards.

- A) No employee shall accept other employment that will impair his independence of judgment in the exercise of his official duties.
- B) No employee shall accept employment or engage in any business or professional activity that will require him to disclose confidential information that he has gained by reason of his official position or authority.
- C) No employee shall engage in any transaction as representative or agent of the town with any business entity in which he has a direct or indirect financial interest.
- D) Each employee shall abstain from making personal investments in enterprises which he has reason to believe may be directly involved in decisions to be made by him or which will otherwise create substantial conflict between his duty in the public interest and his private interest.
- E) No employee shall, directly or indirectly, solicit any gift, or accept or receive any gift, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form under circumstances in which it could be reasonably expect to influence him in the performance of his official duties, or reasonably intended as a reward for any official action on his part.
- F) No employee, after the termination of his services or employment with the Town, shall appear before any board or agency of the Town in relation to any case, proceeding or application in which he personally participated during the period of this service or employment, or was under his active consideration.

Section 4: Violations. In addition to any penalty contained in any other provision of law, any such Town employee who shall knowingly and intentionally violate any of the provisions of the Code may be fined, suspended or removed from office or employment in the manner provided by law.

ARTICLE IV *Administration*

Section 1: Upon the adoption of the Code, The Town Clerk shall cause a copy thereof to be distributed to every Town employee of the Town. Failure to distribute any such copy or failure of any Town employee to receive such copy shall have no effect on the duty of compliance with this Code, or the enforcement of provisions hereof. The Town Clerk shall further cause a copy of this Code to be kept posted conspicuously in each public building under the jurisdiction of the Town. Failure to so post this Code shall have no effect on the duty or compliance herewith, nor the enforcement provisions thereof.

Section 2: Within thirty- (30) days of the adoption of this Code, the Town Clerk shall file a copy thereof with the Temporary State Commission on Local Government Ethics.

ARTICLE V *Severability Clause*

Section 1: If any clause, sentence, paragraph, section or part of this Code shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence,

paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.