

ATTACHMENT A

TOWN OF CONESUS
CODE OF ETHICS

A. PREAMBLE.

Officers and employees of the Town of Conesus shall hold their positions to serve and benefit the public, and not for personal gain or advantage. The Town Board recognizes that, in order to implement this fundamental principle, there is a need for clear and reasonable standards of ethical conduct. This Code of Ethics establishes such standards by defining and prohibiting acts incompatible with the public interest.

B. DEFINITIONS.

When used in this Code the following words and phrases shall have the following meaning:

1. "Claim" shall mean any demand , written or oral, made upon the Town to fulfill an obligation arising from law or equity.
2. "Contract" shall mean any obligation to do something arising from an exchange of promises or consideration between or among persons, regardless of the particular form in which it is stated.
3. "Family" shall mean the parent, sibling, spouse or child of a person, or any member of a person's immediate household.
4. "Officer or Employee" shall mean any person elected, appointed, or hired to serve the Town of Conesus in any capacity, whether paid or unpaid, or for a term fixed or not fixed, including, without limit, persons serving on a temporary , part-time, seasonal, or volunteer basis. All officers and employees whose duties include or involve the negotiation, authorization, or approval of:
 - a) contracts, leases, franchises, revocable consents, concessions, variances, special permits, or licenses as defined in section seventy three of the Public Officer's Law.
 - b) the purchase, sale, rental, or lease of real property, goods or services, or a contract therefor;
 - c) the obtaining of grants of money or loans, or the adoption or repeal of any rule or regulation having the force and effect of law.
5. "An interest" shall mean a benefit or advantage of an economic or tangible nature that a person or a member of his family would gain or lose as a result of any decision or action, or omission to decide or act, on the part of the Town government.

C. ETHICAL STANDARDS.

1. No Town officer or employee shall have any contract, employment, or engage in any business or commercial transaction, or engage in any business or commercial activity, or incur any obligation, as a result of which, directly or indirectly, he would have an interest that would impair his independence of judgment or action in the performance of his official duties or that would be in conflict with the performance of his official duties.
2. No Town officer or employee shall discuss, vote on, decide or take part in deciding , formally or informally, any matter proposed or pending before any agency or other Town official or employee in which he has an interest.

(FLSA) for non-professional, appointed employees. The FLSA requires that all non-exempt employees receive not less than 1½ hours of their regular rates of pay for every one hour of overtime worked beyond 40 hours. The Town of Conesus also recognizes that the burden of keeping accurate workplace records lies entirely with the town. We further recognize that the right of non-exempt employees to receive overtime pay/ compensatory time cannot be waived by either the employee or the town by prior agreement.

It is the policy of the Town of Conesus to keep an accurate account of all time worked by each non-exempt, non-elected, non-union, appointed employees, including a record of any employee who works overtime or beyond their regularly scheduled work hours. (Attachment D)

WHO	DOES WHAT
1. Employee	Contacts Supervisor by telephone or in person for permission to work beyond normal work hours.
2. Employee	Provides Supervisor or Department Head with rationale and request to work overtime form.
3. Dept. Head	Forwards time sheet documentation, including rationale immediately to Town Supervisor. Indicates when comp time will be used and tracks number of hours to ensure that employee receives fair compensation.
4. Supervisor	Will also track compensatory hours of each employee and ensure that all comp time accruals are used within 2 pay periods.
5. Supervisor	Will report all comp time requests to the Town Board at the next regularly scheduled meeting and report any problems or potential unbudgeted overtime expenses to the Board.
6. Town Board	Will review periodically all comp/ overtime requests and approve all unbudgeted expenditures related to comp time / overtime.

Overtime will be designated into two categories: Scheduled and emergency. Scheduled overtime is that overtime for which notification is given to the employee at least one day in advance of the overtime. Emergency overtime is that which has less than one day advance notice and is authorized by the Department Head or Supervisor. Overtime work may be performed off Town premises only upon the Dept. Head's prior determination or approval.

Highway Employees:

Work schedules for Highway employees are to be set by the Highway Superintendent.

Acknowledged Receipt of Handbook:

Every Town of Conesus employee must receive a copy of this handbook and sign a prepared statement acknowledging this fact as a condition of employment. (Attachment C)

A copy will be distributed to all employees and appointees after the first Town Board meeting each year.

3. No Town officer or employee, acting in the performance of his duties, shall treat, whether by action or omission to act, any person more favorably than it is the custom and practice to treat the general public.

4. No Town officer or employee shall use or permit the use of Town owned vehicles, equipment, materials or property for the convenience or profit of himself or any other person.

5. No Town officer or employee shall solicit any gift, nor shall any Town officer or employee accept or receive any gift, regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before the Town. The provisions of this subsection shall not apply to contributions solicited or received in accordance with the Election Law of the State of New York

6. No Town officer or employee shall disclose without proper authorization non-public information or records concerning any aspect of the government of the Town, nor shall he use such information to the advantage and benefit of himself or any other person.

7. No Town officer or employee compensated by the Town for his service shall represent any person in any action or proceeding, whether judicial or administrative, to which the Town is a party.

D. NEPOTISM POLICY.

No elected or appointed town official shall advocate for, recommend, or hire a family member to a permanent, temporary, or seasonal paid position unless approved by a simple majority of the Town Board.

E. DISCIPLINE AND REMOVAL.

The doing of any act prohibited, or the failure to do any act required by the Code of Ethics or rules and regulations issued pursuant hereto shall constitute grounds for disciplinary action, including removal.

F. BOARD OF ETHICS.

1. Any Ethics complaint filed by a citizen of the Town of Conesus or by another town official must first be submitted to the Town Board in writing. The Town Board will decide by majority vote whether or not the claimed violation has sufficient "face validity" and evidentiary support to warrant a referral to the Livingston County Board of Ethics.

2. The Livingston County Board of Ethics, by prior agreement, will review the matter brought before it by the Town and make recommendations regarding whether a violation may have occurred. The Livingston County Board of Ethics is a recommending body only, and has no responsibility or authority to impose any penalty or remedy in such matters.

3. The purpose of referring ethics concerns to an entity outside of our Town, specifically to the Livingston County Board of Ethics, is to ensure an independent, non-partisan, arm's length review. All responsibility for the ultimate decision and any consequent disciplinary action rests solely with Conesus Town Board.

STANDARD OF CONDUCT

FOR TOWN OF CONESUS EMPLOYEES

As a Town of Conesus employee, it is your responsibility to provide the public with services of the highest quality.

As an employer, the Town of Conesus will strive to offer you good working conditions, fair pay and opportunities for advancement. In return, employees are expected to be valuable and conscientious members of a team whose mission is to provide quality service.

The Town of Conesus has established standards of conduct governing employees in the workplace. These standards are designed to maintain a proper work atmosphere for the mutual benefit of the Town and its employees, and to insure a high quality of service for the public. This manual contains work standards for general applicability which may be supplemented by standards established by individual departments. Individual work units -e.g. Highway Dept. may also establish work rules and procedures (both written and verbal) that apply to their employees.

All Town of Conesus employees are also subject to the provisions of the Town of Conesus Code of Ethics. The Code of Ethics is available at the Town office.

I. DISCIPLINARY ACTION

The Town of Conesus has the right to discipline employees for offenses in the workplace. For most offenses, a system of progressive discipline will be used. In cases of more serious offenses, the Town of Conesus is not bound to use progressive discipline. Some offenses are regarded as so serious that no specific warning or prior disciplinary action is needed before suspension or discharge (theft of Town property).

When employees violate Town rules, either written herein or implied, it is the responsibility of the supervisor or department head to take appropriate action as indicated.

II. GENERAL EMPLOYMENT RULES

The following sections contain general employment policies. Included are practices and actions that violate Town employment rules and are therefore prohibited. This list is not intended to be complete; any form of misconduct, whether or not it is covered by this list, may result in appropriate disciplinary action.

This document has been developed and written by the Conesus Town Board to identify and describe employee workplace rules, related policies and benefits for employees of the Town of Conesus. This document and hereby all the provisions described with it, has been adopted by formal resolution of the Conesus Town Board and is subject to change at the discretion of the Conesus Town Board at any time. This document is not to be constructed as a contract of employment for the term of employment of any employee but merely a statement of policies and benefits that is to remain in effect until such time as it is amended or replaced.

Equal Opportunity Employer:

The Town of Conesus is an Equal Opportunity Employer. The Town of Conesus adheres to New York State and Federal Law regarding discrimination as stated on our application for employment:

NEW YORK AND FEDERAL LAW PROHIBITS DISCRIMINATION IN EMPLOYMENT BECAUSE OF AGE, RACE CREED, COLOR, NATIONAL ORIGIN, SEX, DISABILITY, MARITAL STATUS, OR CRIMINAL RECORD ACCORDINGLY, NOTHING IN THIS APPLICATION SHOULD BE VIEWED AS EXPRESSING ANY LIMITATION, SPECIFICATION, OR DISCRIMINATION AS TO THIS PROTECTED CLASSIFICATIONS IN CONNECTION WITH EMPLOYMENT BY LIVINGSTON COUNTY MUNICIPALITIES.

The Town of Conesus uses the Livingston County Department of Personnel as its Human Resource provider. Applicants are required to fill out a standard application for employment, which authorizes the Town to verify references, check for criminal records and requires the signature of the applicant attesting that all statements are true.

Conflict of Interest:

All Town of Conesus employees are to adhere to the Code of Ethics as defined by Conesus Town Law, Chapter 12. (Attachment A)

Holidays:

The Town of Conesus will observe the following holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veteran's Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Personal Leave:

Union employees will be provided personal leave as per contract.

Non-union employees will be provided personal leave by providing flexible work hours. All personal leave is subject to approval by the Town Supervisor as appropriate as long as it does not disrupt Town business or result in unbudgeted salary. A plan for repayment of lost time is to be presented when requesting personal leave by using the "Absence from Work Request Form" (Attachment B), 48 hours in advance or as soon as possible upon returning to work in emergency situations.

Sick Leave:

Union employees will be provided paid sick leave as per contract and subject to use as defined below.

Non-union employees: Sick leave will be accommodated for by providing flexible work hours. All sick leave is subject to approval by the town supervisor as appropriate as long as it does not disrupt Town business or result in unbudgeted salary expense. A plan for repayment of lost time is to be presented when returning from sick leave or prior to absence due to a scheduled event such as an operation, rehabilitation program, medical or dental appointment, etc., by using the "Absence from Work Request Form" (Attachment B).

Use of Sick Leave: sick leave is provided to protect an employee against financial hardship during an illness or injury. Sick leave is a benefit provided as insurance against financial loss, not a leave benefit to which the employee is automatically entitled. An employee may use sick leave for personal illness or injury that inhibits the employee's work or for medical and dental appointments, which cannot be scheduled during non-work hours.

Medical Verification: The Town may require medical verification of an employee's absence if the Town perceived the employee is abusing sick leave or has used an excessive amount of sick leave, or when an employee is absent for more than three consecutive workdays due to an illness or injury.

Abuse of Sick Leave: An employee who after investigation is found to have abused the use of sick leave will be subject to appropriate disciplinary action.

Lunch Policy:

Where working requirements do not require continuous maintenance or continuous presence at the work site, lunch period shall be unpaid and for a minimum of thirty minutes duration as may be determined by the Employer.

Vacation Policy:

Union employees will be provided paid vacation leave as per contract.

Non-union employees: Vacation leave will be accommodated for by providing flexible work hours. All vacation leave is subject to approval by the Town supervisor as appropriate as long as it does not disrupt Town business or result in unbudgeted salary expense. A plan for repayment of vacation time is to be presented at the time the request for vacation time is requested by using the "Absence from Work Request Form" (Attachment B).

Requests for vacation of three working days or longer shall be submitted in writing at least 1 week in advance to the Town supervisor for non-union employees. Requests for vacation for more than 2 weeks at one given time must be submitted in writing to the Town Supervisor 4 weeks prior to vacation. Approval will be at the discretion of the Town Board. Requests will be granted only if it is determined that the workload is not negatively impacted and no additional salary expense is incurred.

Health Insurance:

Union employees will be provided health insurance as per contract. Non-union employees will be able to purchase health insurance at their own expense.

Computers:

Computers are the property of the Town of Conesus. This includes all hardware and software that has been purchased and installed by and for the Town of Conesus. In order to preserve the integrity of the Town of Conesus computer systems, any and all software that is to be loaded into the Town's Computers shall be cleared through the Town Board. This includes personalized screen savers, games, personal and/or business applications.

Rule of thumb: If the Town of Conesus did not purchase, install or sanction hardware or software, it should NOT be installed on the Town of Conesus Computers. Personnel will be notified in advance, whenever practical, of system updates, upgrades, or changes in system settings. Exceptions will be made when data security, data integrity, or system hardware/software is in question or jeopardy.

Backups to the Town of Conesus computers will be made on a routine basis, in order to preserve the integrity of the systems and data files of the Town.

Town of Conesus computers are to be used for Town of Conesus business only. For example: No internet personal shopping, no chat lines, pornography or personal business is to be conducted on Town of Conesus computers. The first violation will result in a warning; any subsequent violation and the employee will be subject to disciplinary action including termination of employment. Unauthorized use of copier, fax machine, envelopes, postage or other office equipment and/or supplies for personal purposes will be considered theft and grounds for immediate dismissal.

Code of Conduct - (See "Standards of Conduct", "Code of Ethics" Attachment A)

Fair Treatment of Employees: Every Town of Conesus employee is to be treated fairly and with dignity and respect by their immediate supervisor and by all other Town of Conesus employees. Harassment or intimidation because of race, color, religion, sex, sexual orientation, age or any reason whatsoever is strictly prohibited. Any employee of the Town of Conesus who violates that policy will be subject to discipline, including termination.

Ethical Business Behavior: Every Town of Conesus employee, as a condition of employment, must treat the public, all suppliers, government officials, and other Town employees in a fair and honest manner. Every employee must be accurate and truthful in all communications, reports, and record keeping. Any employee of the Town of Conesus who violates this policy will be subject to discipline, including termination.

Scheduled Hours:

Each employee must have his or her schedule of regular work hours approved by the Town Board. Each employee scheduled work hours will be posted on the Town Office Staff bulletin board. The designated hours below are required to assure that the public has adequate access to each of the following public services:

Supervisor: At discretion of elected official
Town Clerk: At discretion of elected official
Assessor: 16 hours
Code Enforcement Officer: 18 hours
Court Clerk: 12 hours

Telephone inquiries during these hours should be answered promptly and in person. A face to face contact may require a prior appointment during scheduled office hours.

Employees mandated to attend meetings, workshops, seminars and Town functions relevant to their responsibilities, must seek prior permission from Town Supervisor if involving overnight travel or lodging expenses.

If an employee is required by unanticipated job responsibilities to work beyond the number of hours above, he or she must notify the supervisor and arrange for flex time. Conversely, if he or she is unable to meet work hours due to unforeseen circumstances, other arrangements must be made with the supervisor to make up the time.

If an employee believes that the hours required to complete their responsibilities has significantly increased due to additional mandates or growth in activity to an unreasonable level in proportion to their compensation, it should be brought to the attention of the Board by the employee's department head with accompanying documentation and rationale. No overtime for non-union, salaried employees will be authorized without Board approval or the approval of the Supervisor for the Town of Conesus unless involving issues of public safety.

The Town Board will review employee responsibilities and work schedules each year during the budget process.

Overtime / Compensatory Time Policy:

It is the overtime policy of the Town of Conesus that, in lieu of immediate cash payment, the town will grant compensatory time off to all non-union, non-exempt, non-professional, salaried employees. All compensatory time accrual and use will be strictly monitored to avoid any unplanned disruption of scheduled business hours or unbudgeted expenses to the town. The Town of Conesus will comply with all applicable regulations under Fair Labor Standards Act

Attachment B

REQUEST FOR ABSENCE FROM WORK

EMPLOYEE NAME	
DATE OF REQUEST	
NATURE OF ABSENSE (check one)	<input type="checkbox"/> Sick Leave <input type="checkbox"/> Personal Leave <input type="checkbox"/> Vacation
DATES of ABSENSE	
TOTAL HOURS of ABSENSE	
DATES and HOURS THAT TIME WILL BE REPAID	

(Employee Signature)

APPROVAL OF LEAVE

(Supervisor Signature)

COMMENTS:

**ACKNOWLEDGEMENT OF RECEIPT
OF
TOWN OF CONESUS EMPLOYEE HANDBOOK**

I hereby acknowledge receipt of the Town of Conesus Employee Handbook and further do confirm my understanding that it contains an official statement of employee workplace rules, related policies and benefits for employees of the Town of Conesus.

Signed: _____
Employee Name

Date: _____

NOTE: Town of Conesus employees must sign this statement and return this page to the office of the Supervisor of the Town of Conesus.



**TOWN OF CONESUS
EMPLOYEE SIGN-IN/SIGN-OUT SHEET**

	DATE	NAME	TIME-IN	TIME-OUT
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**TOWN OF CONESUS
EMPLOYEE SIGN-IN/SIGN-OUT SHEET**

	DATE	NAME	TIME-IN	TIME-OUT
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D. News Media Inquiries

From time to time, reporters may call offices to verify information or to receive explanations about departmental activities. Employees should not answer the inquiry themselves, but should indicate that the call will have to be returned. The supervisor, and in most instances the department head, should be informed of the inquiry.

E. Moonlighting

Employees of the Town of Conesus are prohibited from engaging in outside employment, either by working for any employer other than the Town, or by self-employment, if the hours of such employment conflict with the assigned hours of work for the Town.

III. EMPLOYMENT RULES REGARDING ATTENDANCE

You must report to your work site at the proper time. If for any reason you cannot be present at work, you must inform your supervisor. If you must leave work at any time, you must obtain your supervisor's permission. Failure to properly inform your supervisor about any absence from work and obtain approval will be regarded as unauthorized absence and will result in disciplinary action.

A. Tardiness

Employees who arrive after their regularly scheduled starting time are tardy. If you must be late for work, you must notify your supervisor or a designated telephone number as soon as possible before the regularly scheduled starting time.

B. Unreported absences

Employees must inform the Town of all absences from work no later than the scheduled starting time. To properly report an absence, employees must call their supervisor or a designated phone number.

Employees may be subject to disciplinary action for unreported absence from work.

C. Unauthorized Absence

Any absence from work without obtaining proper authorization shall be regarded as an unauthorized absence. An unauthorized absence may result in disciplinary action.

A. Discipline and Conduct on the Job

Participation in any of these activities may result in disciplinary action, including discharge.

1. Refusal to obey the order of a supervisor or any representative of management.
2. Dishonesty to supervisors.
3. Rudeness towards any member of the public.
4. Threats of physical violence to others.
5. Deliberate or negligent destruction or abuse of Town or private property.
6. Disorderly conduct that is dangerous or disruptive to others.
7. Personal work on Town time.
8. Stealing private or Town property.
9. Consumption of alcoholic beverages on Town property or during work hours.
10. Solicitation or distribution of non-work related written or printed material during work time without authorization.
11. Falsification of work, attendance, personnel or other records.
12. Unauthorized use of Town property for private business or any personal gain.
13. Divulging confidential data or information relating to Town business and operations to unauthorized personnel.
14. Entering Town facilities without authorization or assisting unauthorized persons to enter any Town facility.
15. Removing from Town premises any records or property belonging to the Town or another employee without authorization.
16. Unauthorized posting or removal of notices, signs or writing in any form on bulleting boards at any time.

B. Security of Office Buildings, Desks and Files

All files containing confidential departmental records and documents should be kept locked before and after normal working hours to prevent theft and /or destruction.

Keys to desks and files should be accessible only to authorized personnel.

Duplicates will be in the possession of the Town Supervisor

C. Telephone Use/Answering Procedure

Telephones should be answered promptly and courteously. Employees should identify themselves.