

**TOWN COUNCIL
TOWN OF GYPSUM, COLORADO**

RESOLUTION NO. 12 (SERIES 2023)

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF GYPSUM ADOPTING A NEW EMPLOYMENT POLICY
AND REPEALING THE 1999 PERSONNEL MANUAL**

WHEREAS, the Town of Gypsum, Colorado (“Town”), is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, pursuant to Section 5.4 of the Gypsum Municipal Code (“Code”), Council of the Town (“Town Council”) is responsible for adopting personnel policies and regulations for the employees and officers of the Town; and

WHEREAS, the Town Council previously adopted a set of employment policies effective September 14, 1999, governing the conduct of the Town’s employees and officers (“1999 Personnel Manual”); and

WHEREAS, the Town Council desires to adopt a new set of employment policies (“Employee Handbook”) to better meet the needs of the Town and provide clarity and guidance to the Town’s employees and officers; and

WHEREAS, the Town Council hereby determines that the 1999 Personnel Manual should be repealed and the Employee Handbook should be adopted.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, STATE OF COLORADO, THAT:

1. Repeal of the 1999 Personnel Manual. The 1999 Personnel Manual is hereby repealed in its entirety and is of no further force or effect.
2. Adoption of the Employee Handbook. The Employee Handbook, attached hereto as Exhibit A and incorporated herein by this reference, is hereby adopted in its entirety. For ease of updating such employment policies, the Town Council grants authority to the Town Manager to make updates to the Employee Handbook and to adopt such other personnel and employment-related policies as needed to stay with updates to relevant laws and employment practices.
3. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

4. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Town Council.

MOVED, READ AND ADOPTED by the Town Council of the Town of Gypsum, State of Colorado, at its regular meeting held on June 27, 2023

TOWN OF GYPSUM, COLORADO

By: 

Stephen M. Carver, Mayor

ATTEST:


Becky Close, Town Clerk



EXHIBIT A

Employment Policy





**TOWN OF GYPSUM
EMPLOYEE HANDBOOK**

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INTRODUCTION TO EMPLOYMENT POLICIES

Town Manager Welcome

Welcome!

On behalf of your colleagues and the Town Council, I welcome you to the Town of Gypsum (Town) and wish you every success here. We believe that each employee contributes directly to the Town's growth and success, and we hope you will take pride in being a member of our team.

This Handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the Town.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Jeremy Rietmann,

Town Manager

Overview

The Town's Employee Handbook addresses the Town's commitment to the honesty, integrity and ethical behavior of the people associated with the Town, including treating one another with respect and appreciation.

Typically, we at the Town try to keep things fun and lighthearted, but the policies included in this Handbook should be taken seriously. You should read, understand, and comply with all provisions of the Handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the Town to benefit employees. These topics are the core values we need to embrace to ensure a safe, welcoming and ethical environment we can all enjoy being a part of. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the Town continues to grow, the need may arise and the Town reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. Additionally, the policies in this Handbook are not intended to supersede the Town's ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. Any matter not specifically covered by this Handbook may be administered by the Town Manager in a manner not inconsistent with this Handbook.



Organization and Administration

The Town of Gypsum (“Town” of “Gypsum”) is a home-rule municipal corporation of the State of Colorado, organized under Article XX of the Colorado Constitution and the Town’s Municipal Charter. The Town strives to provide first rate professional and courteous service to its residents and visitors, and is committed to fostering the advancement of its personnel consistent with this overall commitment to service to the public.

Town Values and Customer Relations

The Town is committed to ensuring that we treat, and are treated with, respect and appreciation in our interactions with one another, our clients and other business partners. In fact, we value the unique perspective each person offers, and believe that our diversity helps our community grow and thrive. As outlined in these policies, every employee is expected to conduct themselves in a professional, ethical, and responsible manner to promote a spirit of cooperation and teamwork, and to keep the values of respect and appreciation for all people in mind when we interact with one another.

What does this mean, exactly? It means that your actions must be free from discrimination, libel, slander or harassment. It also means that *you are responsible for your own actions*. Misconduct cannot be excused because it was directed or requested by another, and you are required to alert the Town whenever an illegal or unethical act is discovered or suspected. No one will be subject to retaliation for a good faith report of a suspected violation and employees who violate these policies will be subject to disciplinary action, up to and including termination.

The policies in this document do not constitute a contract and do not create any contractual rights of any kind between the Town and any employee, nor should they be relied upon as binding, inflexible promises made by the Town. The Town reserves the right to interpret, modify, amend or repeal these policies at any time without prior notice to employees. The Town also reserves the right, in its sole discretion, to determine whether, and to what extent, these policies and procedures should be applied in any given circumstances. No personal contract or agreement shall be implied by these policies or the statement of any employee of the Town, unless in writing, signed by the Town Manager. These policies apply to all Town employees.

Implementation

This document supersedes the Town of Gypsum Personnel Manual and all previously-adopted Town policies addressed herein. The contents of this document may not encompass all Town policies or programs. Except for the at-will nature of employment, the Town reserves the right to suspend, terminate, interpret or change any or all of the policies documented. These changes can occur at any time, with or without notice.



Council Authority

Ultimate responsibility for operation of the Town is vested in the Town Council and Mayor (the “Council”). The Council has delegated to the Town Manager the general supervision over the affairs, operations, services, projects, employees and business of the Town, including, but not limited to, the right to set policy, procedures and to direct the work of employees; hire, promote, classify, evaluate, train, and retain employees; demote, suspend, terminate, or otherwise discipline employees; transfer, assign and schedule employees; lay off employees; determine and implement the methods, equipment, facilities, personnel, and other means by which Town operations are to be conducted; take steps the Town Manager deems necessary to maintain the efficiency and safety of operations; determine the level of any activity or service provided by the Council; and determine planning or staffing levels. The Town Manager may, from time to time, update the Handbook as necessary for efficient and effective operation of the Town.

The Council reserves the right to adopt, amend, or rescind any policy, procedure, or benefit.



ARTICLE I. EMPLOYMENT

1.1 Employment At Will

EMPLOYMENT AT THE TOWN IS AT-WILL, AND ANY EMPLOYEE MAY BE TERMINATED WITH OR WITHOUT CAUSE, A STATEMENT OF REASONS, A HEARING, OR A RIGHT TO AN APPEAL, JUST AS ANY EMPLOYEE MAY RESIGN AT ANY TIME, FOR ANY REASON. THIS POLICY SHALL BE STRICTLY CONSTRUED. NOTHING IN THESE POLICIES IS INTENDED TO MODIFY THE TOWN'S AT-WILL EMPLOYMENT POLICY.

1.2 Equal Employment Opportunity (EEO) Policy

The Town provides equal employment opportunities to people on the basis of their age, race, color, religion, sex (including pregnancy, gender identity or expression, and sexual orientation), civil union or marital status, national origin or ancestry, military or veteran status, disability or genetic information, or any other status protected by applicable laws. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and general treatment during employment.

1.3 Anti-Harassment and Anti-Discrimination Policy

The Town prohibits harassment or discrimination of any kind, especially involving the statuses listed in the EEO section or any other status protected by applicable laws. Through enforcement of this Policy and by education of employees, the Town will seek to prevent, correct and discipline behavior that violates this Policy. Do not assume behavior that is not offensive to you is acceptable to others.

The Town, in compliance with all applicable federal, state and local anti-discrimination and anti-harassment laws and regulations, enforces this Policy in accordance with the below definitions and guidelines.

1.4 Discrimination

It is a violation of this Policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions, or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, a status listed in the EEO section, or any other status protected by applicable laws.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act, the Age Discrimination Act, and the ADA (Americans with Disabilities Act) Amendments Act. This Policy is intended to comply with the prohibitions stated in these anti-discrimination laws.



1.5 Harassment

The Town prohibits harassment based on the areas listed in the EEO section, or any other status protected by applicable laws, and will take appropriate and immediate action in response to reports or knowledge of violations of this Policy. For purposes of this Policy, harassment is any verbal, written, or physical conduct designed to threaten, intimidate, isolate, exclude, bully or coerce an employee, co-worker or any person (suppliers, consultants, members of the public, etc.) working for or on behalf of The Town. Verbal taunting (including racial and ethnic slurs) that, in the employee's opinion, impairs their ability to perform their job is included in the definition of harassment. The Town defines bullying as persistent, malicious, unwelcome, severe and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee, whether verbal, physical or otherwise, at the place of work and/or in the course of employment.

1.6 Sexual Harassment

Sexual harassment is a form of sex discrimination which is prohibited by law and violates the Town's Anti-Harassment Policy. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitute sexual harassment. The prohibited conduct may be verbal, visual, or physical in nature.

More subtle forms of behavior, such as foul or obscene language of a sexual nature, posting or viewing social media language or pictures, gossiping, asking questions about another's sex life, offensive posters, cartoons, caricatures, comments and jokes of a sexual nature, and repeated unwanted requests for a date are prohibited as they may constitute sexual harassment or contribute to a hostile or offensive work environment. All questionable behavior should be avoided because conduct that appears to be welcome or tolerated by one person may be offensive to another.

Do not ignore harassment or discrimination. All employees are expected to take appropriate measures to ensure that prohibited conduct does not occur. Employees who feel they have been harassed or discriminated against in violation of this Policy or who witness any such harassment must report such behavior immediately to your supervisor, Human Resources, the Town Manager, or Assistant Town Manager. Reports regarding the Town Manager may be made to the Mayor or Mayor Pro Tem. Retaliation for good faith reports is prohibited. Harassment and discrimination in violation of this Policy will be subject to disciplinary measures up to and including termination.

Law enforcement and/or emergency services should be contacted if you believe there is an imminent threat to anyone's safety.

1.7 Reasonable Accommodation Policy

The Town will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town or cause a direct threat to the health or safety of its employees or members of the public.



The Town may require that an employee provide a note from a health care provider detailing the medical advisability of reasonable accommodation. Employees who have questions about this Policy or who wish to request reasonable accommodation under this Policy should contact HR.

The Town will not deny employment opportunities or retaliate against an employee because of an employee's request for reasonable accommodation. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

1.8 Workplace Accommodations for Nursing Mothers

Nursing mothers will be provided a private location and reasonable paid or unpaid break time, mealtime, or both, each day to allow the employee to express breast milk for their nursing child for up to two years after the child's birth, in accordance with State and Federal law.

1.9 Religious Accommodations

Accommodation for an employee's sincerely held religious beliefs or practices may also be provided unless doing so creates an undue hardship to The Town.

1.10 Workplace Violence Prevention and Intervention Policy

The Town is committed to maintaining a violence-free environment and will not tolerate any type of violence or threats of violence.

Violence includes physical altercations, physical bullying, use of weapons of any kind, stalking, and threats of violence. Jokes and off-hand remarks about violence will not be tolerated.

- **Physical bullying** includes pushing, shoving, kicking, poking, tripping, assaulting or threatening physical assault and/or damaging or interfering with a person's work area or property.
- The Town needs your cooperation to effectively implement this Policy and maintain a safe working environment. Do not ignore violent, bizarre, frightening, or threatening behavior that occurs in the workplace, threatens to spill-over into the workplace, or has an adverse impact on the workplace.

Any potentially dangerous situation must be reported immediately to your supervisor, HR, the Town Manager, Assistant Town Manager, or follow the Obligation to Report Procedure defined below. Retaliation for good faith reports is prohibited.

Law enforcement and/or emergency services should be contacted if you believe there is an imminent threat to anyone's safety.



1.11 Workplace Safety

Your safety is extremely important to The Town, and we ask that every employee is invested in maintaining a safe work environment. Safety awareness means that we look out for ourselves, the people working with us.

Additionally, employees' children and pets are typically not permitted in the workspaces or out in the field. Should an exception be requested due to unusual circumstances, please obtain prior approval from HR in advance.

If you witness or are in an accident or are injured on the job, you must report it to your supervisor immediately, and an Incident Report must be filed. Please refer to the Safety policy handbook.

ARTICLE II. EMPLOYEE CONDUCT

2.1 Employee Conduct Policies

Every one of us is responsible for creating an environment where trust, ethical behavior and honest interactions are the norm. There may be times when you might be in doubt about the best and most ethical course of action to take in a particular situation, so the sections below and the policies throughout this document provide guidance to support you. Since no one resource can have expertise in all areas, you are encouraged to reach out to your supervisor, HR, the Town Manager, Assistant Town Manager, or follow the Obligation to Report Procedure defined below for support.

2.2 Confidentiality and Non-Disclosure

As part of your responsibilities at the Town, you may learn of or be trusted with Confidential Information or Intellectual Property. During your employment, any information not commonly known or available to the public which is obtained by virtue of employment with the Town shall be considered and kept as the private and privileged records of the Town, and must not be divulged to any firm, external individual, employee or institution except on the direct written authorization of the Town. Your failure to honor this confidentiality requirement may result in appropriate legal and corrective or disciplinary action, up to and including termination. If you leave employment with the Town for any reason, we expect that you continue to treat as private and privileged any such sensitive information. The Town may pursue legal remedies for unauthorized disclosures of sensitive, confidential information.

This Policy is not intended to preclude employees from engaging in activities protected by state or federal law (including state labor laws, state fair employment laws, the National Labor Relations Act, and/or Title VII of the Civil Rights Act of 1964), such as discussing wages, benefits or terms and conditions of employment, or from raising complaints about working conditions on behalf of themselves or their fellow employees.



2.3 Protecting Personally Identifiable Information (PII)

The Town recognizes its need to maintain the confidentiality of Personally Identifiable Information (PII) including but not limited to social security, employer and government-issued identification numbers, financial transaction information, and passwords. As such, the Town understands the importance of minimizing the amount of PII we retain and is committed to storing and disposing of it in accordance with state and federal law. Additionally, employees should not disclose protected personal information or data about another employee or members of the public. We are committed to training employees on our policy and procedures for securely maintaining PII, and following such laws including notification of affected individuals should there ever be a breach.

2.4 Conflict of Interest

Employees should always act in the best interest of the Town and not permit outside interests to interfere with their job duties. The Town prohibits all employees from using their position with the Town or the Town's relationship for private gain or to obtain benefits for themselves, friends or members of their family.

If you become aware of any potential conflict of interest or ethical concern regarding your employment or another employee at the Town, contact your supervisor, HR, the Town Manager, or Assistant Town Manager. Retaliation for good faith reports is prohibited.

2.5 Outside Employment

Employees may hold outside jobs if they meet the performance standards and expectations of their position with the Town, and such outside employment isn't a conflict of interest. The Town requests that employees considering outside employment reflect on the impact that an additional position may have on their job performance with the Town, their health, and physical endurance. All employees will be held to the same performance standards regardless of outside obligations. The Town's workspaces, equipment, time and materials are not to be used for outside employment.

2.6 Employment of Relatives

The Town hires the most qualified applicant for any open position, and on occasion that applicant may be the close relative of a current employee. We encourage referrals but will not place any relative in a position which may create or be perceived as a conflict of interest. This includes a position where one relative approves the wages or working conditions, audits, or manages financial impacts of another relative, or has access to confidential information, like payroll or personnel records, about a relative. Please consult with HR if you are unsure about a relationship.

2.7 Fraternalization

As adults, you are expected to make choices and decisions for yourself, including those regarding the personal relationships you will foster. It is not the Town's desire to tell



consenting adults who they can and cannot be friends with or date, but in order to avoid the perception of favoritism or conflicts of interest, employees must notify HR of any personal relationships where one employee reports to another or can influence wages or working conditions, or when employees date one another.

2.8 Workplace Cleanliness and Personal Appearance

For the sake of our team and visitors to our workplace, employees are expected to maintain an organized and clean workspace. Common areas should be kept tidy and clean and free of clutter, garbage, and other potential distractions or disruptions to a healthy working environment.

Because we want to portray a positive and professional image to the people we interact with, it's important that we also dress appropriately. While dress codes will vary depending on each employee's position, and some positions may include specific requirements due to safety or Town practices, all employees are expected to appear tidy, professional and appropriate.

Employees who are not sure what constitutes acceptable dress or have concerns about allergens or other sensitivities should discuss questions with their supervisor or HR.

2.9 Favors and Gifts

Gifts or favors given or received as a courtesy, "thank you" or acknowledgment of a job well done are acceptable, so long as the gift doesn't violate the law and is reasonable in cost, quantity and frequency. Current state law prohibits gifts to public employees greater in value than \$65. Consult a supervisor or HR regarding a gift of more than a nominal value.

Employees may also accept occasional unsolicited courtesy gifts, such as business lunches or holiday baskets, as long as the gifts are of nominal value (not more than \$65) or are group gifts which may be experienced or enjoyed with coworkers. If you are unsure about the appropriateness of receiving a gift, discuss it with your supervisor or HR.

ARTICLE III. SUBSTANCE-FREE WORKPLACE POLICY

3.1 Illegal, Recreational and Prescription Drugs

The Town has a commitment to providing a safe and productive work environment, so when employees are working, present on Town premises, or are conducting business-related work off-site, they are prohibited from possessing or using drugs. The term "drug" includes marijuana, whether for medicinal or recreational use, illegal inhalants, illegal drugs and/or other controlled substances. It also includes prescription drugs when not taken in accordance with the written



prescription, or prescription drugs which affect your ability to work safely and effectively. If the latter circumstance applies, contact HR to discuss the situation so accommodations may be made, where possible and appropriate.

3.2 Alcohol

Responsible possession and consumption of alcohol during work hours or while on Town premises is only permitted under approved circumstances such as at Town celebrations or business dinners. In these cases, employees are still expected to behave appropriately and in accordance with all Town policies and should ensure that their intake of alcohol does not impede their judgment or ability to perform their job responsibilities.

When attending Town events, it is the responsibility of all employees to consume responsibly and always obtain safe transportation away from the event.

3.3 Smoking.

Smoking of any kind, including tobacco, vapor and cannabis, is prohibited in Town buildings and as required by law. All facilities and vehicles owned, operated or leased by the Town are smoke-free. In addition, employees must adhere to building-specific requirements including rules prohibiting smoking in parking lots.

3.4 Inspections

The Town reserves the right to inspect all premises for drugs or other contraband, and any person refusing to cooperate in such inspections may be subject to appropriate discipline. Similarly, if you use, possess, buy, sell, manufacture or dispense an illegal drug you may be disciplined, up to and including termination.

3.5 Drug Testing

The Town may require drug testing as a condition of employment, for safety-sensitive positions, and due to reasonable suspicion, accident, or incident. Failure to comply may result in disciplinary action up to and including termination. All Town employees required to hold commercial drivers' licenses shall be subject to a drug and alcohol testing program that fulfills the requirements of Code of Federal Regulations Title 49, Part 382.

3.6 Reporting

Any employee who witnesses behavior prohibited by this Policy should immediately contact their supervisor, HR or the Town Manager, or follow the



Obligation to Report procedure defined by the Town. Employees who violate this Policy will be subject to disciplinary measures up to and including termination.

Under Federal law, any employee who is convicted of a criminal drug statute violation occurring in the workplace must notify their employer of the conviction within 5 days. Please refer to the Drug and Alcohol policy.

Law enforcement and/or emergency services should be contacted if you believe there is an imminent threat to anyone's safety.

ARTICLE IV. TIME AND ATTENDANCE

3.1 Time and Attendance Policy

Regular attendance and punctuality are important factors for establishing a high-performing culture and are an expectation for our success in running an efficient and effective business. Accurate recordkeeping, including time off records, is also essential to running our business. All employees are expected to request time off according to the Town's time off recordkeeping practice and should ensure their time off is recorded accurately for payroll. Supervisors are also responsible for ensuring their employees' time off is declined or approved and ultimately recorded accurately for payroll, according to the Town's time off recordkeeping practice. Poor attendance and/or excessive tardiness, or inaccurate time off records may result in disciplinary action up to and including termination.

3.2 Work Hours

For the purpose of calculating overtime, the work week starts at 12:01 a.m. on Monday and ends on Sunday at midnight. Normal business hours for the Town are from 8 o'clock A.M. until 5 o'clock P.M., Monday through Friday. Normal operating hours for the Public Works Department are from 7 o'clock A.M. until 4 o'clock P.M., Monday through Friday.

Certain employees may be assigned on-call duty requiring that they be available for call-in during a specified time period outside their normal working hours. On-call employees are compensated according to the Town of Gypsum Public Works Department On-Call Procedures policy.

Employees are paid every two weeks based on 26 pay periods per year. Paychecks will be issued or directly deposited on the first Friday following the Sunday ending the pay period.



3.3 Unexpected Absence or Delay

If you will be unexpectedly absent or late to work, contact your direct supervisor as soon as possible, by phone, email and/or text. This will allow management time to communicate to others as needed, and to make any necessary arrangements to manage work in your absence. Remember to provide a reason for your absence or tardiness, when you expect to return, and always record your time off according to The Town's time off record keeping practice.

Failure to report tardiness or absence may result in disciplinary action up to and including termination. Failure to report an absence for three (3) or more consecutive shifts will constitute job abandonment resulting in your voluntary termination, except in extenuating circumstances.

3.4 Exempt Status

Exempt employees are responsible for working as many hours as necessary to get the job done and are not eligible for overtime pay. During extraordinarily busy times, exempt employees may check with their supervisor to arrange for flexibility within their normal scheduled work hours, which may be approved when, in the supervisor's discretion, it is appropriate and circumstances permit.

3.5 Non-Exempt Status

The Fair Labor Standards Act (FLSA) requires positions classified as non-exempt be paid at least the federal minimum wage for all hours worked and overtime pay of at least time and one-half the regular rate of pay for all hours worked over forty (40) hours in a workweek, twelve (12) hours in a workday, or twelve (12) consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods).

a. Overtime

The Town will default to all Federal and State Labor laws for calculation and payment of overtime. Note that PTO, jury duty, holidays (unless actual work was performed on a holiday), and other leaves of absence do not count as hours worked for purposes of computing overtime for the week in which the time is used.

Non-Exempt employees who anticipate the need for overtime to complete the week's work must notify their supervisor in advance and obtain approval before working more than 40 hours in a work week. Regardless of pre-approvals, overtime hours must always be reported. Working "off the clock" is never permitted.

b. Compensatory Time

Non-Exempt employees may bank hours worked in excess of forty (40) hours per workweek, twelve (12) hours per workday, or twelve (12) consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal



periods) as compensatory time on a time and a half basis in lieu of overtime pay. The maximum compensatory time accrual is 40 hours in any calendar year. Employees are allowed to use compensatory time off on the date they requested unless doing so would “unduly disrupt” the operations of the Town.

Accrued but unused compensatory time is paid to the employee upon termination.

c. Meal and Rest Breaks

The Town complies with applicable law regarding meals and breaks. Unless applicable law provides otherwise, all non-exempt employees are permitted to take a paid 10-minute rest break for each four (4) hour work period.

Employee meal breaks are important to Town productivity and employee health. Non-exempt employees who work at least five (5) consecutive hours, and where business needs allow for it, are provided an unpaid meal break of 30 minutes. The meal break is not included in the total hours of work per day and is not compensable. Non-exempt employees must clock out and be completely relieved of all job duties while on meal breaks.

Rest and meal breaks are not permitted at either the beginning or end of the workday to offset arrival and departure times.

3.6 Colorado Family and Medical Leave Act (“FAMLI Program”) Opt-Out.

The Town has opted to decline employer participation in the FAMLI Program. Employees may voluntarily elect to participate in the FAMLI Program by contacting the FAMLI Division to arrange for appropriate payment of the employee’s share of the FAMLI premium to the FAMLI Division. Information on the FAMLI Program may be found at <https://famli.colorado.gov/> and the FAMLI Division can be reached at:

Colorado Department of Labor and Employment
FAMLI Division
633 17th Street, Suite 201
Denver, Colorado 80202-3660
(303) 318-8000.

**ARTICLE V.
TRAVEL AND EXPENSES**

The Town will reimburse employees for necessary and reasonable business expenses incurred in the transaction of Town business. Employees travelling or entertaining on behalf of the Town are expected to receive prior written approval from a supervisor or the Town Manager in order to control travel and entertainment costs. Use your best judgement regarding these purchases and make choices when selecting purchases which support both the best use of time and are the most cost-effective.



4.1 Meals and Entertainment

Reasonable business meals will be reimbursed, including gratuity, which should not exceed 20% of the cost of the meal. As with any business expense, use your best judgement in selecting restaurants and meal orders, and only submit expense reimbursements for meals associated with bona fide business discussion or purpose.

Entertainment expenses will be reimbursed according to IRS tax deductibility rules. The expenditure must directly precede, include or follow a substantial and bona fide business discussion or purpose. Such expenses are generally intended for clients, suppliers and others outside the Town.

a. Transportation

The Town will reimburse mileage at the IRS annual mileage allowance rate (reference www.irs.gov) for the use of an employee's personal vehicle, if a Town vehicle is not available for use, for authorized business transportation, excluding the employee's normal commute.

b. Reimbursement Requirements

Employees are responsible for retaining receipts, completing expense reports completely and accurately, and for submitting them within 30 days in which they occurred. All expenses should be substantiated with the original receipt for each expense. If a receipt is lost, the employee is expected to attempt to obtain a receipt from the charging party. If this is not possible, the employee must include a credit card statement with the missing credit card form completed.

Debit or credit cards are issued to only designated employees. All expenses placed on either a debit or credit card must be job related.

To be reimbursed, employees must include the following information on their expense reports:

- Date and purpose (e.g., why traveling, such as "Town business with client," etc.).
- Full names, titles and business relationship of all persons attending.
- Cost, including tax and tip.

Any personal spending will become the employee's own financial responsibility.



ARTICLE VI.
TOWN PROPERTY AND RIGHT TO SEARCH POLICY

It is important to ensure that the Town's assets and resources are safeguarded and not misused. The Town's property is defined as all materials and equipment owned or leased by the Town.

When using the Town's property, ensure the property is used appropriately, that guidelines and instructions are followed to ensure the best care, and have regular maintenance performed as appropriate.

Immediately notify your supervisor if any Town property appears to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and needed repairs could prevent further damage of Town property, and possible injury to employees or others. Employees should not bring valuable items or large sums of money to work or leave personal items in their work location when not working.

Should your employment with the Town terminate for any reason and at any time, all Town property must be returned prior to the final separation date, and the Town reserves the right to require repayment for any lost or damaged Town property to the extent permitted by law.

To protect employees and the Town from theft, and to enforce the Town's policy prohibiting other misconduct, including the possession or use of drugs, the Town reserves the right to search employees and their personal property when there is a belief that a Town policy is being violated. Employees are expected to cooperate in the searches for the sake of the safety and well-being of all.

ARTICLE VII.
TECHNOLOGY & ELECTRONIC COMMUNICATIONS

The Town's computer network, access to the Internet, email and voicemail systems are business tools intended for employees to use while performing their job duties. All information regarding access to the Town's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are considered Confidential Information and may not be disclosed to non-Town personnel or to Town personnel that do not have a legitimate business need to know or have the information. All Town systems, files and data are the property of The Town, and are subject to review and inspection at any time. Do not assume that this information is confidential.

The Town prohibits the display, transmittal, or downloading of material that is in violation of The Town's Policies or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. Employees must comply with all licenses regulating the use of any software and may not share or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in the Town's facilities.



If for any reason your employment with the Town terminates, or upon Town request, you agree to return immediately to the Town all documents, property, software, materials, information and other records of the Town or its affiliates, and all copies thereof, within your possession, custody or control, including but not limited to any materials containing trade secrets or confidential information of the Town or its affiliates.

Violation of this Policy will be subject to disciplinary measures up to and including termination.

This Policy is not intended to preclude employees from engaging in activities protected by state or federal law (including state labor laws, state fair employment laws, the National Labor Relations Act, and/or Title VII of the Civil Rights Act of 1964), such as discussing wages, benefits or terms and conditions of employment, or from raising complaints about working conditions on behalf of themselves or their fellow employees.

6.1 Mobile Electronic Devices

While in the workplace during work hours, employees are expected to focus on work and may not use any device in the workplace for any inappropriate purposes, including but not limited to playing games, excessive internet or text messaging use.

Employees in some positions may use their personal mobile device to access work applications in accordance with all other Town Policies. Contact your supervisor for more information about eligibility.

Employees may be eligible for a Town phone or personal mobile device reimbursement if required for the position. Employees who utilize their personal mobile device for business use understand that upon separation from the Town they will comply to fully remove all Town email and property from their phone, or otherwise allow the Town to fully wipe their Town email from their phone. Private phones used for Town business may be subject to CORA (open records) requests

6.2 Social Media Policy

This policy is intended to minimize the risk of propagation of slanderous or unprofessional content that could impair the Town's reputation or lead to legal claims. It is not intended to restrict communications protected by state or federal law.

While personal off-duty use of social media is generally not of concern to the Town, employees are reminded to use common sense when using social media. Any posts made on your personal time in a personal account with content that does not relate to the Town or any person or entity with whom the Town does business is up to your discretion. The Town's Equal Employment Opportunity policy and Anti-Harassment policy extends to social media.

Employees are prohibited from doing any of the following on social media unless otherwise protected by state or federal law:



- a. Disclosing confidential information regarding the Town, its constituents, or other members of the public;
- b. Making defamatory comments about the Town, Town Council Members, employees, constituents, or other members of the public; and
- c. Making comments or discriminatory references that would violate Town policy if made in the workplace (i.e., comments that violate the Anti-harassment policy).

Employees may not use social media for personal purposes during paid working time. At no time may employees use the Town's computers, servers, Wi-Fi network, and other equipment for personal social media purposes.

All questions related to the policy or permissible conduct should be discussed with HR.

ARTICLE VIII. OBLIGATION TO REPORT

6.1 Reporting Required.

It is each person's responsibility to abide by all federal, state and local laws and regulations, as well as by Town policies. If you believe that there has been a violation of any expectations defined in these policies, including harassment or discrimination, you are obligated to make a timely report to enable the Town to investigate and correct not only the behavior, but also any effects the behavior may have had on the Town and those involved.

If you observe an incident of violence or threatened violence that is immediate and serious, take steps to maximize *safety first*, including contacting local authorities. Once the immediate threat has passed, please also notify the Town by following the procedures outlined below.

To report an incident, your first line of support is to contact your supervisor. You are also encouraged to notify HR of the same report. Should you not be able or comfortable discussing with your supervisor, you are also encouraged to contact HR, the Town Manager, or Assistant Town Manager. Policy violations involving the Town Manager may be reported to the Mayor or Mayor Pro Tem.

The Town does not tolerate retaliation for filing a report. For more information, see the following Prohibition of Retaliation Policy.

6.2 Investigations.

Should an investigation be conducted, each incident will be evaluated on an individual basis. If the result of an investigation indicates that corrective action is called for, such action may include disciplinary measures up to and including termination of employment.



6.3 Confidentiality

The confidentiality of information received as a part of any report and investigation, including the privacy of the individuals involved, and the wishes of the reporting party, will be protected to as great a degree as practical, as determined by the Town. The expressed wishes of the reporting party for confidentiality will be considered in the context of the Town's legal obligation to act on the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be maintained by the Town and those involved in the investigation to as great a degree as practical, as determined by The Town. In addition, any notes or documents written by or received by those conducting the investigation will be kept confidential, to as great a degree as practical, as determined by the Town.

ARTICLE IX. PROHIBITION OF RETALIATION

Retaliation against any person who in good faith has reported a violation of the law, has raised questions or concerns, has reported an incident, or has otherwise participated in an investigation of such matters, will not be tolerated.

If, for any reason, you perceive retaliation, please follow the Obligation to Report procedure outlined above to notify us. The situation will be investigated, and if the Town determines an individual's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination.

ARTICLE X. DISCIPLINARY ACTION

The Town expects all employees to conduct themselves pursuant to the highest professional, business, and ethical standards and will not tolerate misconduct. The Town, through its Council, management and supervisors, retains the right to take such disciplinary action as it deems appropriate in any given circumstance. Whether an employee's performance, conduct, or behavior warrants disciplinary action is within the Town's discretion.

The Town may discipline an employee for a violation of any of the Town's policies, or for any behavior by an employee that reflects poorly on the Town, or evidences poor judgment or lack of common sense. The level of discipline to be imposed for the infraction shall be that which the Town, through its Council, Town Manager, Assistant Town Manager, HR, or supervisors, deems appropriate under the circumstances.

ARTICLE XI. CONCLUSION

These Town policies are not intended to describe every possible instance that might happen or provide answers to all questions that might arise. Instead, they are a resource to help us all have a



shared understanding what's expected of us all. We encourage you to talk to your supervisor—another great resource at your fingertips—for guidance, and for support with any questions. For questions regarding other employee programs, such as TOG Time Off Program, please refer to that specific document or request it from human resources.

What do these policies really mean? They mean that we all agree to endeavor to faithfully comply with all laws, rules, policies and regulations of the regulatory agencies that apply to us during our employment with the Town. They mean that we will act responsibly and in good faith, and we will treat one another respectfully and how we would wish to be treated.



Acknowledgement & Receipt

I have received my copy of the Town of Gypsum Employee Handbook, and I have had the opportunity to ask my supervisor any questions about it.

The Town Employee Handbook include important information about the Town of Gypsum (referred to as the “Town”), and I understand that I should consult my supervisor, HR or the Town Manager regarding any questions not answered in the document. I have entered my employment relationship with the Town voluntarily and acknowledge that there is no specified length of employment. Accordingly, the Town or I can terminate the relationship at will, with or without cause, at any time.

I understand and agree that no supervisor or representative of the Town has any authority to enter into any agreement for employment other than at will.

This document and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with the Town. By distributing these Employment Policies, the Town expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by the Town Council, and the Town reserves the right to change my hours, wages and working conditions at any time. I understand that revised information may supersede, modify or eliminate existing policies. The Town reserves the right to adopt any revisions to the policies in this document.

I understand and agree that nothing in the Employee Handbook document creates, or is intended to create, a promise or representation of continued employment and that employment at the Town is employment at-will, which may be terminated at the will of either the Town or myself. Furthermore, I acknowledge that this document is neither a contract of employment nor a legal document. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by the Town or myself.

I have received the Employment Policies document, and I understand that it is my responsibility to read and comply with the policies contained in this document and any revisions made to it.

Employee's Signature



Employee's Name (Print)

Date

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