



DATE: January 14, 2010

TIME: 10:00AM

MEETING: Special Town Board Meeting, Town of Portville, New York

LOCATION: Town Municipal Building, 1102 Portville Olean Road, Portville, NY 14770

PRESENT: Terry Keeley, Supervisor
William Stern, Deputy Supervisor
Gary Woodhead, Councilperson
Terri Batt, Councilperson
Charlene Van Dusen Councilperson

Administrative Process

1. Pledge of Allegiance
2. Introduction of Board Members
3. Determination of Quorum

Agenda Item #1 Town of Portville Personnel Policy

A public special board meeting held at 10AM in the town municipal building. A motion was made by Councilperson Van Dusen, seconded by Councilperson Stern and approved by the Town Board to pass Resolution RES-20100114.3, and adopt Personnel Policy V20100114a that supersedes all former personnel policies and goes into effect as of January 1, 2010. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES), Van Dusen (YES) MOTION CARRIED 5-YES 0-NO

(Refer to attachment accompanying these minutes)

Adjournment

Being there was no further business a motion to adjourn at 10:10 was made by Councilperson Batt, seconded by Councilperson Stern and approved by the Town Board. VOTE: Keeley (YES), Stern (YES), Woodhead (YES), Batt (YES) Van Dusen (YES). MOTION CARRIED 5-YES 0-NO.



TOWN OF PORTVILLE, NEW YORK

Respectfully submitted and signed,

James Parks
Town Clerk
Town of Portville, New York

A banner image showing a row of houses with green roofs and white siding. The text "TOWN OF PORTVILLE, NEW YORK" is overlaid in white on a dark green background.

TOWN OF PORTVILLE, NEW YORK

Resolution RES-20100114.3: PERSONNEL POLICY

Whereas, The Town of Portville adheres to federal and New York State employment law; and,

The Town of Portville adheres to New York State ethics law; and,

The Town of Portville endeavors to set forth consistent, effective and efficient operating, management control, and personnel practices, procedures, and policies that enable recruitment, retention, and performance.

Now therefore, Be it enacted by the Town Board of the Town of Portville that:

Version 20100114a of the Personnel Policy dated January 1, 2010 attached hereto shall be implemented retroactively to January 1, 2010 and shall supercede all other personnel policies adopted formally or informally prior to that date; and,

The Town Board shall reserve the right to append, amend, or delete this Version 20100114a of the Personnel Policy at any time through the adoption of a subsequent Resolution to implement such changes.

Approved this 14th day of January, 2010, in the Town of Portville, County of Cattaraugus, State of New York,

James Parks
Town Clerk
Town of Portville
PO Box 630
1102 Olean-Portville Road
Portville, NY 14770

PERSONNEL POLICY

Version 20100114a

Purpose

The purpose of the personnel policy for the Town of Portville is to specify the conditions under which employment may be obtained, retained, or terminated and the specific conditional compensation and benefits offered to its employees, appointees and elected officials.

New York State statutes, regulations, and laws govern many aspects of performance and incumbency of elected officials that are not articulated in this policy. For more specific information regarding those statutes, regulations, and laws, please contact the New York State Department of State.

Implementation of Personnel Policy

Effective January 1, 2010, the implementation of this version of the Personnel Policy supercedes all other personnel policies adopted or implemented by the Town of Portville prior to January 1, 2010. The Town Board reserves the right to revise this Personnel Policy at any time.

Employment Policy

The Town of Portville shall comply with all Federal and New York State employment laws.

Only a quorum of members of the town board holding a published public meeting, whether in executive session or public session, may authorize:

- a. the hiring, suspension, promotion, demotion, retention or termination of any employee or appointee;
- b. the increase, retention or reduction of compensation or benefits of any employee or appointee;
- c. the increase of compensation or the increase or decrease of benefits of any elected official; and,
- d. the issuance to an appointee of a performance contract or to an appointee or elected official a quantitative bonus contract.

Only a quorum of members of the town board holding a published public meeting in compliance with New York State law governing such action may create or eliminate an appointed position.

Ethics Policy

All employees, appointees, and elected officials shall be bound by New York State Public Officers Laws 73 through 78 and New York State General Municipal Law, Sections 800-809 Conflicts of Interest of Municipal Officers and Employees. Violation of one or more of these laws can result in termination and, if in an appointed or elected position, removal from office.

Zero-Tolerance Sexual Harassment Policy

The term "sexual harassment" is defined by both Federal and New York State public employee employment law as defined in Section 703 of Title VII of the Civil Rights Act of 1964 and the New York State Human Rights Law and the Civil Rights Law of 1991. However, in the colloquial, sexual harassment at minimum includes sexual advances, sexual suggestion or request, sexual contact, or sexual groping by an employee, appointee, elected official to another employee, appointee, elected official or any member of the public in the town's workplace or by the employee, appointee or elected official during that individual's course of work on behalf of the town.



The Town of Portville does not tolerate sexual harassment in any form. An employee or appointee who is accused of sexual harassment will have an opportunity to prove that the accusation is false. However, if the accusation is found to be true, the employee or appointee will be terminated.

Immediate Supervisor

The definition of immediate supervisor is the position that controls the work schedule of town board approved hours for a specific employee or appointee. The following schedule defines what specific supervisory position controls specific employees or appointees.

Immediate Supervisor	Position
Town Supervisor	Town Clerk & Tax Collector
Town Supervisor	Deputy Town Clerk & Deputy Tax Collector
Town Supervisor	Bookkeeper
Town Supervisor	Town Attorney
Town Supervisor	Assessor
Town Supervisor	Deputy Assessor
Town Supervisor	Building Inspector/CEO/FCO
Town Supervisor	Dog Control Officer
Town Supervisor	Deputy Dog Control Officer
Town Supervisor	Historian
Town Justice	Clerk of the Court
Town Justice	Deputy Clerk of the Court
Highway Superintendent	Deputy Highway Superintendent
Highway Superintendent	Highway Employees

Compensation

Compensation is defined as the gross money received by an elected, appointed or employed town person inclusive of federal tax, state tax, FICA, social security, Medicare and any other component of withheld monies to satisfy statutory or employee-directed purposes.

Permanent Employee or Appointee

The term “permanent” refers to an employee or appointee position that is planned for an entire calendar year with anticipation for planned retention in future years. A permanent position may be created at any time by a quorum of members of the town board. A permanent position may be eliminated at any time by a quorum of members of the town board if one or more of the following conditions occur: a) funding for the department within which the position resides is inadequate to pay for the position as well as other department operating expenses; b) the position has been eliminated through reduction in operational demand or outsourcing of the position or function; or c) the position is no longer needed because of improvements in operating efficiency.

Temporary Employee

The term “temporary” refers to an employee position that has a limited duration of less than a year and does not have an anticipation for planned retention in future years. A temporary position and the specification of weekly scheduled hours may be created at any time by a quorum of members of the town board. A temporary position may be eliminated at any time by a quorum of members of the town board if one or more of the following conditions occur: a) funding for the department within which the position resides is inadequate to pay for the position as well as other department operating expenses; b) the position has been eliminated through reduction in operational demand or outsourcing of the position of function; c) the position is no longer



TOWN OF PORTVILLE, NEW YORK

needed because of improvements in operating efficiency; or d) the position is not longer deemed by the town board to be of sufficient worth versus the investment that would need to be made.

Full Time Employee or Appointee

The term “full time” refers to an employee or appointee position that is financially planned and budgeted for a 40-hour workweek. The designation of “full time” is made by a quorum of members of the town board. See Appendix A for list of full time employee and appointee positions.

Part Time Employee or Appointee

The term “part time” refers to an employee or appointee position that is financially planned and budgeted for less than a 40-hour workweek. The designation of “part time” is made by a quorum of members of the town board. See Appendix A for list of part time employee and appointee positions.

Hourly Employee or Appointee

The term “hourly” refers to an employee or appointee position that is paid a specific monetary amount per hour, commonly referred to as “hourly rate”. An hourly employee or appointee is required to accurately complete and sign a weekly time card and obtain his/her immediate supervisor’s countersignature. Falsifying a time card can result in termination of employment. The specific hourly rate is recommended by the immediate supervisor to and is made by a quorum of members of the town board to adopt or not adopt. See Appendix A for list of hourly employee and appointee positions.

Salaried Employee, Appointee or Elected Official

The term “salaried” refers to an employee, appointee or elected official position that is financially planned and budgeted annually that is paid on a semi-monthly, monthly, quarterly or annual frequency. A salaried employee, appointee or elected official functions from a job description, federal and NYS regulation and, in some instances, a performance contract. Salaried positions are exempt from being paid overtime or any prorated additional compensation for working beyond the positions scheduled hours. The designation of “salaried” position is made by a quorum of members of the town board. See Appendix A for list of salaried employee, appointee and elected positions.

Schedule of Hours In A Week

The “schedule of hours to be worked in a week” by an employee or appointee to satisfy the total hours in a week of a specific full time, part time or salaried position is recommended by the immediate supervisor to and is made by a quorum of members of the town board. Fixed scheduled hours are defined in Appendix A in 24-hour clock time. Flexible scheduled hours, hereinafter referred to as “flex”, means that on that day hours may be worked that are not necessarily defined but on which the employee or appointee may be required to work. A “week” is defined as Monday through Sunday. See Appendix A for list of schedule of hours to be worked in a week by employee or appointed position.

Time Card

Using a Town Board design-approved time card, all employees and appointees that are paid on an hourly basis must record and certify the accuracy of the time worked. The immediate supervisor of the hourly employee or hourly appointee is responsible for attesting to the accuracy of the employees’ and appointees’ timecards and that the signature of the hourly employee or hourly appointee is authentic.

Falsifying data on a time card by an hourly employee or hourly appointee can result in termination of employment

Recording Work Product During Work Time

Each hourly employee and hourly appointee must maintain a daily work log that explains the specific work and the time spent on that work to the closest minute. The daily work log is to be turned in at the end of each



TOWN OF PORTVILLE, NEW YORK

week to the employee's or appointee's immediate supervisor who will in turn deliver the work logs to the town bookkeeper for filing. Failure to complete Work Product Report, concurrent with the completion of the weekly time card, can result in a performance counseling report and, if more than 4 instances in a given year occur without a town-board accepted immediate supervisor's justification, may possibly result in termination of employment.

Meal Period

A "Meal Period" of 30 minutes is required on a given day wherein the hourly employee or hourly appointee will work 8 or more hours. The meal period shall be taken between the 3rd and 5th hour of work. An hourly employee or appointee is not paid during a meal period and is required to note on his/her time card the time he/she stopped work to go on a meal period and the time he/she began work upon returning from a meal period.

Computation of Gross Weekly Earnings

An hourly employee or hourly appointee is paid his/her hourly rate times the number of hours, or fraction thereof, worked up to 40 hours in a specific week. Any hours, or fraction thereof, worked over 40 hours in a specific week is paid one and one-half times his/her hourly rate.

Example #1 shows a typical 40-hour work week over 5 days.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	8	8	8	8	8	0	0	40
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	N	N	N	N	N	N	N	
Multiplier	1	1	1	1	1	0	0	
Rate	12	12	12	12	12	12	12	
Pay	96	96	96	96	96	0	0	480

Example #2 shows 40 hours being worked over 7 days.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	6	6	6	6	6	5	5	40
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	N	N	N	N	N	N	N	
Multiplier	1	1	1	1	1	1	1	
Rate	12	12	12	12	12	12	12	
Pay	72	72	72	72	72	60	60	480

Example #3 shows 40 hours being worked over 4 days.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	0	12	16	0	0	0	12	40
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	N	N	N	N	N	N	N	
Multiplier	1	1	1	1	1	1	1	
Rate	12	12	12	12	12	12	12	
Pay	0	144	192	0	0	0	144	480



TOWN OF PORTVILLE, NEW YORK

Computation of Gross Weekly Earnings During A Legal Holiday Week

If an hourly employee or hourly appointee is scheduled to, but does not, work on a day, other than a “flex” day, that is a “legal holiday”, he/she will receive his/her hourly rate times his/her scheduled number of hours for that day that happens to be a legal holiday.

Example #4 shows a legal holiday falling traditionally on a Monday when hours were scheduled.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	0	8	8	8	8	0	0	32
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	Y	N	N	N	N	N	N	
Multiplier	1	1	1	1	1	0	0	
Rate	12	12	12	12	12	12	12	
Pay	96	96	96	96	96	0	0	480

Example #5 shows a legal holiday falling traditionally on a Monday but when the employee was not scheduled to work that day. No holiday pay would occur in this example.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	0	10	10	10	0	0	0	30
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	Y	N	N	N	N	N	N	
Multiplier	1	1	1	1	1	0	0	
Rate	12	12	12	12	12	12	12	
Pay	0	120	120	120	0	0	0	360

Computation of Gross Weekly Earnings When Working On A Legal Holiday

When 40 or less hours are worked in a week wherein a legal holiday was also worked, an hourly employee or hourly appointee who works on a “legal holiday” as articulated in this personnel policy is paid two times his/her hourly rate for any hours, or fraction thereof, worked on that legal holiday.

Example #6 shows a legal holiday falling on a Monday when hours were worked on that holiday.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	8	8	8	8	8	0	0	40
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	Y	N	N	N	N	N	N	
Multiplier	2	1	1	1	1	0	0	
Rate	12	12	12	12	12	12	12	
Pay	192	96	96	96	96	0	0	576

When more than 40 hours are worked in a week wherein a legal holiday was also worked, an hourly employee or hourly appointee who works on a legal holiday as articulated in this personnel policy is paid two times his/her hourly rate for any hours, or fraction thereof, worked on that legal holiday and an additional half-time for his/her hourly rate for any hours, or fraction thereof, worked over 40 hours.



Example #7 shows hours worked on a legal holiday and over 40 hours being worked in a week.

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
Hours Worked	8	8	10	10	8	0	0	44
Hours Scheduled	8	8	8	8	8	0	0	
Holiday	Y	N	N	N	N	N	N	
Multiplier	2	1	1	1	1	0	0	
Rate	12	12	12	12	12	12	12	
Pay	192	96	120	120	96	0	0	624
Overtime Hours								4
Overtime Pay (multiplier 0.5 x Hourly Rate x Overtime Hours)								24
Total Pay								648

Call Out Pay

Call Out Pay of \$25, before required deductions, will be paid for each instance to any part-time, full-time, permanent, temporary, hourly employee or hourly appointee when the immediate supervisor of that position has given the instruction to the employee or appointee to perform one or more of his/her job functions at a time outside of his/her position's work schedule. A work schedule as depicted in Appendix A for a specific position can have both fixed and flex hours. Fixed and flex hours are not eligible for Call Out Pay, except if the call out occurs on a holiday when fixed hours were scheduled that day.

Compensating Time Off

The Town of Portville does not provide compensating time off.

Off-Site Training

In instances where time worked by an hourly employee or hourly appointee is at a training facility not in the town building, the travel time to and from the facility as well as the hours spent in the classroom of the training facility will count as hours worked. This time must be represented on the hourly employee's or hourly appointee's time card.

2 NYCRR 315.4

In order for a salaried appointed or elected official to accrue hours towards NYS retirement on or after January 1, 2010, the salaried appointed or elected official must either use the town's timecard reporting system or follow the specific direction to establish a 90-day work pattern for submission via the town clerk to the town board for approval and forwarding to New York State as outlined in 2 NYCRR 315.4 on Reporting for Elected or Appointed Officials.

Legal Holidays

The Town of Portville recognizes the following event days as legal holidays. If an hourly employee or hourly appointee is normally scheduled to work on that day of the week on which the legal holiday falls and does not work on that legal holiday, the hourly employee or hourly appointee will be paid for his/her normally scheduled hours that day.



TOWN OF PORTVILLE, NEW YORK

Legal Holidays	2010	2011	2012	2013	2014
New Year's Day	Jan 1	Dec 31	Jan 2	Jan 1	Jan 1
Memorial Day	May 31	May 30	May 28	May 27	May 26
Independence Day	Jul 5	Jul 4	Jul 4	Jul 4	Jul 4
Labor Day	Sep 6	Sep 5	Sep 3	Sep 2	Sep 1
Veterans Day	Nov 11	Nov 11	Nov 12	Nov 11	Nov 11
Thanksgiving Day	Nov 25	Nov 24	Nov 22	Nov 28	Nov 27
Christmas Day	Dec 24	Nov 26	Dec 25	Dec 25	Dec 25

Hourly employees or appointees who are required by their supervisor to work on one of these legal holidays will be paid twice his/her hourly rate for any hour, or fraction thereof, worked that day.

Paid Vacation

Each hourly employee, hourly appointee, salaried employee and salaried appointee shall receive eligible vacation days according to the following schedule.

Service Years	Vacation Days
1 Year or Less	0
More Than 1 Years But Less Than 5 Years	10
5 Years But Less Than 10 Years	13
10 Years But Less Than 20 Years	15
20 Years or More	20

An hourly employee, hourly appointee, salaried employee or salaried appointee must receive the authorization of his/her immediate supervisor to take vacation at a specific time.

Vacation days may not be carried over to a following year or years. Using the compensation rate in effect at the time vacation days were earned, an hourly employee, hourly appointee, salaried employee or salaried appointee will receive his/her hourly prorated compensation not later than the second pay period in January for any unused vacation days in the prior year.

Once an hourly employee, hourly appointee, salaried employee or salaried appointee has begun his/her vacation, the immediate supervisor may not request or demand that the hourly employee, hourly appointee, salaried employee or salaried appointee return to work during the duration of the approved vacation period. An hourly employee, hourly appointee, salaried employee or salaried appointee may request his/her immediate supervisor to allow him/her to return to work and thus curtail or cut short his/her vacation. However the immediate supervisor may approve or decline such a request. Such requests must be made in writing, signed by both the employee and the immediate supervisor, and forwarded to the Bookkeeper

Each vacation day taken must be noted on the hourly employee's or hourly appointee's time card with his/her scheduled hours and be signed by the immediate supervisor.



TOWN OF PORTVILLE, NEW YORK

Paid Sick Days

After 1 year of service, each hourly employee or appointee earns one paid sick day every 73 days (January 1st, March 15th, May 27th, August 8th, and October 20th) and is limited to a maximum of 20 unused paid sick days. Unused sick days are not payable upon the employee's or appointee's resignation or termination.

Each paid sick day taken must be noted on the hourly employee's or hourly appointee's time card with his/her scheduled hours and be signed by the immediate supervisor.

Paid Personal Days

The Town of Portville provides its hourly employees, hourly appointees and salaried appointees each with 3 paid personal days per year. An employee or appointee may request from his/her immediate supervisor authorization to take a Paid Personal Day. The immediate supervisor may approve or deny permission to take a Paid Personal Day. Unused Paid Personal Days expire at the end of each calendar year. Taking a Paid Personal Day without immediate supervisor authorization in writing is job abandonment.

Unused Paid Personal Days may not be carried over to a following year or years. Using the compensation rate in effect at the time Unused Paid Personal Days were earned, an hourly employee, hourly appointee, salaried employee or salaried appointee will receive his/her hourly prorated compensation not later than the second pay period in January for any Unused Paid Personal Days in the prior year.

Once an hourly employee, hourly appointee, salaried employee or salaried appointee has begun his/her Paid Personal Day, the immediate supervisor may not request or demand that hourly employee, hourly appointee, salaried employee or salaried appointee to return to work during the duration of the approved Paid Personal Day. An hourly employee, hourly appointee, salaried employee or salaried appointee may request his/her immediate supervisor allow him/her to return to work and thus curtail or cut short his/her Paid Personal Day. However the immediate supervisor may approve or decline such a request.

Each paid personal day taken must be noted on the hourly employee's or hourly appointee's time card with his/her scheduled hours and be signed by the immediate supervisor.

Unpaid Personal Days

The immediate supervisor may authorize up to 14 contiguous calendar days of unpaid personal days, or fraction thereof, to any of his/her hourly employees or his/her hourly appointees as long as no additional working hours or overtime is required from other employees or temporary employees to perform the department's workload during the absence of the requestor. For each hourly employee or hourly appointee, the immediate supervisor may approve up to four "unpaid 14-contiguous-calendar-day personal days" events in a given calendar year without town board approval. Multiple, contiguous "unpaid 14-contiguous-calendar-day personal days" events or more than four "unpaid 14-contiguous-calendar-day personal days" events in a given calendar year must be presented to the town board by the immediate supervisor to the town board for consideration. Any deviation from this policy requires presentation by the immediate supervisor to the town board for consideration of approval.

Each unpaid personal day taken must be noted on the hourly employee's or hourly appointee's time card without indication of his/her scheduled hours and be signed by the immediate supervisor.

Compensating Time Off

The Town of Portville does not recognize or provide for compensating time off under any circumstance for hourly employees or hourly appointees.



TOWN OF PORTVILLE, NEW YORK

Health Insurance

Health insurance coverage is provided at no charge to: a) full time, permanent employees; b) full time, permanent appointees, and any elected official earning more than \$15,080. Health insurance coverage is provided to a former full-time, town retiree as long as the retiree remits the full insurance premium payment, inclusive of any applicable prepaid insurance card value, 30 days in advance of insurance premium due date. Health insurance coverage will be provided to any employee or appointee scheduled to work less than 40 hours a week but earning at least \$7,200 per year as long as the employee or appointee remits the full prepaid insurance card value upon invoicing and the full insurance premium payment 30 days in advance of insurance premium due date. Health insurance coverage will be provided to any elected official earning \$7,200 but less than \$15,080 as long as the elected official remits the full insurance card value upon invoicing and the full insurance premium payment 30 days in advance of insurance premium due date.

Leaves of Absence

The Town of Portville provides for the following leaves of absence:

1. **Maternity:** This type of leave applies to the town-employed father or town-employed mother of a child about to be born and/or having recently been born. Up to one week before the birth of an employee's child and for up to 90 days beyond the birth of employee's child, the position of the employee shall remain reserved for that employee's return. The Town Board reserves the right to replace the employee's or appointee's position with a temporary employee or temporary appointee during the leave of absence period. Beyond those timeframes, there is no guarantee of position availability or continued employment. No compensation is provided during a maternity leave of absence for hourly employees, hourly appointees, salaried employees or salaried appointees. Deviations from this policy require prior town board approval in writing.
2. **Medical (Non-Work-Related-Injury/Illness):** Beginning on the date of notification by employee to the Town of Portville town supervisor or deputy town supervisor, an employee or appointee may initiate an unpaid medical Non-Work-Related-Injury/Illness leave of absence. The actual date of commencement of unpaid medical leave of absence will occur after accrued, unused paid sick days, accrued, unused paid vacation days, and accrued, unused personal days have been exhausted. An unpaid medical leave of absence is provided for one month from the date of notification during which time the position of said employee or appointee is guaranteed. After one month of non-work-related-injury/illness medical leave, the town shall endeavor to fill the employee's or appointee's position and will not guarantee employment of employee or appointee, who has been on unpaid non-work-related-injury/illness medical leave, and there shall be no guarantee of the position to the employee or appointee upon their subsequent availability. For a non-work related injury or illness, no compensation is provided during an unpaid medical Non-Work-Related-Injury/Illness leave of absence for hourly employees, hourly appointees, or salaried appointees. Deviations from this policy require prior town board approval in writing.
3. **Medical (Work-Related-Injury):** For a work-related injury eligible under the definition of the Town's Worker's Compensation Insurance Plan, Worker's Compensation Insurance payments will be made to the applicable hourly employee, hourly appointee, or salaried appointee in accordance with the Workers Compensation Insurance policy. Excluding any Worker's Compensation Insurance benefits, an unpaid medical work-related-injury leave of absence of up to 30 days will be provided to any employee or appointee relating to his/her specific work related injury that is eligible to receive Worker's Compensation benefits. Deviations from this policy require prior town board approval in writing.
4. **Military Leave of Absence:** An hourly employee, hourly appointee, or salaried appointee, who is an active or inactive military reservist that has been placed on active duty, shall be granted a military



TOWN OF PORTVILLE, NEW YORK

leave of absence of up to one year. During that one year, the town board will make effort to backfill the hourly employee's, hourly appointee's, or salaried appointee's position with temporary personnel. Upon the return from military leave of absence, the town board will reinstate the hourly employee, hourly appointee or salaried appointee into the position his/she vacated as long as he/she is physically able to fulfill the duties of that position and that position is available. Deviations from this policy require prior town board approval in writing.

5. Annual Military Summer Camp Leave of Absence: A hourly employee, hourly appointee, or salaried appointee, who is an active military reservist that is called up to attend annual military summer camp for two weeks, shall have their position retained for two weeks until he/she returns. The hourly employee, hourly appointee, or salaried appointee shall receive net compensation between his/her scheduled weekly hourly pay (or semi-monthly pay if a salaried appointee) and his/her military gross pay during that period. The employee or appointee has the responsibility to provide the proof of military pay and the proof of demand to attend military summer camp. Deviations from this policy require prior town board approval in writing.
6. Death In The Family: An hourly employee, hourly appointee, salaried employee or salaried appointee, who experienced a death in his/her immediate family, shall receive 5 days off with pay of death-in-the-family leave. Immediate family is defined as husband, wife, in-same-domicile domestic partner, son, daughter, sibling, father or mother. An hourly employee, hourly appointee, salaried employee or salaried appointee, who experienced a death in his/her extended family, shall receive 1 day off with pay of death-in-the-family leave. Extended family is defined as aunt, uncle, cousin, sister-in-law, brother-in-law, mother-in-law, father-in-law, grandfather or grandmother. Deviations from this policy require prior town board approval in writing.

Work Boot Partial Reimbursement

Each calendar year, each Highway Department permanent, full time, hourly employee will be reimbursed up to \$100 when presenting a receipt for work boots for his/her use in the performance of his/her job duties. The request for reimbursement must be prepared on a voucher with the receipt attached and presented to the Town Clerk for processing. Reimbursement is limited to the amount of the receipt or \$100, which ever is less. The Town of Portville encourages Highway Department permanent, full time, hourly employees to purchase steel toed work boots to provide maximum job safety.

Performance Review

Not later than October 1st of each calendar year, the immediate supervisor will prepare a performance review of each employee and appointee reporting to him or her. The performance review will ensure both a quantitative and qualitative evaluation of the individual job function performance as well as the individual's written and verbal communications skills and effectiveness to successfully convey thoughts, direction, results, and opinions that constructively improve the performance of the department to which his or she is assigned. The resulting performance review may not be delivered to the employee or appointee until the town board has given its written approval to do so. The resulting performance review is to be emailed to each of the town board members prior to October 1st. The town board will meet in executive session in October to review the contents of each performance review. The town board will provide its written feedback concerning the performance reviews to the immediate supervisor who in turn will incorporate the noted corrections and resubmit to the town board. The town supervisor, on behalf of the town board, will ensure that the noted corrections have been incorporated and subsequently authorize by email that the immediate supervisor may deliver the performance review to the employee or appointee. Upon completion of the performance review session with the employee or appointee, the immediate supervisor is to provide a signed copy of the performance review to the town supervisor for inclusion in the individual's employment file.

APPENDIX A 2010 POSITION SPECIFICATION & WORK SCHEDULE

Position	Type	Status	Category	Pay	Rate	Paid	Class	Hours	Per	Schedule						
										Mon	Tue	Wed	Thu	Fri	Sat	Sun
Commercial Driver Class B	Employee	Permanent	Non-Exempt	Hourly	16.75	Weekly	Full Time	40	Week	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530
Summer Intern	Employee	Temporary	Non-Exempt	Hourly	9.00	Weekly	Full Time	40	Week	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530
Deputy Highway Superintendent	Appointed	Permanent	Non-Exempt	Hourly	17.16	Weekly	Full Time	40	Week	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530	0700-1530
Town Clerk & Tax Collector	Appointed	Permanent	Non-Exempt	Hourly	13.52	Weekly	Part Time	30	Week	Flex	0800-1630	0800-1630	0800-1630	0800-1630	Flex	Flex
Clerk of the Court	Appointed	Permanent	Non-Exempt	Hourly	11.50	Weekly	Part Time	20	Week	1200-2000	1000-1400	0800-1200	0800-1200	Flex	Flex	Flex
Acting Deputy Assessor	Appointed	Permanent	Non-Exempt	Hourly	15.00	Weekly	Part Time	4	Week	1700-2100						
Secretary to the Planning Board	Appointed	Permanent	Non-Exempt	Hourly	10.00	Monthly	Part Time	8	Month	Flex	Flex	1900-2100	Flex	Flex	Flex	Flex
Acting Assessor	Appointed	Permanent	Exempt	Salaried	1,250.00	1st & 15th	Part Time	20+	N/A	Flex	1700-2100	Flex	Flex	Flex	Flex	Flex
Code Enforcement Officer	Appointed	Permanent	Exempt	Salaried	670.00	Monthly	N/A	N/A	N/A	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Dog Control Officer	Appointed	Permanent	Exempt	Salaried	356.00	Monthly	N/A	N/A	N/A	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Town Supervisor	Elected	Permanent	Exempt	Salaried	2,358.50	Quarterly	N/A	30	Week	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Councilperson	Elected	Permanent	Exempt	Salaried	330.00	Quarterly	N/A	10	Month	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Town Justice (Expires 12/31/2013)	Elected	Permanent	Exempt	Salaried	750.00	Monthly	N/A	15	Week	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Town Justice (Expires 12/31/2010)	Elected	Permanent	Exempt	Salaried	100.00	Monthly	N/A	1	Month	Flex	Flex	Flex	Flex	Flex	Flex	Flex
Highway Superintendent	Elected	Permanent	Exempt	Salaried	1,800.34	1st & 15th	Full Time	40	Week	Flex	Flex	Flex	Flex	Flex	Flex	Flex

TOWN OF PORTVILLE

TIMECARD

EMPLOYEE NAME:

FUND:

	DATE MM/DD/YY	START TIME	STOP TIME	START TIME	STOP TIME	START TIME	STOP TIME	START TIME	STOP TIME	TOTAL HH:MM
MONDAY										
TUESDAY										
WEDNESDAY										
THURSDAY										
FRIDAY										
SATURDAY										
SUNDAY										
EMPLOYEE SIGNATURE:					IMMEDIATE SUPERVISOR SIGNATURE:				TOTAL:	

Time card Instructions: At the beginning of the week, fill in "EMPLOYEE NAME" AND "FUND". Town Clerk is "A" FUND. Deputy Assessor is "A" FUND. Court Clerk is "B" FUND. Highway Department hourly personnel is "DB" Fund. Each day show date, various times you started and stopped work. Remember lunch break is a minimum of 30 minutes every four hours during which time you are not working. Add up your hours and minutes each day and enter in "TOTAL HH:MM". At the end of the week, add all daily "TIME HH:MM" and enter in "TOTAL". Employee and Supervisor must sign timecard to confirm its accuracy. Timecards must be turned in to Bookkeeper no later than 8AM Monday morning. Unsigned timecards will not be paid.

Work Product Instructions: Use Work Product Form on opposite side. Each day fill in date, hours and minutes worked on a specific work product, and then briefly describe the work product. An example might be "clearing snow" or "completing court paperwork".

