



**Town Council
Monday, June 10, 2024
4:00 PM**

You can watch the meeting live online on our website at tosv.com.

Agenda

- 1. Start Time 4:00 P.M.**
- 2. Item for Discussion**
 - 2.1. Employee Handbook Changes**
 - [2.1.a Item for Discussion - Employee Handbook Edits for 061024.pdf](#)
 - [2.1.b 2024 TOSV Employee Handbook Intranet 061024.pdf](#)
- 3. Item for Discussion**
 - 3.1. November 2024 Election - Topics & Calendar**
 - [3.1.a Item for Discussion - Proposed Ballot Language.pdf](#)
 - [3.1.b TOSV Election calendar 2024.pdf](#)
- 4. Item for Discussion**
- 5. Adjournment**

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

June 10, 2024

AGENDA ITEM:

Discussion and a Request to Approve, by motion, the TOSV Employee Handbook

PRESENTED BY:

Talita Garcia, Human Resources Director
Clint Kinney, Town Manager
Jeff Conklin, Town Attorney

BACKGROUND:

The TOSV Employee Handbook is an important management tool for employee relations. It sets policies, provides guidance, and delivers the necessary structure for the employees' professional relationship with the organization. The Handbook has been in place for decades and is a critical component of employee recruitment and on-going employee relations. It is the cornerstone of our Human Resources efforts.

We are continuing to work to update it so it meets needs of the organization and other regulatory requirements.

In this round of changes/updates from the existing handbook, the proposed changes are:

- Including an informational statement to employees informing them that the Town has opted out of FMLAI (Family and Medical Leave Insurance)
The Council passed the required Resolution to this effect last year, but at that time we did not include FMLAI information in our handbook. This handbook change describes the employees' rights and expectations if they decide to self-elect FMLAI.
- Personal Hours: Full-time year round employees currently receive 24 hours each year for personal leave time. This proposed change will provide Full-Time Seasonal employees with 12 personal hours to be used during the season.
- The employee handbook identifies specific processes for investigating employee complaints. This proposed change will increase the time allowed for investigations
 - Step one: from five calendar days to ten business days for the verbal discussion to take place.
 - Step one: from 7 calendar days to 21 business days for the response in writing after investigation is concluded

- Step two: Appeal of written report: from 7 calendar days to 7 business days
- Step two: answer to appeal in writing: from 7 calendar days to 7 business days
- Step three: appeal to step two: from 7 calendar days to 7 business days

If the Council is comfortable with these proposed changes, we will schedule a formal approval of the updated Employee Handbook for June 17.

ATTACHMENT

1. Employee Handbook with suggested edits

TOSV EMPLOYEE HANDBOOK



Town of
Snowmass Village
Revised 06/10/2024



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CHAPTER 1 - INTRODUCTION

TOWN MANAGER'S INTRODUCTION

It is a pleasure to work with you! Our Town is a fun, community-focused and family-friendly Village. As our community inevitably evolves, our mission is to ensure we remain a thriving, charming, fun, resilient, safe and emotionally connected community.

I encourage you to continually refamiliarize yourself with [Town Council's Strategic Goals](#); for we try to align everything we do here with these goals. We are active, engaged public servants and stewards of the Snowmass community who provide world-class service to each other, locals, and guests alike. Please do all that you can to go above and beyond to help anyone who needs assistance.

Throughout your career with the Town, there are a few things I ask that you strive to do:

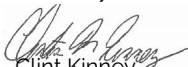
- Work together and help others.
- Ask for help when you need it.
- Always operate with integrity.
- See something, say something. You are encouraged to speak up when you see someone who deserves praise, or you see a situation that needs to be resolved; we want to hear from you. Your supervisor's and my door are always open!
- Be innovative and forward-thinking. Please always be thinking about what can be done to improve your job, department, and the Town. Share your ideas. Be a problem-solver.
- Be respectful of everyone.
- Be honest, professional, and respectful in your communications.

A new hire's first couple of weeks are like drinking from a firehose. Knowing that, the best advice I give all new hires is to breathe deep, relax, work hard, listen, and enjoy yourself. We are an OUTSTANDING group of people that are very willing to help each other.

We all live here to enjoy the small-town atmosphere and beautiful surroundings. Just as importantly, we all have a desire to do really great work and provide outstanding service to our community.

I hope that you will gain enormous personal and professional growth at the Town. Your passion for serving the community plays into all aspects of our lives - promoting a lifestyle that promotes a sense of commitment to the Snowmass community and our internal community of employees at the Town. I am lucky to work with you and please know my door is always open.

Sincerely,


Clint Kinney
Town Manager

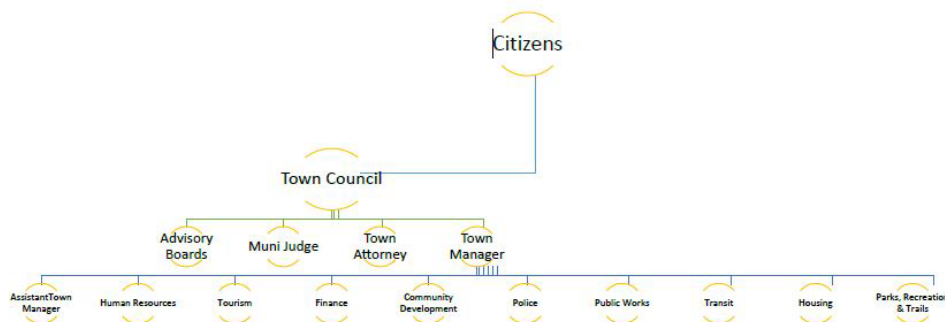


TOWN OVERVIEW

About Snowmass Village, Colorado – A renowned winter playground and vibrant summer community just 9 miles from Aspen, Snowmass consistently ranks as one of the best winter ski areas and summer mountain biking destinations in the world. Snowmass Ski Area is consistently ranked in the Top 10 Ski Resorts in America by Ski Magazine. Snowmass, along with the rest of the Roaring Fork Valley, is the first IMBA (International Mountain Biking Association) Gold-Level Ride Center™ in Colorado, only the 5th in United States, and the 7th in the world. Snowmass offers guests incredible views of mountain vistas, in addition to 2.8 million adjacent acres of wilderness, open for activities and exploration. Snowmass is home to 30+ restaurants, 95 percent slopeside lodging, shopping, unique special events and music – all year round. For more information and a complete calendar of events and activities, please visit www.gosnowmass.com.

Our municipality consists of 10 departments that manage all day-to-day operations. The sales tax generated from our visitors (within the Roaring Fork Valley and beyond) is the main source of operating revenue for the town budget. With this in mind, the Town strives to provide all visitors with the very best experience possible.

TOWN ORG CHART





CHAPTER 2 – EMPLOYMENT

POLICY NO. 2.1- DISCLAIMER AND AT-WILL EMPLOYMENT

IMPORTANT DISCLAIMER – READ CAREFULLY

THIS HANDBOOK IS DESIGNED TO ACQUAINT YOU WITH THE TOWN OF SNOWMASS VILLAGE'S POLICIES, PROCEDURES, AND GUIDELINES AND TO PROVIDE YOU WITH EMPLOYMENT INFORMATION. THE HANDBOOK IS NOT ALL-INCLUSIVE BUT IS INTENDED TO PROVIDE YOU WITH A SUMMARY OF SOME OF THE TOWN'S GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS.

ALL EMPLOYEES OF THE TOWN SERVE ON AN AT-WILL BASIS. THIS MEANS THAT EMPLOYEES HAVE THE RIGHT TO TERMINATE THEIR EMPLOYMENT AT ANY TIME, WITH OR WITHOUT CAUSE AND WITH OR WITHOUT ADVANCE NOTICE, AND THE TOWN HAS THE SAME RIGHT.

IT IS REQUESTED, HOWEVER, THAT EMPLOYEES WILL GIVE THE TOWN AT LEAST TWO WEEKS' ADVANCE NOTICE BEFORE THEY TERMINATE THEIR EMPLOYMENT WITH THE TOWN.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE SUCH STATEMENTS A GUARANTEE OF EMPLOYMENT FOR A SPECIFIED DURATION.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THIS HANDBOOK, IF YOU HAVE QUESTIONS, PLEASE TALK WITH YOUR IMMEDIATE SUPERVISOR OR HUMAN RESOURCES.

THE NEED MAY ARISE TO CHANGE THE POLICIES, PROCEDURES, AND GUIDELINES DESCRIBED IN THE HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE TOWN MANAGER RESERVES THE RIGHT TO ALTER, AMEND, INTERPRET OR CANCEL ANY PROVISION CONTAINED IN THIS HANDBOOK AT ANY TIME, WITH OR WITHOUT PRIOR NOTICE TO TOWN OF SNOWMASS VILLAGE EMPLOYEES.



POLICY NO. 2.2 - EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity and Unlawful Harassment

The Town is dedicated to the principles of equal employment opportunity (EEO).

A. Disability and Religious Accommodation

The Town will make reasonable accommodation(s) for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Town or cause a direct threat to health or safety. The Town will make reasonable accommodation(s) for employees whose work requirements interfere with a religious belief, unless doing so would result in undue hardship on the Town's business operations.

B. Pregnancy Accommodation

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. Employees who are otherwise qualified for a position may request reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the Town will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the Town's business operations.

The Town may require that an employee provide a note from the 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 the Human Resources Director.

The Town will not deny employment opportunities or retaliate against an employee because of an employee's request for reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. 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.

C. EEO Harassment

The Town strives to maintain a work environment free of unlawful harassment. In doing so, the Town prohibits unlawful harassment because of age 40 and over, race, sex, sexual orientation, color, religion, national origin, disability, military status, genetic information, gender expression, gender identity or any other status protected by applicable state or local law.



Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age (40 and over), race, sex, sexual orientation, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault or blocking an individual's movements.

This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

D. Sexual Harassment

Because sexual harassment raises issues that are to some extent unique in comparison to other types of harassment, the Town believes it warrants separate emphasis.

The Town strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to always conduct themselves in a professional and businesslike manner. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

E. Complaint Procedure

If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint



procedure. The Town expects employees to make a timely complaint to enable the Town to investigate and correct any behavior that may be in violation of this policy.

Report the incident to the Human Resources Director or Town Manager. If you prefer not to go to either of these individuals with your complaint, you may report the incident to any Department Head. The Department Head will then notify the Human Resources Director or the Town Manager. Upon notification, an investigation will be undertaken promptly. Any complaint will be kept as confidential as practicable. Corrective and/or disciplinary action will be taken by the appropriate Department Head or Town Manager when determined to be warranted, pursuant to the investigation.

The Town prohibits retaliation against an employee for filing a complaint under this policy or for participating in a complaint investigation. If an employee perceives retaliation for making a complaint or participating in an investigation, the employee should follow the complaint procedure outlined above and the situation will be investigated.

If the Town determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

POLICY NO. 2.3 – EQUAL PAY ACT POLICY

Pursuant to Colorado's Equal Pay for Equal Work Act, the Town will not discriminate between employees on the basis of sex, sexual orientation or on the basis of sex in combination with another protected status by paying an employee of one sex a wage rate less than the rate paid to an employee of a different sex for substantially similar work, except where the wage differential is based on a seniority system; a merit system; a system that measures earnings by quantity or quality of production; the geographic location where the work is performed; education, training or experience to the extent that they are reasonably related to the work in question; or travel if the travel is a regular and necessary condition of the work performed. An employee who believes their compensation does not comply with this policy should make a report to their supervisor or department head.

The Town will not seek the wage rate history of a prospective employee or require disclosure of wage rate as a condition of employment; rely on a prior wage rate to determine a wage rate; discriminate or retaliate against a prospective employee for failing to disclose the employee's wage rate history; discharge or retaliate against an employee for actions by an employee in asserting the rights established by Colorado law against an employer; or discharge, discipline, discriminate against, or otherwise interfere with an employee for inquiring about, disclosing, or discussing the employee's wage rate.

Subject to some statutory exceptions, the Town will notify all employees of all promotional opportunities at the same time and prior to making a promotion decision. A "promotional opportunity" is a vacancy in a new or existing position that could be considered a promotion for one or more employee(s) in terms of compensation, benefits, status, duties, or access to further advancement. The notice of promotional opportunity



will include the hourly or salary compensation or a range of hourly or salary compensation for the position and a general description of all benefits and compensation to be offered to the hired applicant.

POLICY NO. 2.4 - EMPLOYMENT CLASSIFICATION DEFINITIONS

Full-time Year-round Employee

An at-will employee who is scheduled to work 40 hours per week on a year-round basis. If an employee does not work at least 40 hours per week, the employee is expected to use accrued bank hours to equal 40 hours per week.

An at-will employee who is scheduled to work as a bus driver for a minimum of 35 hours per week on a year-round basis. If a bus driver employee does not work at least 35 hours per week, the employee is expected to use accrued bank hours to equal a minimum of 35 hours per week.

Full-time Seasonal Employee

An at-will employee who is regularly scheduled to work a minimum of 805 hours up to a maximum of 1,040 hours for an entire defined winter or summer season. Full-time seasonal employees who work two seasons in a year may work up to a maximum of 1,760 hours per year.

Part-Time Employee

An at-will employee who is scheduled to work regular or irregular shifts up to a maximum of 1,508 hours per year or an at-will employee who is scheduled to work approximately 30-32 hours per week, on average, on a year-round basis

Employment Classification Definitions are for the purpose of determining benefit eligibility and are not to be misconstrued to set the actual number of hours an employee may be assigned to work pursuant to business needs.

Seasons are defined by the employee's Department Head.

Only full-time year-round employees may work more than 1,760 hours per year.

Full-time seasonal employees who work one season and work as a part-time employee may work up to a maximum of 1,508 hours per year.

Please contact the Payroll Manager or Human Resources to understand the effects of a change in employment status on eligibility for benefits.

POLICY NO. 2.5 - RECLASSIFICATION CONVERSION POLICY

An employee who experiences job reclassification shall become eligible for all related benefits associated with the new classification as of their effective date in the new position and/ or classification.

Conversely, an employee becomes ineligible for benefits associated with the previous



classification, if said benefits are not related to the new employment classification, on the termination date of their former position and/ or classification.

In the event an employee is reclassified as full-time year-round, the employee shall have credited to their vacation bank 6.67 hours for each month of their employment up to a maximum of 40 hours.

POLICY NO. 2.6 -WORK SCHEDULES AND ALTERNATIVE WORK ARRANGEMENTS

Work schedules for employees are established by the appropriate Department Head, based on the needs of the department and may include longer workweeks, different hours, different workdays and could change at any time.

Employees may request an alternative work schedule by contacting their Department Head. Any alternative schedule shall not be provided at the expense of service to the public and must not adversely affect the department's ability to provide coverage, perform optimally as a team, or maintain service levels.

A Department Head may grant, deny or retract any schedule related alternative work arrangement, at any time. Employees permitted to work remotely must adhere to the [TOSV Remote Workspace Access](#).

Employees that are temporarily not able to fulfill their job description and the physical requirements of their job description need to have approval from the Department Head and Human Resources Director to engage in light duty. An interactive ADA process may be initiated where the employee, the Town and the employee's medical provider are in communication during the process.

POLICY NO. 2.7- WORKPLACE ACCOMMODATION FOR NURSING MOTHERS

The Town accommodates nursing mothers with reasonable break time and a private location (other than a restroom) in close proximity to the work area for up to two years after the child's birth. Please contact your Department Head or Human Resources with questions.



CHAPTER 3 – LEAVE

Other than a qualified FMLA, no employee shall take time off in excess of 31 consecutive calendar days, unless otherwise approved by the Town Manager.

POLICY NO. 3.1 – SICK LEAVE

To the extent accumulated, Sick Leave may be used if an employee:

1. Has a mental or physical illness, injury, or health condition that prevents them from working;
2. Needs to get preventive medical care, or to get a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;
3. Needs to care for a family member who has a mental or physical illness, injury, or health condition, or who needs the sort of care listed in category (2);
4. The employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment, and needing leave for related medical attention, mental health care or other counseling, victim services (including legal services), or relocation; or
5. Due to a public health emergency, a public official having closed either (A) the employee's place of business or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child.

An immediate family member is defined as employee's spouse, significant other, parent, child or stepchild. In special circumstances, exceptions to the definition of "immediate family member" may be made by the employee's Department Head.

Full-time Year-round and Full-Time Seasonal employees accrue eight (8) hours of sick leave per month. Full-time Year-round and Full-Time employees may use up to 1,560 hours of accrued sick leave in a rolling calendar year.

Part Time Employees accrue one hour of sick leave for every 30 hours worked and may use up to 48 hours of accrued sick leave in a rolling calendar year.

If, in the supervisor's opinion, an employee is too sick or too emotionally distraught to remain at work, the appropriate supervisor may dismiss the employee for the day utilizing the employee's sick leave.

All sick leave must be used in increments of a quarter hour or more and must be shown on the payroll time sheets to be approved by the appropriate supervisor.



An employee cannot use sick leave if the employee qualifies for and elects Long Term Disability (i.e., after the 90-calendar day elimination period, Long Term Disability must be used in lieu of sick leave).

The Town has the authority to request a healthcare provider's verification for sick leave usage and a healthcare provider's release for return to work once the employee has been absent for four workdays or missed four work shifts.

Accrued but unused sick leave will not be paid out upon termination of employment.

Notification

If an employee is unable to work due to any event listed under sick leave, the employee shall notify their appropriate supervisor as soon as possible but, in any event, within the acceptable time frame specified by the Department Head, in order to not interfere with the smooth and efficient functions of the department.

If notification is not given within the time period specified by the Department Head, sick leave will not be granted to the employee for the day. Disciplinary action, up to and including termination, may result should an employee neglect to notify one's supervisor prior to the start of one's shift.

Health Day

Full-time Year-round employees who've been employed with the Town for a full year and have not exceeded 20 hours of sick leave usage in said calendar year will be rewarded with 8 hours of time off on January 1st of the following year. The 8 hours of time off can neither be cashed out nor carried over to the following calendar year and usage requires pre- approval from the appropriate supervisor.

Sick Leave Donation Bank

Active employees may voluntarily donate any accumulated sick leave over 480 hours to the Town's Sick Leave Donation Bank. Donations may be made during the quarterly donation periods and must be made in one-hour increments. Once made, a donation of sick leave may not be retracted. Employees that are leaving the Town of Snowmass Village are not allowed to donate their sick leave balance to the Sick Leave Donation Bank.

Eligible employees who may request hours from the Sick Leave Donation Bank are those who've exhausted all personal Leave time that has been accrued and/or is permissible for use as defined in the respective policies. The employee's request must include appropriate medical justification and documentation of the necessity for leave as well as the anticipated length of time the employee expects to be absent due to the condition.



Once an employee receives donated leave, it may be used only for the injury/illness for which it was approved. Donated leave may not be used to extend an employee's date of separation of employment.

Written requests for use of hours from the Sick Leave Donation Bank may be made to the Human Resources Director or the Town Manager. It is up to the discretion of the Town Manager to approve or deny this benefit and requests will be handled on a case-by-case basis. No prior use of this program shall set precedent for any other request.

POLICY NO. 3.2 - VACATION

Full-time Year-round employees shall be entitled to paid vacation time. All use of vacation time must be pre-approved by the appropriate supervisor and in accordance with the department's vacation request policy.

Vacation time begins accruing upon hire. Vacation accruals change to the next level after the *full completion* of the 2nd year of service and the 5th year of service. Vacation time may be used to the extent accrued.

Full-time Year-round employees shall accrue vacation time as follows:

- 0-23.99 months (0-2 Years) of continuous employment-80 hours (accrues 6.67 hours per month)
- 24-59.99 months (2-5 years) of continuous employment-120 hours (accrues 10 hours per month)
- 60 months (5+ years) or more of continuous employment-160 hours (accrues 13.33 hours per month)

An employee stops accruing vacation time if they have accrued unused vacation time equal to the maximum accrual amounts below and will only begin accruing vacation time when the employee's accrued amount is less than the maximum accrual amounts.

- 0- 23.99 months of continuous employment - a maximum of 160 hours
- 24 months or more of continuous employment - a maximum of 200 hours

If an employee terminates prior to the 15th of the month, the employee will not receive that month's accrual. Terminated employees are entitled to receive pay for their unused, non-forfeited vacation time.

[fml](#)



POLICY NO. 3.3 - HOLIDAYS

Town offices shall be closed on the following designated holidays:

New Year's Day	- January 1 st
Martin Luther King	- Third Monday of January
President's Day	- Third Monday of February
Memorial Day	- Last Monday of May
Juneteenth	- June 19 th
Independence Day	- July 4 th
Labor Day	- First Monday of September
Veteran's Day	- November 11 th
Thanksgiving Day	- Fourth Thursday of November
Christmas	- December 25 th

When a holiday falls on a Saturday, the preceding Friday will be observed, when a holiday falls on a Sunday, the following Monday will be observed, unless designated otherwise by the Town Manager.

Holidays Not Worked

For each observed holiday, Full-time Year-round, Full-time Seasonal and Part-time employees will receive Holiday Pay, equal to their regularly scheduled hours, for that day/shift.

Holiday Worked

All Town employees, including part time employees, *assigned* to work an observed holiday (if different than the Town designated holiday, but not both days) will receive Holiday Pay in addition to being compensated at one-and-a-half times for actual hours worked, for a total of two-and-a-half times.

Non-exempt employees have the choice to be paid for actual hours worked or to accrue some or all the actual hours worked as compensatory time.

Exempt employees will receive compensatory time at one-and-a-half times for actual hours worked.

Refer to Policy No. 4.3 for further clarification of overtime and compensatory time in relation to Holidays.



POLICY NO. 3.4 - PERSONAL HOURS

~~Full-time Year-round Employees shall accrue up to 24 paid "Personal Hours" at the beginning of each calendar year. New Full-Time Year-round employees shall accrue 24 Personal Hours at the time of hiring for the remainder of that year.~~

Full-time Year-round Employees shall accrue up to 24 paid "Personal Hours" at the beginning of each calendar year and Full-Time Seasonal Employees shall accrue up to 12 paid "Personal Hours" at the beginning of the season or upon start date. New Full-Time Year-round employees shall accrue 24 Personal Hours at the time of hiring for the remainder of that year. At the beginning of each calendar year, Full-time Year-round Employees shall accrue a number of hours to equal 24 paid Personal Hours (e.g., if an Employee has 16 Personal Hours at the end of a year, an additional 8 hours will accrue at the beginning of the year). Employees cannot accrue more than 24 Personal Hours. These hours are not cumulative.

Personal Hours may be used with the pre-approval of the appropriate supervisor. An employee may not receive cash compensation for Personal Hours not used.

Full-time seasonal employees are eligible for full-time working hours throughout their seasonal employment. This eligibility continues until there is a change in their employment status or their employment is terminated.

If a full-time seasonal employee transitions to a full-time year-round position, the employee will become eligible for an additional 12 Personal Hours for that year.

~~These hours may be used with the pre-approval of the appropriate supervisor. An employee may not receive cash compensation for Personal Hours not used. At the beginning of each calendar year, Full-time Year-round Employees shall accrue a number of hours to equal 24 paid Personal Hours (e.g., if an Employee has 16 Personal Hours at the end of a year, an additional 8 hours will accrue at the beginning of the year). Employees cannot accrue more than 24 Personal Hours. These hours are not cumulative.~~

POLICY NO. 3.5 - COMMUNITY SERVICE LEAVE

Full-time year-round employees are eligible to receive up to eight (8) hours of paid leave per calendar year to volunteer with charitable, civic and non-profit organizations within Snowmass Village or at Town-sponsored events.

Approval and timing of the leave must not adversely affect the employee's job performance, be detrimental to the Town's interests, or place the employee in the position of serving conflicting interests. Pre-approval and timing of Community Service Leave is required by the Department Head.



Community Service Leave must be in increments of no less than one hour and is not considered hours worked towards overtime calculations. Community Service Leave is not carried over to the next calendar year and is forfeited if not used in the calendar year.

Unused community service leave will not be converted to pay at time of termination.

Verification from the organization may be requested by the employee's Department Head at the completion of the community service.

POLICY NO. 3.6 - FAMILY AND MEDICAL LEAVE POLICY

Family and Medical Leave (FMLA Leave) Eligibility

The Town provides up to 12 weeks of unpaid, job-protected leave to eligible employees if they have worked for the Town for at least 12 months and for 1,250 hours over the previous 12 months.



Such leave may be taken for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- Serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active-duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

**The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition."*

Benefits and Protections

During FMLA leave, the Town maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium, if applicable, while on leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms, with exceptions provided below in the "Returning to Work" section of this Employee Handbook. Certain highly compensated employees (key employees) may have limited reinstatement rights.



Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

The maximum time allowed for FMLA leave is either 12 weeks or 480 hours in the 12-month period as defined by the Town, or 26 weeks as explained above. The 12-month period is calculated backwards on a rolling basis from each day of FMLA leave taken by the employee.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Town's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the Town's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

FMLA leave shall run concurrently with other leave to which the employee is entitled.

Substitution of Paid Leave for Unpaid Leave

The Town requires employees to use accrued paid leave while taking FMLA leave. Paid leave used at the same time as FMLA leave must be taken in compliance with the Town's normal paid leave policies.

During FMLA leave, an employee will use Sick Leave first. The employee must then use Vacation, Personal Hours, and Compensatory Time, in whatever order they prefer. After all leave banks are exhausted, unpaid leave will apply through the remainder of the FMLA leave.

An employee cannot use paid leave if the employee qualifies for and elects Long Term Disability (i.e., after the 90-calendar day elimination period, Long Term Disability must be used in lieu of paid leave).



If an employee's leave of absence does not constitute paid leave as defined in the Town's paid leave policies, the employee cannot use accrued paid leave, but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the department's normal call-in procedures.

Employees must provide sufficient information for the Town to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities; the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The Town may require second and third medical opinions at the Town's expense. Documentation confirming family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided in a timely manner, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the department's attendance guideline. Employees on leave must contact the Human Resources Director at least two days before their first day of return.

The Town's Responsibilities

The Town will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the Town will provide a reason for the ineligibility.

The Town will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the Town determines that the leave is not FMLA-protected, the Town will notify the employee.

An employee cannot use paid leave if the employee qualifies for and elects Long Term Disability (i.e., after the 90-calendar day elimination period, Long Term Disability must be used in lieu of paid leave).



FMLAI – Family and Medical Leave Insurance

By Resolution No. 18, Series of 2022, the Town has opted out of the Colorado Family and Medical Leave Insurance (FAMLI) program. However, employees have the option to participate in the State's FAMLI program as an individual. As a Colorado worker, you have the right to opt in to FAMLI benefits under the law. You can learn more about the FAMLI program by contacting the Division at CDLE FAMLI info@state.co.us or by visiting the website at <https://famli.colorado.gov>. If you wish to opt-in to FAMLI, please contact the HR Director and Payroll and Benefits Manager for more information.

In the event that an employee opts in to FAMLI and self-elect FAMLI coverage, you must commit to participating in the program by filing wage data and submitting premium payments for three years. If and when leave is taken, FAMLI and FMLA leave are intended to be taken concurrently.

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Returning to Work

If the leave is required due to the employee's own serious health condition, before returning to work he or she may be required to submit certification issued by a health care provider stating that the employee has the ability to perform their regular job and explaining any restrictions on regular job duties. Employees with restrictions will be allowed to return to work only if the Employee can perform the essential job functions with or without reasonable accommodation.

When ready and released to return to work, the Town will reinstate the employee to his/her original position or a similar level position if such a position is available and providing circumstances have not changed so as to make it impossible or unreasonable to do so. If the original or similar level position is not available, the Town may transfer the employee temporarily to a different position until the original or similar level position becomes available.

An employee on unpaid medical leave must contact his/her supervisor prior to the return date. If an employee fails to report to work promptly at the end of the leave, the Town will assume that the employee has resigned.

Nothing contained herein entitles the restored employee to any right, benefit or position of employment other than that which the employee would have been entitled to had the employee not taken the leave. This means that an employee on unpaid medical leave may be laid off or terminated during the leave period for cause or business necessity or no reason, the same as any other employee.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an employee's leave. Vacation Time previously earned but unused and accrued Sick Leave at that time may be used if the employee so desires. Contributions to retirement, accrual of Sick Leave and Vacation Leave will be continued only if the employee elects to use Sick Leave, Vacation, Personal Hours, or compensatory time, but not during unpaid FMLA Leave. An employee who is on FMLA during a designated holiday will not be paid that holiday unless it is a day they are regularly scheduled to work.

Unlawful Acts

FMLA makes it unlawful for the Town to interfere with, restrain, or deny the exercise of any right provided under FMLA. FMLA makes it unlawful for the Town to discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the Town. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.



Concurrent FMLA and Workers Compensation Leave

An on-the-job injury may constitute a serious health condition under the FMLA. An employee's FMLA hour equivalent of up to 12 weeks leave entitlement will run concurrently with a worker's compensation absence when the injury meets the criteria for a serious health condition. Because employees on a workers' compensation absence receive payment of two thirds of their wages for the length of lost time, in accordance with the workers' compensation laws, an employee may use accrued Leave time to supplement their lost time wages up to 100% during FMLA leave.

If the employee is certified to return to work in a modified duty capacity, the employee may decline the offer of modified duty. In such a case, the employee may lose workers' compensation benefits but is entitled to remain on paid or unpaid leave until hour equivalent of up to 12-weeks of FMLA entitlement is exhausted. As of the date workers' compensation benefits cease, the employee will be required to use any paid leave.

POLICY NO. 3.7 - SPECIAL LEAVES OF ABSENCE

The Town has established the following leave policies for special situations:

A. Medical Leave of Absence with Pay

A medical leave of absence of up to nine months in a rolling calendar year, with pay from accrued leave banks, may be granted by Town Manager for Full-Time Year-round, Full-time Seasonal and Part-time employees. In some instances, a non-medical Leave of Absence with Pay (such as time off after FMLA leave is exhausted to care for a newborn) may also be granted.

During a medical leave of absence, an employee will use Sick Leave first. The employee must then use Vacation, Personal Hours, and Compensatory Time, in whatever order they prefer. After all leave banks are exhausted, unpaid leave will apply through the remainder of the leave. Once unpaid, the Town's Time Off without Pay policy will apply.

While an employee is on a medical leave of absence and using accrued Leave time, the Town will continue the employee's health benefits, at the same level and under the same conditions, as a working employee. The Town will continue payroll deductions to collect premiums, if applicable.

An employee who is on medical leave of absence during a designated holiday is paid for the holiday.

A Medical Leave of Absence with Pay runs concurrently with FMLA, if applicable.

B. Time Off without Pay

A leave of absence without pay for more than ten days may be granted only by Town Manager for Full-Time Year-round and Full-time Seasonal. In the event of an approved leave, vacation and sick leave shall not accrue, retirement benefit



contributions shall cease (if applicable), and health, dental, long term disability, life and vision insurance benefits continuation shall be subject to the terms of the Towns group contract and payment for those premiums will be at the expense of the employees.

A request for leave without pay shall be made as far in advance as possible and will be approved on a case-by-case basis.

C. Bereavement Leave

Full-time Year-round employees, Full-time Seasonal employees, and Part-time employees may be granted up to a maximum of three days per calendar year of bereavement leave for family members of the employee; grandparents, aunts, uncles, parents, spouses, significant others, siblings, children, nieces and nephews. In special circumstances, exceptions to the definition of "family members" may be made by the employee's Department Head.

A day is equal to the number of hours in the employee's regularly scheduled shift. Should special circumstances exist, requests to exceed the maximum of three days per calendar year must be requested in writing and approved by the Town Manager. If approved, additional days may be paid via other accrued leave banks.

When an employee is called in to work additional hours in a work week in which the employee has utilized bereavement leave, the employee, at their discretion, may receive the bereavement leave pay at straight time in addition to the physically worked hours.

This leave is not carried over to the next calendar year, is forfeited if not used in the calendar year and is not paid out upon separation from employment.

D. Jury Duty and Elections

The Town recognizes jury duty as a civic responsibility of all Town employees. When summoned for jury duty, an employee will be granted leave to perform his or her duty as a juror. If the employee is excused from jury duty during his or her regular work hours, he or she is expected to report to work promptly.

For the first three days of jury duty, all employees receive regular pay for the hours they were regularly scheduled to work, so long as confirmation of juror service is provided to Human Resources.

Beginning the fourth day of jury duty, employees shall remit to the Town the remuneration received for jury duty by the State of Colorado. When remitted, the Town will compensate the employee at their regular rate of pay for their scheduled work hours while serving on a jury for up to two weeks unless otherwise authorized by the Town Manager.



Employees are encouraged to exercise their voting rights in all elections. Employees are encouraged to vote before or after work, however, an employee can request to arrive late or leave work early to vote in any election if their schedule is such that they have less than two hours off duty to vote. Notice of leave must be provided at least one day prior to voting.

E. Domestic Abuse Leave

Employees who are victims of domestic abuse may take time off under the Town's Sick Leave policy. Employees may also be eligible for additional domestic abuse leave of up to three (3) working days in any twelve-month period. If approved, this leave may be paid if the employee chooses to use any accrued Leave time. Please see Human Resources for additional information.

POLICY NO 3.8 - PAID PARENTAL LEAVE

Purpose

The Town of Snowmass Village will provide up to 6 weeks of paid parental leave to full-time year-round employees and up to 3 weeks of paid parental leave to full time seasonal employees following the birth of an employee's child or the placement of a child with an employee in connection with adoption or foster care. The purpose of paid parental leave is to enable the employee to care for and bond with a newborn or a newly adopted or newly placed child. This policy will run concurrently with Family and Medical Leave Act (FMLA) leave, as applicable. This policy will be in effect for births, adoptions or placements of foster children occurring on or after August 8, 2023.

Eligibility

Eligible employees must meet the following criteria:

- Have been employed with the Town for at least 6 months.
- Have worked at least 1,040 hours during the 6 consecutive months immediately preceding the date the leave would begin.
- Be a full-time year-round or full-time seasonal, regular employee.

In addition, employees must meet one of the following criteria:

- Have given birth to a child.
- Be a spouse or committed partner of a woman who has given birth to a child.
- Have adopted a child or been placed with a foster child (in either case, the child must be age 17 or younger). The adoption of a new spouse's child is excluded from this policy.



Amount, Time Frame and Duration of Paid Parental Leave

Eligible employees will receive a maximum of 6 weeks for full-time year-round employees and a maximum of 3 weeks of paid parental leave to full time seasonal employees of paid parental leave per birth, adoption or placement of a child/children. The fact that a multiple birth, adoption or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 6-week total amount of paid parental leave granted for that event. In addition, in no case will an employee receive more than 6 weeks of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption or foster care placement event occurs within that 12-month time frame.

Each week of paid parental leave is compensated at 100 percent of the employee's regular, straight-time weekly pay. Paid parental leave will be paid on a biweekly basis on regularly scheduled pay dates.

Approved paid parental leave may be taken at any time during the 12-month period immediately following the birth, adoption or placement of a child with the employee. Paid parental leave may not be used or extended beyond this 12-month time frame. Employees can take paid parental leave in one continuous period of leave or intermittently and must use all paid parental leave during the 12-month time frame indicated above. Any unused paid parental leave will be forfeited at the end of the 12-month time frame.

Upon termination of the individual's employment at the Town, he or she will not be paid for any unused paid parental leave for which he or she was eligible.

Coordination with Other Policies

Paid parental leave taken under this policy will run concurrently with leave under the FMLA; thus, any leave taken under this policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the 12 weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed 12 weeks during the 12-month FMLA period. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

After the paid parental leave is exhausted, the balance of FMLA leave (if applicable) will be compensated through employees accrued sick, vacation and personal time. Upon exhaustion of accrued sick, vacation and personal time, any remaining leave will be unpaid leave. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

The Town will maintain all benefits for employees during the paid parental leave period just as if they were taking any other company Town paid leave such as paid vacation leave or paid sick leave.



If a company holiday occurs while the employee is on paid parental leave, such day will be charged to holiday pay; however, such holiday pay will not extend the total paid parental leave entitlement.

An employee who takes paid parental leave that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on paid parental leave as if the employee were on FMLA-qualifying leave.

Requests for Paid Parental Leave

The employee will provide his or her supervisor and the human resource department with notice of the request for leave at least 30 days prior to the proposed date of the leave (or if the leave was not foreseeable, as soon as possible). The employee must complete the necessary HR forms and provide all documentation as required by the HR department to substantiate the request.

As is the case with all company Town policies, the organization Town has the exclusive right to interpret this policy.

Claw back Provision

The employee agrees to the following claw back provision:

- **Repayment Obligation:** If the employee voluntarily terminates their employment within 12 months after returning from parental leave, the employee shall be obligated to repay the total amount of paid parental leave benefits they received from the employer.
- **Repayment Period:** The repayment shall be made in equal installments, deducted from the employees. In the event that the total amount owed exceeds the employee's final paycheck, the employee shall reimburse the employer within 30 days of termination.
- **Overpayment:** If the employee is determined to have been overpaid parental leave benefits, whether due to an administrative error or otherwise, the employee agrees to promptly repay the excess amount to the employer upon notification.
- **Failure to Return:** Should the employee fail to return to work for a minimum period of 1 month following the conclusion of the parental leave period, the employee shall be obligated to repay the full amount of paid parental leave benefits.
- **Misrepresentation:** In the event that the employee is found to have provided false or misleading information regarding their eligibility for parental leave or the intended duration of their leave, the employee shall be required to repay the full amount of paid parental leave benefits received.
- The employee acknowledges that this claw back provision is an integral part of the agreement for paid parental leave benefits.



CHAPTER 4 - COMPENSATION

POLICY NO. 4.1 - COMPENSATION ADMINISTRATION

The Town strives for fair, equitable and competitive compensation practices based upon the market and internal equity.

All compensation and classification policy decisions must take into consideration the Town's overall economic condition and must be pre-approved by the Town Manager.

A. Base Rate of Pay

The base rate of pay will be determined by the employee's applicable experience, qualifications, the pay range for the position, and internal equity.

B. Performance Management

The performance management process enables supervisors and employees to have well-rounded, meaningful and continual conversations focusing on positive and constructive feedback, as well as performance goals.

C. Review Dates

Most employee performance review discussions take place in May of each year. Seasonal employees receive annual performance reviews at the end of the season in which they work.

D. Merit Pay Increase

A merit increase may be awarded to employees no more than once yearly and is informed by the Town's overall economic conditions, budgeted wage pool, and the performance review rating suggested by the supervisor and/or Department Head.

All merit increases shall be pre-approved by the Town Manager before going into effect.

Employees that are at the maximum pay rate for their pay grade and are eligible for a merit increase will receive a lump sum payment.

E. Classification and Pay Scale Plan

The classification and pay scale plan provide a framework for grouping and compensating like positions based on current market data and the written duties and responsibilities of each job description. Any adjustments to the pay scale plan shall be pre-approved by the Town Manager.



F. Marketplace Wage Adjustments

Marketplace wage adjustments for specific positions may be reviewed during the budget preparation process or on an as needed basis. If a marketplace wage adjustment is awarded, it shall impact all employees holding such position(s) and become effective at the beginning of the upcoming calendar year or as otherwise communicated.

G. New Position Classifications and Reclassifications

New position classifications and position reclassifications are tied to the annual budget process and shall be pre-approved by the Town Manager.

The reclassification of a job position to a new pay grade may occur when substantial and permanent increases or decreases in job duties and responsibilities prompt the need to change the job description. As a result, a Promotion or Demotion may occur.

H. Promotions

Promotions that are tied to the annual budget process and promotions that occur due to a vacated position must be pre-approved by the Town Manager.

Promotional increases may be granted to an employee who has moved into a position with a higher pay grade and, in general, should be between 5%- 10% of the employee's existing rate of pay.

In the case where an increase of 10% will not meet the minimum of the new pay grade, the new rate of pay will be at least the minimum of the new pay grade.

I. Demotions

A demotion occurs when an employee, either voluntarily or involuntarily, is moved into a new position in a lower pay grade. When an employee is demoted, the rate of pay may be reduced and shall not be above the maximum rate of pay for the new position.

J. Transferring Between Positions

When an employee holds more than one position at the Town and transfers between positions, the rate of pay shall be adjusted accordingly and within the applicable pay grade for the position into which the employee is transferring.

K. Season-End Bonus

Employees who are hired for a defined season, receive a Successful or Exemplary performance rating for the applicable season and successfully work the entire season may be eligible for an end-of season bonus. Full-time Seasonal Employees may be eligible for a bonus amount of \$800. Part-time Employees hired for a defined season may be eligible for a bonus amount of \$200.



L. One-Time Payments

Upon prior approval by the Human Resources Director and Town Manager, a one-time payment of a specified amount may be awarded to an employee for either meritorious service or special recognition, to be determined on a case-by-case basis.

POLICY NO. 4.2 - PAY DAYS & TIMEKEEPING

Employees are paid on a bi-weekly basis on alternating Fridays. Electronic and paper timesheets shall be submitted on Monday by 5pm prior to the pay day, covering the previous two-week period.

Each pay period consists of two work weeks. The workweek is declared to be a seven consecutive day period beginning on Monday at 12:00 a.m. and ending on the following Sunday at 11:59 p.m.

Time is kept in quarter-hour increments with rounding to the nearest quarter hour. For example, a start time from 7:53 to 8:07 rounds to 8:00 and a start time from 8:08 to 8:22 rounds to 8:15.

Employees are responsible for reviewing their paychecks and informing Human Resources or the Payroll Manager of any errors, improper or missing deductions.

POLICY NO. 4.3 - OVERTIME AND COMPENSATORY TIME

All Town employees are categorized as either "exempt" or "non-exempt" in accordance with the Fair Labor Standards Act.

Exempt Employees

Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and/or overtime pay requirements.

As exempt employees may be required to work time outside of and in addition to normal business hours, exempt employees may average their working hours over an 80 hour pay period as a means of providing greater flexibility. Nevertheless, exempt employees are required to work no less than 80 hours each pay period or must use authorized leave to make up the full 80 hours in a pay period.

Compensatory time may be accrued by exempt employees who work time in excess of the required 80 hours worked in a pay period. The purpose of recording compensatory time earned is to record the actual hours it takes for an exempt employee to complete their job duties and responsibilities.

Compensatory time accumulated may be used for time off at the discretion and pre-approval of the Department Head or Town Manager, based on the workload of the



department. The Department Head or Town Manager may authorize use of up to 160 hours of compensatory time per calendar year. Employees may carryover a maximum of 80 hours of compensatory time into the next calendar year at the discretion and pre-approval of one's supervisor.

Compensatory time for exempt employees does not provide any financial compensation in addition to established salaries and has no monetary value upon termination.

Sick leave, special leaves of absence and holiday pay do count towards hours worked when calculating compensatory time. Personal hours, community service leave, compensatory time and vacation time taken during a workweek do not count towards hours worked when calculating compensatory time.

Non-exempt Employees

Non-exempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests and who are not exempt from minimum wage and/or overtime pay requirements. Nonexempt employees shall be paid time and one-half of their regular rate of pay for any work in excess of (1) 40 hours per workweek, (2) 12 hours per workday, or (3) 12 consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods), whichever calculation results in the greater payment of wages, except for Sworn Police Officers.

In accordance with the requirements of Section 207 (k) of the Fair Labor Standards Act, for sworn police officers, the work period is based on a 14-day schedule and overtime shall be paid to any sworn police officer who works more than 80 hours during a 14-day work period.

Accrual of overtime hours must be pre-approved by the appropriate supervisor.

Non-exempt employees are eligible to request to accrue compensatory time as opposed to earning overtime pay.

Overtime hours shall be paid as:

- One and one-half times the regular rate of pay for each hour of overtime worked; or
- One and one-half hours compensatory time for each hour of overtime worked; or
- Any combination of one-and-one-half pay and compensatory time, provided it is not divided into fractional hours of less than half-hour increments.

Overtime pay and compensatory time is calculated solely based on hours worked. Sick leave, holiday pay, personal hours, compensatory time, special leaves of absence, community service leave and vacation time taken during a workweek do not count towards hours worked when calculating overtime and compensatory time.



When an employee is called in to work additional hours in a workweek in which the employee has utilized sick leave pay, the employee, at their discretion, may receive the sick pay at straight time in addition to the physical hours worked.

Use of compensatory time by an employee must be pre-approved by the appropriate supervisor.

Accrued compensatory time may not exceed 200 hours. Once an employee reaches 200 hours of accrued compensatory time, hours exceeding 200 hours will be paid out or may be directed into the employee's 457 deferred compensation plan, if eligible. On December 1st and April 1st of each year, non-exempt employees may request cash reimbursement for accrued, unused compensatory time. Employees may carry over a maximum of 80 hours of compensatory time into the next calendar year at the discretion and approval of the Department Head and Town Manager.

If a non-exempt employee's status changes to exempt, any compensatory time must be used or paid out prior to the effective date of the status change.

Any accrued, unused compensatory time is paid out upon termination.

POLICY NO. 4.4 – TRAVEL & TRAINING

The Town's travel and training guidelines can be found within the [Purchasing Policy](#) on the Daly Link. For specific questions about this policy, please contact the Finance Director.



CHAPTER 5 - BENEFITS

POLICY NO. 5.1 - SUMMARY

BENEFIT SUMMARIES

The Full-time Year-round, Full-time Seasonal and Part-Time Benefits Summaries can be found on [Benefits Page](#) on the Town of Snowmass website. Alternatively, please visit the Human Resources department to review plan documents for each of these policies.

HEALTH INSURANCE

Subject to the provisions of the Town's insurance carriers or policies, eligible employees hired on the first day of the current month will have their insurance effective immediately. If hired on the second day or later of the month, insurance will be effective on the first day of the following month.

Full-time seasonal employees rehired within 9 months of leaving their previous position, will be reimbursed for any employee only COBRA premiums, Medicare or any other medical coverage premium paid during their absence.

Full-time Seasonal employees who've been rehired into the same position within nine months of being laid-off from the Town may be reimbursed for their medical insurance premium; up to the COBRA amount for the Town's 'employee only' medical coverage. There will be no reimbursement if there is no out-of-pocket cost to the employee for that coverage and/or no proof of payment. If proof of payment is not submitted within 30 days of one's rehire date, the employee becomes ineligible for any reimbursement for the applicable off-season.

SOCIAL SECURITY REPLACEMENT AND RETIREMENT PLAN

The Town provides a retirement plan for all Full-time Year-round employees. These plans begin with the first, full paycheck covering a period of two weeks of work. The Town offers a 457 deferred compensation plan and a 401(a) money purchase plan. In lieu of social security, the Town contributes the equivalent of 10% of the employee's salary to the 401(a) plan, each pay period. In lieu of social security, employees are required to contribute a minimum of 5% to the 457 plan, each pay period.

Sworn police officers are required to contribute a minimum of 9% of their salary to the 401(a) plan, each pay period. The Town contributes the equivalent of 11% of the officer's gross salary to the 401(a) plan for sworn police officers, each pay period. Sworn police officers may also contribute towards the Town's 457 deferred compensation plan.



POLICE PENSION

Sworn police officers shall contribute 3% to the FPPA Death and Disability Plan.

EMPLOYEE LOAN

Upon approval of the Finance Director and the Town Manager, an employee may receive up to two employee loans per year for assistance in meeting emergency financial situations. The amount may be no greater than the maximum of one-half of the employee's monthly gross salary. This loan shall be in the form of a non-interest-bearing loan and must be paid back to the Town within a maximum of six months. If an employee has an existing loan out, they may accelerate the payment schedule, but cannot receive another loan prior to the original loan being satisfied in full. The employee shall be required to sign a promissory note pledging assets or wages as collateral. Upon termination, the loan must be paid off in full and the balance owing deducted from the final paycheck.

PAY ADVANCE

Employees may receive up to two pay advances in a calendar year for an estimated amount based on the employees' normal net paycheck amount, in order to meet an emergency financial situation. This request must be approved by the employee's Department Head. An employee may receive a pay advance for an estimated amount based on the employees' normal net paycheck amount prior to leaving on a vacation and the Town may deduct all or a portion of the pay advance from their next paycheck. This request must be approved by the employee's Department Head.

CELLPHONE

The Town will pay for an appropriate phone and/or call plan for employees that need a cell phone for Town business and receive pre-authorization by the Department Head.

The request for a cell phone shall include justification for the plan needed. Incidental personal calls may be made from the phone if that use does not result in usage in excess of the monthly contract amount.

Alternatively, the Town may pay a stipend toward personal cell phone plans that are used for conducting Town business. The monthly stipend amount will be determined by the Department Head on a case-by-case basis and may be reduced or revoked based on an evaluation by the Department Head.

Cell phone abuse for personal use may result in loss of the cell phone, call plan or stipend.



CREDIT UNION

All employees are eligible to participate in the Grand Junction Federal Credit Union. See the employee benefits guide for more information.

EMPLOYEE ASSISTANCE PROGRAM

Each year, all Town employees and members of one's household are entitled to three free counseling sessions per life event. Confidential counseling is provided to support mental health, work through job related or personal difficulties, assist with financial or legal problems, and address problems caused by alcohol and/or drug abuse.

BUS PASSES

All employees who live outside of Snowmass Village/ Aspen receive free RFTA bus passes to use the bus system as a means of transportation for commuting to and from work. These passes are to be returned to your supervisor upon termination of employment. The Town also offers town shuttles. Please contact the Transportation department for more information on the use of and obtaining RFTA bus passes.

INTERAGENCY TRANSFERS

The Town Manager may elect to honor the length of continuous, full-time employment for those transferring to the Town from another local government entity. Therefore, such an employee's length of continuous, full-time employment may, at the Town Manager's discretion, inform vacation accruals.

POLICY NO. 5.2 - WORKER'S COMPENSATION

The Town provides Workers' Compensation Insurance as required by law. This insurance is designed to provide protection for any employee suffering an injury resulting from accidents, injuries or illnesses arising out of and in the course of employment. Injuries, no matter how minor, must be immediately reported to the supervisor in writing as soon as possible after the occurrence and in all cases, within 24 hours and at the latest within four working days after the incident. Under Colorado law, an employee who fails to report an injury in writing may lose up to one day's compensation for each day's failure to report the accident.

Alcohol and Drug testing may be required if the employee's own actions or omissions could possibly have caused the accident that led to injury. If it is determined that the injury resulted from the employee's use of alcohol or controlled substances, workers' compensation benefits may be reduced by one-half in accordance with Section § 8-42-112.5, Colorado Revised Statutes.

Employees should consult the Town's list of approved physicians prior to seeking treatment for a work-related injury. Employees failing to treat with a physician listed on the panel may result in the loss of medical benefits. Employees should contact their supervisor to arrange an appointment with a designated treating physician.



The treating physician may recommend that an injured employee return to work on limited duty. In such event, the Company may require the employee to return to work performing duties within the medical restrictions even if such work is different than the employee's regular job duties. An employee's refusal of limited duty may be the basis for discipline or discharge.

POLICY NO. 5.3 - RECREATION AND WELLNESS BENEFIT

The Town supports and encourages the physical health, mental health and well-being of all employees as studies demonstrate that employee happiness and presenteeism are directly related to health, well-being and fitness.

As such, Town employees having worked a minimum of three months for the Town at any point in time as well as a minimum of 192 Regular Hours for the Town during the applicable calendar year shall be eligible for the annual recreation and wellness benefit.

The amount of the annual recreation and wellness benefit will be determined during the annual budget process and is a taxable benefit to the employee. Eligible employees will be reimbursed up to 100% of the annual benefit amount upon proof of eligible receipts that are incurred during the applicable calendar year. The minimum amount an employee can request to be reimbursed is \$100 per pay period and qualifying expenses that are greater than the yearly amount budgeted for the recreation benefit can be split in two years and must be submitted two years in a row.

If an eligible employee does not submit for reimbursement for the full amount of the annual benefit, the Town will give the employee a taxed cash bonus equivalent to 50% of the remaining balance in the month of December of the applicable calendar year, so long as the eligible employee is still an Active employee.

If an eligible employee leaves the Town within the applicable calendar year and has not submitted for the full amount of the annual benefit, the employee may request a cash bonus equivalent of 50% of the remaining balance, which will be considered full use of the benefit for the applicable year.

As the Town is an integral part of our resort community, the Aspen Skiing Company ski pass program is an exception in that it is provided in good faith and in advance of the applicable calendar year's benefit. Should the Town obtain an Aspen Skiing Company ski pass through the Aspen Chamber Resort Association for an employee and should the employee leave the Town prior to meeting the eligibility requirements, the employee will be required to return the ski pass to the Town and will also be required to reimburse the Town for the amount of the recreation benefit that was used towards this benefit.

Any ski pass received from the Aspen Skiing Company for any Town employee as part of an interagency agreement will serve as the only recreation benefit for the applicable calendar year and the eligibility requirement of 192 hours may not apply. In the case



where the employee elects not to take the pass, the employee would then be eligible for the recreation and wellness benefit according to the terms stated above.

The Following Items Are Examples of Appropriate Expenses:

Ski passes; Fitness club memberships, yoga studio classes and meditation classes; Bikes, skis, snowboards and their accessories; Off road vehicles such as snowmobiles, dirt-bikes, ATV's and their accessories/protective gear; Fishing gear and licenses; Golf equipment and passes; Exercise equipment such as treadmills, weights, etc.; Sport equipment such as skates, tennis, touring skis, jogging/ bike stroller; kid carrier, etc.; Yoga equipment- mats, blocks, etc.; Boating equipment including water skis; Camping equipment and accessories; Hunting gear and licenses (excluding firearms, weapons, bows and arrows and ammunition); Rafts, kayaks, canoes, stand up paddleboards and accessories; Bowling fees, shoes and bags; Mental health, counseling, acupuncture, and massage sessions; Meditation apps and fitness trackers. Sports gear and sportswear such as ski jackets, running shoes, gym shoes, clothing and footwear that are worn for sports or other physical activity.

The following items are examples of inappropriate expenses that will not be approved:

Computer and computer games such as Xbox; Televisions and stereo equipment; Items purchased for other family members; Accessories and parts for on road vehicles such as tires for SUV's, car stereos, etc.; Clothing; Household items such bathroom scales; Medical hard goods such as stethoscopes; Protein drinks; Tools; Coolers; boats that can be used with a motor; Outdoor lawn games; Non-ATV motorcycle helmets; Outdoor festival admissions.

As this list is not all-encompassing, please contact Human Resources with questions.



CHAPTER 6 - EMPLOYEE CONDUCT & PROBLEM SOLVING

POLICY NO. 6.1 – ETHICS

High standards of ethical behavior and workplace conduct are expected by all Town employees. They serve as the cornerstone of the Town's reputation in the community. Employees are expected to adhere to the Town's detailed Ethics and Conflict of Interest Policy below and chapter 2 of the municipal code.

Employees must conduct business without creating any conflict of interest. A conflict of interest can arise when an employee is involved in an activity for personal gain, which conflicts with the Town's business interests. Employees cannot solicit or compete with the Town's products or services offered. Outside work cannot be performed on the Town's time. Employees cannot use the Town's equipment, materials, resources, or "inside" information for non-Town related work. Employees should not solicit business or clients or perform outside work on the Town's premises.

Employees and their immediate family must be very cognizant of any significant investment or association with competitors or suppliers that might interfere with or appear to affect the Town's interests. Employees must notify their Department Head, the Human Resources Director or Town Manager regarding questions or any possible conflicts of interest.

Ethics and Conflict of Interest Policy

As Town employees, our ability to serve citizens and attract and retain quality employees depends on the Town's reputation in the community. Employee actions may enhance, maintain, or damage the standing that we have developed. Therefore, we expect all Staff to exercise the highest standards of ethics in all decisions that may impact the Town.

No workplace ethics statement can possibly cover every circumstance that may arise. Use good common sense. Ask yourself if you would like to read about your behavior in the newspaper or see a story about it on the nightly news. If there is any question about a course of action, it is your responsibility to get clarification from your Department Head, the Human Resources Director, or the Town Manager.

Conflicts of Interests Must Be Avoided.

The Town requires that employees protect all organizational information and avoid outside activities or relationships, which do or could adversely influence their decisions or actions on the job.

Other examples of conflict of interest could be holding financial interest in a local business, being self-employed in an occupation which competes with the Town or ownership, partnership, or personal involvement in supplier companies or distribution outlets related to Town business.



If employees have any question about whether a situation is a conflict of interest, employees should discuss the matter with their Department Head or Human Resources. If it remains unresolved, refer the matter to the Town Manager for a final determination.

What are conflicts of interest?

Because of the multiple roles individuals play in their daily lives -- especially in a small community like Snowmass Village -- people inherently possess many different interests and loyalties. At any given time, these interests may compete. Such conflicts are a part of life, but conflicts of interest related to an employee's position with the Town must be avoided when at all possible.

When undertaking town business, Town employees, as stewards of the public trust, are required to put the public's interest before their own. Impropriety occurs when an employee, faced with a decision, puts his or her personal or financial interest ahead of the public interest. When a Town employee, either directly or indirectly, gains a monetary benefit or other reward from a decision or recommendation made in his or her public capacity, that is very likely a conflict of interest.

Town employees cannot accept gifts of greater than \$75 value from a partner or vendor. And, in terms of accepting food and beverage from a vendor, if you can consume it in one sitting (basically during a meal) then likely it is fine; but if someone sent you expensive food or drink, that is not acceptable.

What do conflicts of interest have to do with ethics?

Government is about protecting the common good, which may be defined as the common conditions that are important to the welfare of everyone, police, parks, transit, housing, and other services. A public servant must always put the common good ahead of any personal, financial, or political benefit they might receive from a decision about such matters. Conflicts of interest interfere with the basic ethical principle of fairness--treating everyone equitably. A public employee should not take unfair advantage of his or her position by influencing a matter that could benefit them at the expense of others. The Town is also committed to seeking fairness and competition among vendors, stakeholders and contractors. Finally, conflicts of interest undermine trust. They make the public lose faith in the integrity of governmental decision-making processes.

What ethical dilemmas do conflicts of interest present?

Many times, government employees honestly believe that they are not being unduly influenced by their personal stake in an issue. They may feel, to the contrary, that their interest in the matter gives them special insight into the subject. But conflict of interest laws prevents such partiality. First, it's almost impossible for individuals to determine whether they are being fair when their self-interest is involved. Also, as the Institute for Local Self-Government states: "The law is aimed at the perception, as well as the reality, that a public official's and employee's personal interests may influence a decision." Even the appearance of impropriety undermines the public's faith that the process is fair.



Another common misconception about conflicts of interest is that employees are absolved of their responsibility merely by being transparent about their stake in the issue. It is insufficient for government officials to make conflicts public. They must take themselves out of the decision-making process altogether.

Business with Family

For the purposes of this policy, "family" is defined as an employee's grandparent, aunt, uncle, parent, spouse, significant other, sibling, child, stepchild, niece or nephew.

There may be times where we work with members of our family. If this occurs, we must ensure any transactions do not lead to a conflict of interest and we must make sure that our relationships do not appear to affect our business decisions. If you believe you face a potential conflict of this type, you must report the situation to your Department Head, the Human Resources Director or the Town Manager immediately. This includes any situation including but not limited to the following:

- A family member or someone with whom you have a romantic relationship works for a customer, current vendor, or vendor seeking to do business with the Town.
- You have a direct or indirect reporting relationship with (or have the ability to influence employment decisions for) a member of your family or someone with whom you have a romantic relationship.
- A family member or someone with whom you have a romantic relationship is an employee of a customer, contractor, current vendor or vendor seeking to do business with the Town when you have direct or indirect decision-making authority or influence with respect to the business relationship.

Department Head and/or Town Manager approval is required prior to conducting business with anyone that may have a real or perceived financial conflict of interest with a Town employee. Similarly, an employee must disclose to their Department Head or Town Manager if their family member has a financial relationship with a third party that does business with the Town.

POLICY NO. 6.2 - GENERAL STANDARDS OF CONDUCT

All employees are expected to maintain a professional demeanor and exhibit a high degree of personal integrity and ethical behavior. This includes displaying behavior that is courteous, polite, responsive and respectful to all others. Behavior that is commonly regarded as impolite, rude, disrespectful, hostile, offensive or contrary to the values of customer service and teamwork, in any way will not be tolerated.



Employees are expected to adhere to the following, additional general standards of conduct:

- Work together and help others.
- Ask for help when you need it.
- Operate with integrity.
- See something, say something. You are encouraged to speak up when you see someone who deserves praise and when you see a situation that needs to be resolved.
- Be innovative and forward-thinking. Think about what can be done to improve your job, department and the Town. Share your ideas.
- Do not gossip.
- Give people the benefit of the doubt. Assume positive intent. Seek the truth.
- Speak positively of your co-workers, department and the Town.
- Express concerns to the appropriate supervisor in a timely manner. Propose solutions. Be a problem-solver.
- Be honest, professional and respectful in your communications.
- Be productive and effective.
- Be responsible stewards with tax-payer dollars.

POLICY NO. 6.3 - DRUG AND ALCOHOL POLICY

The Town values its employees and is committed to providing a safe and healthy work environment. As the abuse of alcohol, drugs, and controlled substances impairs employee judgment and, thereby, results in increased safety risks, the Town strives for a drug free workplace.

Additionally, in accordance with the Drug-Free Workplace Act of 1988, the Town, as a possible federal grant recipient, is required to certify to grant agencies that the Town will ensure a drug-free workplace. Failure to comply with this requirement could result in suspension or termination of any or all federal grants within the Town. This requirement presents a necessity and an opportunity to take immediate action to eliminate drug abuse from the workplace.

To ensure a safe and healthy work environment, the Town prohibits the use, sale, manufacture, distribution, dispensation, possession, use or being under the influence of a controlled substance or drug paraphernalia during Town time, on Town premises or worksites. This prohibition includes Town owned vehicles, or personal vehicles being used for Town business or parked on Town property. The Town also prohibits the consumption of alcohol or being under the influence of alcohol on Town work time or during lunch or breaks.

Employees are subject to searches and/or testing upon reasonable suspicion that any of



the foregoing prohibitions have been violated. Employees who consume alcohol during lunch or breaks shall be considered off duty for the remainder of the day/shift. Any employee found in violation of the above-stated prohibitions and/or policies will be subject to disciplinary action, up to and including termination.

To clarify how the use of marijuana in the State of Colorado relates to employment at the Town, please note that Colorado law permits properly registered patients to use marijuana for medicinal purposes without fear of criminal prosecution, so long as they abide by the State's medical marijuana laws. Colorado also permits adults to possess and use marijuana. However, marijuana remains a Schedule I controlled substance under the Controlled Substances Act of 1970. As such, any use of marijuana—medical or otherwise—is against federal law. Moreover, Colorado's marijuana laws—medical and otherwise—provide employers with the right to have and enforce their drug policies with respect to marijuana. Therefore, an employee who tests positive for marijuana is in violation of the Town's drug and alcohol policy, even if the employee is exempt from criminal prosecution under Colorado law. As such, a positive drug test for marijuana constitutes a violation of the Town's drug and alcohol policy and may lead to termination.

Virtually any conduct involving illegal drugs or controlled substances, as defined by state or federal law, can result in disciplinary measures up to and including termination.

Excluded from prohibition are prescribed drugs and over-the-counter drugs when used in the manner, combination and quantity intended, unless job performance is affected. An employee who must use an over the counter or prescription drug that causes side effects which may adversely affect the employee's ability to perform work in a safe and productive manner must notify his or her supervisor of such use and side effects, prior to starting work. The supervisor, after proper inquiry, will decide if the employee can remain at work and what work restrictions, if any, are deemed necessary.

Employees shall notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The supervisor shall immediately notify Human Resources after receiving notice of the above criminal drug statute conviction from an employee or otherwise receiving actual notice of such conviction. The granting agency of the federal government must be notified within ten days after the Town receives notice of a criminal drug statute conviction from an employee or otherwise receives actual notice of such conviction. Within 30 days of receiving such notice the employee shall be subject to disciplinary action, up to and including termination.

Compliance with the above-stated policy is a condition of employment for all employees of the Town. In addition to the above-stated policy, all Town employees who operate a commercial motor vehicle for the Town and are required to hold a Commercial Driver's License (CDL) are also subject to the Town's drug and alcohol testing policy implemented under federal law.



All employees can avail themselves to the Employee Assistance Program (EAP) for additional information on substance abuse. Treatment resources can be found on the Daly Link.

Please contact Human Resources if you have any questions about this policy or wish to discuss issues related to the use of controlled substances or the abuse of alcohol.

The Town's Substance Abuse Policy is required by the Federal Transit Administration/ Federal Highway Administration and applies to all positions that require a CDL at the Town.

POLICY NO. 6.4 - SMOKING

It is our objective to provide a smoke-free environment at the Town. Smoking is prohibited within Town vehicles, all areas of each Town building, and 15 feet of the main entrance into each Town building. Employees may smoke in designated outdoor areas. This restriction always applies to all employees and visitors, including non-business hours.

POLICY NO. 6.5 - NEPOTISM

To avoid possible conflicts of interest and maintain impartial employment practices, relatives shall not work in a department in which one relative participates, either formally or informally, in decisions to supervise, hire, retain, promote, evaluate, or influence the employment status of a relative in any other way.

Relatives shall not work in a department in which they audit, verify, receive or are entrusted with monies received or handled by a relative.

For the purposes of this policy, a relative is defined as any two people related by blood, adoption, marriage, or living arrangement, as spouse, parent, child, grandparent, grandchild, brother, sister, in-laws, step-relations or domestic partners.

Relatives must treat one other as they would any other Town employee.

POLICY NO. 6.6 - OPEN RECORDS/COLORADO OPEN RECORDS ACT (CORA) REQUESTS

As a public employer, the Town may be required to furnish requested records to the public. These records may include messages, texts and or emails sent using Town equipment or Town email addresses.

Typically, open record acts provide citizens with a statutory right of inspection of government information to ensure the right to free speech, as well as the accountability of the government to its people. In relation to employer issues, the open records act



attempts to balance the rights of persons to know and the privacy rights of an individual.

When an employee of the Town receives an external request to inspect any Town documents, please contact The Town Clerk with said request so that next steps may be determined.

POLICY NO. 6.7 - CONFIDENTIAL INFORMATION

Employees of the Town may have access to confidential information related to the Town, co-workers, community members and guests. Confidential information includes, but is not limited to, credit cards, social security numbers, banking information, personal information, business information and similar subjects.

Disclosure or misuse of confidential information is strictly prohibited, and such action will not be tolerated. This non-disclosure prohibition applies both during and after an employee's employment. Any copying, reproducing, or distributing of confidential information in any manner must be authorized by the employee's supervisor.

Confidential information remains the property of the Town and must be returned to the Town upon separation or at any time upon demand.

POLICY NO. 6.8 - PROPRIETARY PROPERTY

All photographs, video, sound and video recordings (including of one's voice), written content, or other works produced by an employee for the Town of Snowmass Village while working for or performing duties for the Town are property of the Town.

Furthermore, employees are not permitted to take any documents or files (hard copies or digital files) upon termination of employment without the express permission of the Department Head or the Town Manager.

Employees who post on any Town social media platforms must adhere to the [Town's Content Release Policy](#).

POLICY NO. 6.9 - GIFTS AND FAVORS

Town employees are subject to Article XXIX of the Colorado Constitution and article V of Chapter 2 of the Town Code, concerning ethics in government. These provisions, and the provisions of state law referenced in the Town Code, require that government employees carry out their duties for the benefit of the people of Colorado and avoid conduct that is or appears to be in violation of the public trust. In general, these provisions require that local government employees not use any information for personal gain, not engage in business dealings with persons they supervisor or inspect as public employees, and not perform actions as a public employee for their own personal financial benefit.



Town employees are prohibited from accepting gifts or things of value in excess of \$75.

In general, it is permissible for employees to accept scholarships, honoraria, insurance proceeds, prizes, lottery winnings, inheritances, and/or special occasion gifts in excess of \$75 so long as the acceptance of such gifts does not involve undue influence, coercion, rigging, loss of impartiality, bribery, or a breach of the public trust.

POLICY NO. 6.10 - INTERNET, COMPUTER & EQUIPMENT USE

The Town provides many tools to its employees and contractors to enhance their productivity and jobs. These tools include computers, software, communication tools (email), access to internal networks (intranet), access to external networks (internet), as well as telephone systems, voice mail, fax, photocopiers, etc. The Town requires that these systems be used in a responsible way, ethically, and in compliance with all legislation and other town policies and contracts. Noncompliance could have a severe, negative impact on the Town, its employees, and the community. This policy does not attempt to anticipate every situation that may arise and does not relieve anyone accessing the system of their obligation to use common sense and good judgment.

Individuals are encouraged to use the Town's systems and resources to further the goals and objectives of the organization. The types of activities that are encouraged include:

- Communicating within the context of an individual's assigned responsibilities.
- Acquiring or sharing information necessary or related to the performance of an individual's assigned responsibilities.
- Participating in educational or professional development activities.

Scope

This policy is applicable to all employees and contractors of Town. The requirements defined in this policy are applicable to all data, systems, and services owned and/or managed by the Town.

Policy

Acceptable Use of Assets

Assets include, but are not limited to, physical equipment, such as desktop computers, servers, printers, laptops, telephones, mobile devices, and removable media (such as USB flash drives), as well as systems and services, such as the organizational network, software, applications, internet, voicemail, and more. Organizational data is also considered to be an asset. All devices and systems are property of the Town and all use must be in accordance with policies, standards, and guidelines.



The Town allows limited use of the network, systems, and devices for personal reasons (personal correspondences, online banking, etc.), but personal use must not be abused. Personal use is acceptable if it is limited to the following considerations:

- It does not have a negative impact on overall employee productivity.
- It does not cause additional expense to the Town.
- It does not compromise the Town in any way.
- It does not disrupt the network performance in any way.
- It does not contradict any other Town policies.

Personal postings by an employee concerning the Town are not prohibited provided they comply with guidelines set forth below or in this handbook. If you publish or post regarding Town matters, you should never state your job title and should include a disclaimer making clear the posting is your own and does not necessarily represent TOSV positions, strategies, or opinions.

When you use social media, use good judgment. We request that you be respectful of the Town, Town staff, our community, our partners and affiliates, and others. Personal use of social media is never permitted during working time by means of the Town's computers, mobile devices, or other IT resources and communications systems. Social media postings by an employee on blogs or social networking sites are considered personal communications and are not organization communications. Any official postings on a blog or social networking site on behalf of the Town must be preapproved and sent by authorized Town staff.

The Town assets and systems may not be used for illegal or unlawful purposes, including copyright infringement, obscenity, personal gain, libel, slander, fraud, defamation, plagiarism, intimidation, forgery, impersonation, illegal gambling, soliciting for pyramid schemes, and computer tampering (e.g., spreading computer viruses). Per the Town Purchasing Policy, users should not access and/or purchase technology, devices, applications, or services that are not formally authorized and approved by IT. (This circumvention of the IT Department is known as Shadow IT.)

- IT assets, such as laptops and mobile devices, are intended to be used only by the people to whom they have been issued, unless other arrangements for shared devices have been made.

Users will always protect Town-managed IT assets, keeping them physically and logically secured and under the control of the user, including but not limited to: Ensuring the workstation is locked (screen/keyboard) whenever walking away from it. Keeping computers secure and reporting lost or stolen equipment to IT immediately.

Electronic Communication and Internet Use

The use of the Town's communication and internet systems and services (including email, messaging, voicemail, forums, social media, and more) is provided to enable



performance of regular job duties. The use is a privilege, not a right, and therefore must be used with respect, common sense, and in accordance with the following requirements:

1. The email systems and other messaging services used at the Town are owned by the Town and are therefore its property. This gives the Town the right to monitor all email traffic passing through its email system. This monitoring may include, but is not limited to, inadvertent reading by IT staff during the normal course of managing the email system, review by the HR and legal team during the email discovery phase of litigation, and observation by management in cases of suspected abuse or employee inefficiency. Employees should be aware that emails may be considered public record and potentially subject to public disclosure.
2. The Town often delivers official communications via email. As a result, employees of the Town are expected to check their email in a timely manner so they are aware of important Town announcements and updates, as well as for fulfilling duties and role-oriented tasks. TOSV email messages should remain on TOSV email accounts. Users are prohibited from forwarding work messages to their personal, off-network accounts.
3. The Town communication platforms and internet are not to be used for purposes that could be reasonably expected to strain storage or bandwidth. Individual use of resources shall not interfere with others' use of Town email and services.
4. Users are prohibited from using accounts that do not belong to them and are prohibited from using platforms to impersonate others.
5. Users are not to give the impression that they are representing or providing opinions on behalf of the Town, in any form of media, unless otherwise authorized.
6. Users shall not open message attachments or click on hyperlinks sent from unknown or unsigned sources through any platform (email, instant message, social media, etc.). Attachments/links are the primary source of malware and social engineering and should be treated with utmost caution.
7. Any allegations of misuse should be promptly reported. If you receive an offensive or suspicious email, do not forward, delete, or reply to the message. Instead, report it directly to IT or by using built in tools in Outlook.
8. Email users are responsible for mailbox management, including organization and cleaning.
9. Archival and backup copies of email messages may exist, despite end-user deletion, in compliance with the town's Records Retention Policy.



10. Email access will be terminated when the employee or third party terminates their association with the Town, unless other arrangements are made. The town is under no obligation to store or forward the contents of an individual's email inbox/outbox after the term of their employment has ceased.
11. The Town assumes no liability for direct and/or indirect damages arising from the use of the town's email system and services. Users are solely responsible for the content they disseminate. The Town is not responsible for any third-party claim, demand, or damage arising out of employee's use of the town's email systems or services.
12. Email users are expected to remember that email sent from the Town's email accounts reflect on the Town. All communications are subject to open records requests and can be made public. Please comply with normal standards of professional and personal courtesy and conduct.
13. The Town may monitor any/all internet activity originating from Town-owned equipment or accounts or taking place over TOSV networks.
14. Users are permitted to remotely access the corporate network while offsite. Users must use the approved VPN service(s). Users may be required to authenticate using multifactor authentication (MFA). Only authorized users are permitted to access the network through VPN.

Data Security

Maintaining the confidentiality, integrity, and availability of organizational data is paramount to the security and success of the organization. The following requirements are defined to keep data secure and handled appropriately:

1. All organizational data is owned by the Town and, as such, all users are responsible for appropriately respecting and protecting all data assets.
2. Users must keep all data secure by taking sensible precautions and following requirements defined in this policy, the Town's acceptable use policy and the data-handling requirements defined in the Data Classification Policy. This standard outlines the requirements for creating, using, storing, transmitting, archiving, and destroying data.
3. Users may not view, copy, alter, or destroy data, software, documentation, or data communications belonging to The Town or another individual without authorized permission.
4. Users will only access data provided to them for duties in connection with their employment or engagement and in accordance with their terms and conditions of employment or equivalent. Access to some applications and information sources will be routinely recorded and/or monitored for this purpose.
5. Extraction, manipulation, and reporting of The Town's data must be done for official purposes only.



6. Personal use of organizational data, including derived data, in any format and at any location, is prohibited.

Secure Workstations

All sensitive materials, such as information about an employee, a customer, or intellectual property, shall be removed from a workspace and locked away when the items are not in use or an employee leaves his/her workstation. This will reduce the risk of security breaches in the workplace and is part of standard basic privacy controls.

1. Employees are required to ensure that all sensitive information in hardcopy or electronic form is secure in their work area at the end of the day and when they expect to be gone for an extended period.
 - a) Computer workstations must be locked (screen/keyboard) and password secured whenever a workspace is unoccupied.
2. Any sensitive information (e.g., customer data) must be removed from the desk and locked in a drawer when the desk is unoccupied and at the end of the workday.
3. Passwords should not be written down. If a user finds it necessary to do so, written passwords must be stored away and secure. Never leave written passwords in plain sight.
4. File cabinets containing sensitive information must be kept closed and locked when not in use or when not attended.
5. Keys/badges used for access to sensitive information must not be left at an unattended desk.
6. Printouts containing sensitive information should be immediately removed from the printer.
7. Upon disposal, sensitive documents should be shredded.
8. Employees are not permitted to install any software on any town owned devices without specific consent and approval from the IT department.

Password Standards

Access to the Town's systems and devices is controlled through individual accounts and passwords. The following requirements are in place to protect those passwords and access to sensitive data and systems:

1. Users may not share account or password information with another person. Accounts are to be used only by the assigned user of the account and only for authorized purposes. Attempting to obtain another user's account password is strictly prohibited.
2. A user must contact the Help Desk to obtain a password reset if they have reason to believe any unauthorized person has learned their password. Users must take all necessary precautions to prevent unauthorized access to the Town's services and data.
3. Users must not use corporate passwords for other services. In the event that other services are compromised, it could leave corporate accounts compromised as well.



4. Password complexity will be enforced by IT through system-enforced policies to ensure strong passwords and proper password hygiene:
 - a) Passwords will expire every 360 days and users will be required to change them. Users are encouraged to reset their passwords prior to the expiry date to minimize any interruption to network access.
 - b) The previous 5 passwords cannot be reused.
 - c) Password complexity requirements enforce the use of a minimum of 3 categories (Uppercase, lowercase, numbers, and special characters.)
 - d) Upon 6 failed login attempts, accounts will be locked for 30 minutes. Accounts can be unlocked by contacting the Help Desk.

Incident Response and Reporting

The Town has an incident response program for efficient remediation of information security incidents. Employees are expected to comply with the following requirements in order to ensure effective and efficient incident remediation:

1. Users must report any suspected security incident to the Help Desk, including but not limited to lost/stolen equipment, suspected malware infection, compromised credentials, and any other possible compromises of the Town's systems and/or data.
2. Users must cooperate with incident response processes, such as forfeiting their equipment to Help Desk for investigation if it is potentially compromised.

Security Awareness and Training

The Town takes a proactive approach to data security by requiring security awareness training:

1. During onboarding, all users will be required to undergo information security awareness and training. If a user doesn't understand these practices, they are expected to reach out for follow-up training.
2. Users must complete ongoing security awareness and training as scheduled by the IT Department. Employees will be kept up to date on new improvements and emerging threats.

Security Unacceptable Uses

IT will manage security policies, network, application, and data access centrally using whatever technology solutions are deemed suitable. Any attempt to contravene or bypass security will be deemed an intrusion attempt and will be subject to disciplinary action. The following restrictions and requirements are enforced at the Town to establish and maintain the confidentiality, integrity, and availability of systems and data:

1. Users must not introduce malicious programs into the network or a system (e.g., viruses, worms, Trojan horses, email bombs, etc.).
2. Users must not introduce or contribute to security breaches or disruptions of network communication.



- a) Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a system or account that the employee is not expressly authorized to access, unless these actions are within the scope of regular duties. For the purposes of this section, "disruption" includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
3. Port scanning or security scanning is expressly prohibited unless prior authorization is granted in writing.
4. Users must not execute any form of network monitoring that will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
5. Users must not circumvent user authentication or security of any host, network, or account.
6. Users must not introduce honeypots, honeynets, or similar technology on the corporate network.
7. No servers (i.e., running web or FTP services from user workstations) or devices that actively listen for network traffic are allowed to be put on the corporate network without prior written authorization by the Chief Information Officer.
8. Users must not interfere with or deny service to any user (for example, denial of service attack).

POLICY NO. 6.11 - USE OF TOWN PROPERTY AND EQUIPMENT

It is the responsibility of every employee to check with their supervisor before using or permitting the use of Town-owned assets. It is not only unethical, but unlawful for an employee to use, or permit the unauthorized use of Town-owned vehicles, equipment, materials or property for profit. The Town recognizes that a de minimis use of certain Town assets for personal convenience will occur and is acceptable when the use is occasional and doesn't have an adverse impact on the organization.

POLICY NO. 6.12 - TOWN VEHICLE USAGE

Use of Town vehicles is limited to official Town business and designated employee carpools. Exceptions must be pre-approved by the Town Manager. Drivers must drive safely, follow any departmental Town vehicle use policies, obey all traffic laws, possess a valid driver's license, and strive to be current in defensive driver training.

It is the responsibility of the Department Head to assure proper use of Town vehicles. Department Heads should contact the Fleet Superintendent at Public Works for details regarding vehicle maintenance.

Employees are liable for payment to the Town for any non-authorized use or damage to Town vehicles. Unauthorized use or damage may result in disciplinary action.



The Town offers an employee carpooling program designed to reduce the number of single occupancy vehicles in Snowmass Village. Short stops on the route to and from work are acceptable if they do not inconvenience others in the carpool. Designated pick-up points should be at a common meeting point on the route, such as a park- and-ride lot. Morning and afternoon departure times are established, carpools leave within five minutes of the established time if an individual does not arrive. Drivers can be rotated, but anyone driving must have a valid Colorado driver's license and be eligible to drive a Town vehicle, which includes being current in defensive driving training. Driver responsibilities include keeping the vehicle clean, in good working condition, and adequately fueled for the round-trip commute.

The Town reserves the right to cancel the carpooling benefit to individuals who do not follow the specifics of this policy. Failure to comply with the specifics of this policy may result in disciplinary action up to and including termination.

POLICY NO. 6.13 - PET POLICY

The Town is responsible for assuring the health and safety of all employees. In keeping with this objective, the Town does not permit employees to bring their household pets to work *on a regular basis*. Pets may be brought to Town, on occasion, with pre-approval from the Department Head.

Pets that pose a threat of infection or cause allergic reactions in other employees, threaten, or distract employees, foul the workspace, or damage public property are not permitted at Town worksites or vehicles. Certified and trained service animals as defined by Colorado and Federal regulations, are exempt from this policy. An employee who requires the help of a certified and trained service animal (as defined by the Code of Federal Regulations) will be permitted to bring the service animal to the office.

POLICY NO. 6.14 - WEAPONS AND CONCEALED CARRY

An employee who has been issued a permit to carry a concealed handgun pursuant to the provisions of Part 2 of Article 12 of Title 18 Colorado Revised Statutes or a person who has been issued of a temporary emergency permit to carry a concealed handgun pursuant to section 18-12-209 Colorado Revised Statutes may carry a concealed handgun on Town property and in Town buildings, except in the Police Department and Council Chambers while Court is in session, so long as the employee is in compliance with concealed carry permit requirements and has been approved to do so by the Town Manager.

To seek approval, an employee must submit a letter of request to the Town Manager with a copy of the conceal carry license and proof of proper firearms training records, as required by State guidelines. The Town Manager will review the documents and make a final determination based on the employee's current standing with the Town, as well as the employee's competency.



Unlawful possession of a weapon while on Town property or while working is not permitted.

Employees in lawful possession of a weapon shall honor the requests of private business owners and private property while conducting Town business.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public, will not be tolerated. Any violation of this policy will be subject to disciplinary action up to and including termination.

Open carry is prohibited except in the case of sworn police officers.

POLICY NO. 6.15 - ANTI-VIOLENCE

Employees must not engage in intimidation, threats or hostile behaviors, physical abuse, emotional abuse, domestic abuse, bullying, vandalism, arson, sabotage, or any other act, which in Town management's opinion, is inappropriate in the workplace.

In addition, employees must refrain from making bizarre or offensive comments regarding violent events and/or behavior. Employees are expected to report any such conduct immediately to their supervisor, Department Head, Human Resources or the Town Manager. Engaging in any workplace violence may result in disciplinary action, up to and including termination.

Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety and health of themselves or others.

POLICY NO. 6.16- IN HOUSE PROBLEM RESOLUTION POLICY

The Town strives to respond to complaints and resolve problems efficiently and effectively. The Town has adopted two methods for resolving complaints. The first method is an informal "open door policy." The second method is a written "complaint procedure."

Open Door Policy

The open-door policy applies to any complaint, problem, suggestion or question that employees may have regarding their employment. Employees are encouraged to discuss such matters with their immediate supervisor, Department Head, Human Resources or the Town Manager, at any time.

Written Complaint Procedure

The complaint procedure applies to any complaint regarding the interpretation or application of any written policy, perceived unfair treatment or any working conditions at the Town. This procedure does not apply to the handling of complaints under Policy 2.2 (Equal Employment Opportunity and Unlawful Harassment).



If the employee's supervisor is also the Department Head, employees are to begin the complaint procedure at step two. The procedure is as follows:

Step One: Promptly bring the written complaint using the form incorporated below to the attention of the immediate supervisor. A verbal discussion should be held within ~~fiveten~~ ~~calendar~~business days of the incident, or in a timely manner. If after having apprised your supervisor verbally of the complaint, the employee is dissatisfied with the supervisor's response, the first step is for employees to complete a complaint resolution form and present it to their immediate supervisor. A sample complaint resolution form is included. Upon receipt of an employee's formal complaint, the supervisor will investigate the matter, if appropriate, and will respond in writing within ~~721~~ ~~calendar~~business days.

Step Two: Employees who are not satisfied with the answer that they receive from their supervisor may present a complaint resolution form to the Department Head or the Human Resources Director. This must be done within 7 ~~calendar~~business days after the date of the written response by the employee's immediate supervisor. Upon receipt of an employee's complaint, the Department Head and/ or Human Resources Director will investigate the matter, if appropriate, and will answer the complaint in writing within 7 ~~calendar~~business days.

Step Three: Employees who are not satisfied with the decision of the Department Head or Human Resources Director may present their complaint to the Town Manager. This must be done within 7 ~~calendar~~business days after the date of the written decision of the Department Head or Human Resources Director. Upon receipt of an employee's complaint, the Town Manager will schedule a hearing at which the employee will have the right to be represented, present evidence and arguments and will be given an opportunity to rebut any evidence or arguments. Prior to the hearing, employee(s) will also be given notice of the issues to be decided at the hearing. If the complaint involves discipline or discharge, employees will be notified of the charges against them. After the conclusion of the hearing, the Town Manager will take the necessary steps to investigate the complaint and will issue a written and final decision.

NOTE: Any functions of the Town Manager under this procedure may be performed by the Town Manager or the Town Manager's designee. Any functions of the Human Resources Director may be performed by the Human Resources Director or the Director's designee. If any of the affected parties are unavailable, the response period may change.

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IN HOUSE COMPLAINT RESOLUTION FORM SAMPLE

Name: _____ Date: _____

Position: _____ Department: _____

Employee Signature: _____

Summarize reasons for your complaint, including the written policies you believe to have been violated, and the action requested. (Attach additional sheets if necessary.)

Date Received by Immediate Supervisor:

Date of informal discussion with Immediate Supervisor:

Results of Discussion (attach additional sheets if necessary)

Date Received by Department Head or HR: _____

Date Written Response delivered to Employee by Department Head or HR:

Written Response to Complaint (attach additional sheets if necessary)

Date Received by Town Manager:

Date Written Response delivered to Employee by Town Manager:

Town Manager's Final Decision (attach additional sheets if necessary)



POLICY NO. 6.17 – EMPLOYEE PROGRESSIVE DISCIPLINE POLICY

Purpose

Town of Snowmass Village's progressive discipline policy and procedures are designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior and performance issues.

Outlined below are the steps of the Town of Snowmass Village's progressive discipline policy and procedures. The Town of Snowmass Village reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; the impact the conduct and performance issues have on the organization; and if the offense violates other employees and community members' physical and emotional safety.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between the Town of Snowmass Village and its employees.

Procedure

Step 1: Counseling and verbal warning

Step 1 creates an opportunity for the immediate supervisor to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or the violation of company policies and procedures. The supervisor is expected to clearly describe expectations and steps the employee must take to improve his or her performance or resolve the problem.

Within five business days, the supervisor will prepare written documentation of the verbal counseling. The employee will be asked to sign this document to demonstrate his or her understanding of the issues and the corrective action.

Step 2: Written warning

The Step 2 written warning involves more-formal documentation of the performance, conduct or attendance issues and consequences.

During Step 2, the immediate supervisor and a division manager or director will meet with the employee to review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant corrective action plans.



Management will outline the consequences for the employee of his or her continued failure to meet performance or conduct expectations.

A formal performance improvement plan (PIP) requiring the employee's immediate and sustained corrective action will be issued within five business days of a Step 2 meeting. The written warning may also include a statement indicating that the employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken.

Step 3: Suspension and final written warning

Some performance, conduct or safety incidents are so problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the immediate supervisor may suspend the employee pending the results of an investigation.

Suspensions that are recommended as part of the normal sequence of the progressive discipline policy and procedures are subject to approval from a next-level manager and HR.

Depending on the seriousness of the infraction, the employee may be suspended without pay in full-day increments consistent with federal, state and local wage and hour employment laws.

Nonexempt/hourly employees may not substitute or use an accrued paid vacation or sick day in lieu of the unpaid suspension. In compliance with the Fair Labor Standards Act (FLSA), unpaid suspension of salaried/exempt employees is reserved for serious workplace safety or conduct issues. HR will provide guidance to ensure that the discipline is administered without jeopardizing the FLSA exemption status.

Pay may be restored to the employee if an investigation of the incident or infraction absolves the employee of wrongdoing.

Step 4: Recommendation for termination of employment

The last and most serious step in the progressive discipline process is a recommendation to terminate employment. Generally, the Town of Snowmass Village will try to exercise the progressive nature of this policy by first providing warnings, issuing a final written warning or suspending the employee from the workplace before proceeding to a recommendation to terminate employment. However, the Town of Snowmass Village reserves the right to combine and skip steps depending on the circumstances of each situation and the nature of the offense. Furthermore, employees may be terminated



without prior notice or disciplinary action.

Management's recommendation to terminate employment must be approved by human resources (HR) and the division director or designate. Final approval may be required from the Town Manager.

Appeals Process

Employees will have the opportunity to present information to dispute information management has used to issue disciplinary action. The purpose of this process is to provide insight into extenuating circumstances that may have contributed to the employee's performance or conduct issues while allowing for an equitable solution.

If the employee does not present this information during any of the step meetings, he or she will have five business days after each of those meetings to present such information.

Performance and Conduct Issues Not Subject to Progressive Discipline

Behavior that is illegal is not subject to progressive discipline and may result in immediate termination. Such behavior may be reported to local law enforcement authorities.

Similarly, theft, substance abuse, intoxication, fighting and other acts of violence at work are also not subject to progressive discipline and may be grounds for immediate termination.

Documentation

The employee will be provided copies of all progressive discipline documentation, including all PIPs. The employee will be asked to sign copies of this documentation attesting to his or her receipt and understanding of the corrective action outlined in these documents. Copies of these documents will be placed in the employee's official personnel file.

ACKNOWLEDGEMENT OF RECEIPT

OFFICE COPY

I HAVE RECEIVED A COPY OF THE TOWN OF SNOWMASS VILLAGE EMPLOYEE HANDBOOK DATED JANUARY 1, 2023. I UNDERSTAND THAT THE HANDBOOK, INCLUDING ANY COLORADO SPECIFIC SUPPLEMENT, PROVIDES A SUMMARY OF THE TOWN'S GUIDELINES AND ITS EXPECTATIONS REGARDING MY CONDUCT. I UNDERSTAND I AM TO BECOME FAMILIAR WITH ITS CONTENTS.

I UNDERSTAND THAT, EXCEPT AS MAY BE REQUIRED BY STATE LAW, THAT MY EMPLOYMENT WITH THE TOWN IS AT-WILL. THIS MEANS THAT NEITHER I NOR THE TOWN IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A SPECIFIC PERIOD OF TIME AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED BY ME OR THE TOWN AT ANY TIME, FOR ANY REASON.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, OR ARE THEY A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION.

I UNDERSTAND THAT THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND THEREFORE NOT ALL INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. NO ORAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THE HANDBOOK OR ANY SUPPLEMENT, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT.

THE TOWN RESERVES THE RIGHT TO REVISE, DELETE OR ADD TO ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS OR OTHER PROGRAMS OF THE TOWN. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENTS.

Employee Signature

Date

Print Name



ACKNOWLEDGEMENT OF RECEIPT

EMPLOYEE COPY

I HAVE RECEIVED A COPY OF THE TOWN OF SNOWMASS VILLAGE EMPLOYEE HANDBOOK DATED JANUARY 1, 2023. I UNDERSTAND THAT THE HANDBOOK, INCLUDING ANY COLORADO SPECIFIC SUPPLEMENT, PROVIDES A SUMMARY OF THE TOWN'S GUIDELINES AND ITS EXPECTATIONS REGARDING MY CONDUCT. I UNDERSTAND I AM TO BECOME FAMILIAR WITH ITS CONTENTS.

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I HAVE READ AND UNDERSTAND THE ABOVE STATEMENTS.

Employee Signature

Date

Print Name

Town of Snowmass Village

Agenda Item Summary

DATE OF MEETING:

June 10, 2024

AGENDA ITEM:

Initial Discussion Regarding Proposed Ballot Language

PRESENTED BY:

Clint Kinney, Town Manager

BACKGROUND:

This upcoming November, the Town will ask voters to elect two individuals to two Council seats and one person to the Mayoral seat. In addition, we will also need to add at least one question on the ballot regarding the Draw Site Apartment project.

In the year 2000, voters approved a citizen initiative placing a project spending limitation on Town Funds. The Municipal Code language for this spending limitation is below for reference. In essence the initiative requires voter approval to spend over \$11.6 million on a **new** project. Knowing that the Draw Site project is expected to cost approximately \$75 million, and is considered a new project, a vote of the people will be required.

The project spending limitation code language requires that the question to the community shall include a good faith description of the following information:

- (1) A description of the project;
- (2) The projected cost of the project; and
- (3) The sources of money projected to pay for the project.

As the November ballot approaches, there a number of deadlines set by the County Clerk that need to be met in order to place a question/issue on the ballot. We have already provided the County Clerk with the required initial notice of intent to participate. No later than September 6, the Town needs to provide the officially adopted ballot language to the County Clerk. We anticipate the ballot language being discussed and adopted by the Council no later than the August 5 and August 19 Council meetings. The required information listed above will be ready and reverified by that time, but at this point we plan to describe an approximately 79-unit project costing approximately \$75 million dollars with the source of funds being clear that no new taxes will be needed. We expect to use existing Tourism Tax revenue (\$3 million annually), rent revenue (anticipated at \$1.6 million in the first year) and grant funds. We have confirmed these numbers with a third-party financial advisor and they are confident these sources of revenue will generate \$75 million of capital funds.

With the recent approval of the Sketch Plan by the Council, preliminary plan work is underway. We expect to have 100% Design Development (DD) drawings for the civil engineering work and 100% schematic drawings completed in July. This work will be provided to the project cost estimator for pricing and these drawings are expected to be used to bring the question to the voters. Assuming a positive vote in November, we would then be prepared to immediately submit the plans for formal (quasi-judicial) land use review before the Planning Commission and Town Council.

In addition to this required vote on the Draw Site, the Council should consider asking the voters to amend/clarify the code language in the project spending limitation code language. Believing that most every workforce housing project going forward will cost more than \$11.6 million, and knowing that this funding source was a recent voter approved source, the Council should ask the voters to add workforce housing projects to the list of exempted projects called for in the code language (*A project* does not mean the maintenance, repair, replacement or upgrade of an existing Town road and appurtenances that is funded by the expenditure of money, the source of which was previously approved by the electors).

Several other governments in the Valley are also considering questions to place on the November ballot. Most notably, the County is considering a question (issue) asking voters to add a new property tax that would be dedicated to funding workforce housing projects. While details are still being discussed, they are considering asking for a new tax between 1.5 to 2 mills generating between \$8.5 million and \$11 million annually.

Other tax questions may include:

- The City of Aspen is considering asking for 2 tax renewals (no new taxes).
- The School District is expected to ask for a new property tax as well.
- The County may have an airport related question.
- The County may have a debt question related landfill expansion (without raising taxes).

- **ARTICLE VII - Project Spending Limitation**

- **Sec. 4-151. - Purpose.**

Initiative Ordinance No. 1, Series of 2000, was approved by the electors of the Town on November 7, 2000, and the provisions of this Article are intended to implement and to provide procedures therefore.
(Ord. 28-2000, §1)

- **Sec. 4-152. - Definitions.**

The following definitions are established for application in this Article:

Audited total of general revenue of the Town is the total revenue and other financing sources of the Town as described in the independent audit at the end of each fiscal year, less the proceeds of bond issuance. Until the independent audit for a fiscal year has

been completed and accepted by the Town Treasurer, the most recent audit shall be utilized to determine the audited total of general revenue of the Town.

Money means money from any source and of any type.

Project means the total of any activity or group of activities, which are properly, usually or best planned or executed together to achieve an objective or related objectives. A *project* does not mean the maintenance, repair, replacement or upgrade of an existing Town road and appurtenances that is funded by the expenditure of money, the source of which was previously approved by the electors.

Project spending limitation during a current year is forty percent (40%) of the latest available year's audited total of general revenue of the Town.

(Ord. 28-2000 §§1, 2; Ord. 20-2001 §1, Ord. 20-2000, §1)

- **Sec. 4-153. - Project limitation.**

The Town shall not implement, approve, institute or contract any project or obligate itself in any way to any project within the Town or to be paid for by the Town, which requires an expenditure of money in excess of the project *spending limitation* without a vote of the electors of the Town approving the project and the money for the project. (Ord. 28-2000, §1)

- **Sec. 4-154. - Project evaluation.**

The Town is authorized to analyze, consider, design, plan, review, obtain approvals for a project required by other provisions of this Code, and expend money in furtherance thereof for a project that is subject to the provisions of Section 4-153 without a vote of the electors of the Town approving the project and the money for the project. In the event that the electors do not approve the project and the money for the project at the project approval election, the Town Council may continue to analyze, modify or redesign the project within the meaning of this Section. (Ord. 28-2000, §2)

- **Sec. 4-155. - Project approval election.**

Prior to the entrance into a contract, joint venture or other irrevocable obligation for the acquisition, construction or equipping of a project that is subject to the provisions of Section 4-153, the Town Council shall cause a vote of the electors of the Town approving the project and the money for the project at a regular or special election. Nothing contained herein shall prevent the question presented to the electors from being consolidated in a question within the meaning of the provisions of Article X, Section 20 of the Colorado Constitution. (Ord. 28-2000, §2)

- **Sec. 4-156. - Ballot information.**

The question submitted to the electors shall minimally contain a good faith description of the following information:

- (1) A description of the project;
 - (2) The projected cost of the project; and
 - (3) The sources of money projected to pay for the project.
- (Ord. 28-2000, §2)



TOWN OF SNOWMASS VILLAGE

**2024 REGULAR COORDINATED MUNICIPAL
ELECTION CALENDAR**

NOVEMBER 5, 2024

100 DAYS BEFORE ELECTION

July 28 (Sunday)

POLITICAL SUBDIVISION
NOTIFY COUNTY CLERK IF
THEY WISH TO COORDINATE
ELECTION

91 DAYS BEFORE ELECTION

August 6

CANDIDATE NOMINATION
PETITIONS AVAILABLE
AT MUNICIPAL OFFICE
FOR CIRCULATION

71 DAYS BEFORE ELECTION

August 26

LAST DAY TO FILE
NOMINATION PETITIONS
WITH MUNICIPAL CLERK

70 DAYS BEFORE ELECTION

August 27

LAST DAY TO SIGN IGA
WITH THE COUNTY CLERK

CERTIFY ADDRESS LIBRARY

68 DAYS BEFORE ELECTION

August 29

LAST DAY TO FOR CLERK
TO CURE
NOMINATION PETITIONS
FOR MUNICIPAL OFFICE

60 DAYS BEFORE ELECTION

September 6

LAST DAY FOR MUNICIPAL
CLERK TO CERTIFY
BALLOT CONTENT TO THE
COUNTY CLERK (EMAIL)

ARRANGE CANDIDATE
NAMES BY LOT PRIOR TO
CERTIFICATION OF THE
BALLOT CONTENT TO
COUNTY CLERK

AUDIO RECORDING OF
EACH CANDIDTE'S NAME

CANDIDATES MUST FILE
CONTRIBUTION REPORT -
DEADLINES FOR
CANDIDATES AND
COMMITTEES TO FILE
FIRST F.C.P.A. REPORT
WITH MUNICIPAL

CLERK BY 5:00 P.M
(60, 30 & 15 BEFORE – 30
DAYS AFTER)

57 TO 47 DAYS BEFORE ELECTION

Sept 9 - 19

PROOFREAD BALLOT AT CTY
(IN PERSON)

46 DAYS BEFORE ELECTION

September 20

DEADLINE FOR PUBLIC TO
SUBMIT
WRITTEN COMMENTS
CONCERNING **TABOR**
ISSUES TO THE

43 DAYS BEFORE ELECTION

September 23

MUNICIPAL CLERK

DEADLINE FOR PETITION
REPRESENTATIVES TO
PROVIDE A SUMMARY OF
COMMENTS IN FAVOR OF
THEIR **TABOR** ISSUE
PETITION TO MUNICIPAL
CLERK

42 DAYS BEFORE ELECTION

September 24

DEADLINE FOR
MUNICIPAL CLERK TO
DELIVER **TABOR**
NOTICE MATERIAL
TO COUNTY CLERK

40 DAYS BEFORE THE ELECTION

September 26

LAST DAY TO ORDER
REGISTRATION LIST
FROM COUNTY CLERK

CHECK THIS DATE! (64 DAYS?)

25 DAYS BEFORE ELECTION

October 11

LAST DAY FOR
CANDIDATE
TO WITHDRAW FROM
CANDIDACY

20 DAYS BEFORE ELECTION

October 16

LAST DAY FOR COUNTY
CLERK OR DESIGNATED
ELECTION OFFICIAL TO
PROVIDE NOTICE BY
PUBLICATION THAT THE
GENERAL ELECTION WILL
BE CONDUCTED BY MAIL
BALLOT

In addition to the required TABOR(30 day) notice, 20 days prior to election
a municipality submitting to the ballot a ballot issue
concerning the creation of debt or other financial obligation
must post a notice as described in CRS 1-7908

15 DAYS BEFORE ELECTION

OCT. 21 - NOV. 5

EARLY VOTING AVAILABLE
TO PUBLIC AT PITKIN
COUNTY DESIGNATED
LOCATION

8 DAYS BEFORE ELECTION

October 28

LAST DAY FOR AN
INDIVIDUAL TO SUBMIT
VOTER REGISTRATION
AND GET BALLOT IN THE
MAIL

WITHIN 8 DAYS OF THE
ELECTION COUNTY
CLERK WILL PROCESS
THE VOTER
REGISTRATION
APPLICATION AND
SEND VOTER TO A VOTE
CENTER

4 DAYS BEFORE ELECTION

November 1

DEADLINE FOR
CANDIDATES
AND COMMITTEES TO
FILE SECOND F.C.P.A.
REPORT WITH MUNICIPAL
CLERK BY 5:00 P.M.

ELECTION DAY
NOV. 5

ELECTION DAY!!!!

15 DAYS AFTER ELECTION
November 20

LAST DAY FOR A
REQUEST
TO RECOUNT FROM
MUNICIPAL CLERK OR
COUNCIL

16 DAYS AFTER ELECTION
November 21

DEADLINE TO NOTIFY
COUNTY CLERK OF ANY
REQUEST FOR RECOUNT

21 DAYS AFTER ELECTION
November 26

DEADLINE TO COMPLETE
RECOUNT OF VOTES IF
REQUESTED

30 DAYS AFTER ELECTION
December 5

DEADLINE FOR
CANDIDATES
AND COMMITTEES TO
FILE THIRD F.C.P.A.
REPORT WITH MUNICIPAL
CLERK BY 5:00 P.M.

Elect/Calendar11-24