**ARTICLE V. CONDITIONS OF EMPLOYMENT**

**Section 1. Work Schedule**

Department heads shall establish work schedules, with the approval of the Town Manager, which meet the operational needs of the department in the most cost effective manner possible.

**Section 2. Political Activity**

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

1. Engage in any political or partisan activity while on duty;
2. Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
3. Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
4. Coerce or compel contributions from another employee of the Town for political or partisan purposes;
5. Use any supplies or equipment of the Town for political or partisan purposes; or
6. Be a candidate for nomination or election to an office under the Town Charter.

Any violation of this section shall subject the employee to disciplinary action including dismissal.

**Section 3. Outside Employment**

The work of the Town shall have precedence over other occupational interests of employees. All outside employment for salaries, wages, or commission and all self-employment must be reported in advance to the employee's supervisor, who, in turn, will report it to the Department Head. The Department Head will review such employment for possible conflict of interest and decide whether to approve the work. Conflicting or unreported outside employment are grounds for disciplinary action up to and including dismissal. Documentation of the approval of outside employment will be placed in the employee’s personnel file.

Examples of conflicts of interest in outside employment *include but are not limited to:*

1. Employment with organizations or in capacities that are regulated by the employer or employee’s department; or
2. Employment with organizations or in capacities that negatively impact the employee’s perceived integrity, neutrality, or reputation related to performance of the employee’s Town duties.

**Section 4. Dual Employment**

A full or part-time employee of the Town may simultaneously hold another position with the Town if the temporary position is in a different department and clearly different program area from that of the full or part-time position and the employment in the temporary position is performed on an occasional or sporadic basis. However, the work of the full or part-time position shall take precedence over the temporary position, and such work will not count toward the calculation of overtime for pay or time off.

**Section 5. Employment of Relatives**

The Town prohibits the hiring and employment of immediate family in permanent positions within the same work unit. "Immediate Family" is defined in Article VII, Section 12. The Town also prohibits the employment of any person into a permanent position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Tem, Town Council Member, Town Manager, Finance Director, Human Resources Officer, Town Clerk, or Town Attorney. Otherwise, the Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:

1) Result in a relative supervising relatives;

2) Result in a relative auditing the work of a relative;

3) Create a conflict of interest with either relative and the Town ; or

4) Create the potential or perception of favoritism.

This clause shall not be retroactive concerning any relative currently working for the Town at the time of adoption.

**Section 6. Harassment**

Harassment on the basis or race, color, religion, gender, national origin, age or disability constitutes discrimination. The Town opposes harassment by supervisors and co-workers in any form. Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, gender, national origin, age, or disability, or that of his or her relatives, friends, or associates.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee who believes that he or she may have a complaint of harassment may follow the Grievance Procedure described in this Policy or may file the complaint directly with the Town Manager, Human Resources Officer, or any department head who will advise the Human Resources Officer of the complaint. The Human Resources Officer will insure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

Employees witnessing harassment shall also report such conduct to an appropriate Town official.

**Section 7. Acceptance of Gifts and Favors**

No official or employee of the Town shall accept any gift, favor, or thing of value (more than $50) that may tend to influence such employee in the discharge of the employee's duties, or grant in the discharge of duty an improper favor, service, or thing of value.

**Section 8. Performance Evaluation**

Supervisors and/or Department Heads shall conduct performance evaluation conferences with each employee at least once a year to review the employee’s accomplishments and strengths, areas for improvement, goals for the next year, and overall performance level. These performance evaluations shall be documented in writing and placed in the employee's personnel file. Procedures for the performance evaluation program shall be published by the Town Manager.

**Section 9. Safety**

Safety is the responsibility of both the Town and employees. It is the policy of the Town to establish a safe work environment for employees. The Town shall establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. Department Heads and supervisors are responsible for insuring the safe work procedures of all employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend safety training programs as a condition of employment. Employees who violate such policies and procedures shall be subject to disciplinary action up to and including dismissal.

**Section 10. Direct Deposit**

Employees are required to participate in the Town’s direct deposit program.

**Section 11. Adverse Weather/Hazardous Conditions**

The Town has responsibility for emergency services including law enforcement. Adequate staff is required to operate these critical services seven days per week and 24 hours per day in all weather. Department heads should designate which staff members are in critical positions required to report to work regardless of weather or other hazardous conditions.

The adverse weather/hazardous conditions policy is established to be as fair as possible to all employees applying the following principles:

1. Maintain adequate staffing at all times of emergency services;
2. Provide for as much safety as possible for all employees in traveling to and from work in hazardous conditions; and
3. Not pay regular salaries to some employees for *not working* when others are required to be at work.

Town offices and departments shall remain open for the full-scheduled working day unless authorization for closing or other deviation is received from the Town Manager’s office. The Manager will consider the hazard of driving conditions and other relevant factors in determining whether to close Town offices. All departments and offices will be given sufficient advance notice of any authorized closing of non-critical Town functions. Upon authorizing a closing, non-critical staff may use vacation, earned compensatory time, or time without pay for the un-worked hours. Employees who leave work before an official early closing time, as well as employees who report for work late or do not report for work because of hazardous conditions, may also use earned vacation or compensatory leave for days or hours not worked.