



Part-Time/Seasonal EMPLOYEE HANDBOOK

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Contents

1.0	INTRODUCTION	4
1.1	ABOUT THIS HANDBOOK	4
1.2	WELCOME TO OUR TOWN	4
1.3	ABOUT THE TOWN OF OCEAN CITY, MARYLAND	5
1.4	EQUAL OPPORTUNITY EMPLOYMENT	6
1.5	HARASSMENT FREE WORKPLACE	6
1.6	CODE OF CONDUCT.....	8
2.0	HOW WE KEEP IN TOUCH WITH YOU	9
2.1	NEW EMPLOYEE ORIENTATION	9
2.2	KEEP US UP-TO-DATE	9
2.3	YOU AND YOUR SUPERVISOR.....	9
2.4	YOUR EMPLOYEE COUNSELOR	9
2.5	YOUR PROBLEM-SOLVING PROCEDURE.....	9
2.6	OUR BULLETIN BOARD	10
2.7	OUR NEWSLETTER - "THE SALTY SCOOP"	10
3.0	ABOUT YOUR JOB	10
3.1	APPOINTING AUTHORITY.....	10
3.2	EMPLOYEE CATEGORIES.....	10
3.4	JOB CLASSIFICATIONS	11
3.5	WORKING HOURS.....	11
3.8	DAILY ATTENDANCE RECORDS	12
3.12	ACTING CAPACITY	12
3.13	PAYROLL INFORMATION	12
3.14	EMPLOYMENT OF RELATIVES	13
3.15	MEDICAL EXAMINATIONS	13
3.16	SECURITY CHECKS	13

3.17 LOCKERS	13
3.18 LOST AND FOUND	14
3.19 ACCIDENT REPORTS	14
3.20 EMPLOYEE IDENTIFICATION BADGES.....	14
3.21 PERSONAL PROPERTY	14
3.22 ACCESS TO PERSONNEL RECORDS	15
3.23 EMPLOYMENT CONFIRMATION & OUTSIDE INQUIRIES.....	15
3.24 EMPLOYEE VOLUNTEERING.....	15
4.0 YOUR EMPLOYEE BENEFITS	16
4.10 WORKERS' COMPENSATION.....	16
4.11 UNEMPLOYMENT COMPENSATION	16
4.12 SOCIAL SECURITY & MEDICARE	17
4.14 BUS SERVICE	17
4.16 UNIFORMS	17
4.17 EMPLOYEE RECREATIONAL ACTIVITIES	17
5.0 TIME OFF FROM WORK	17
5.7 FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY	17
5.8 PAID SICK LEAVE.....	21
6.0 YOUR CAREER DEVELOPMENT	22
6.2 PERFORMANCE REVIEWS.....	22
6.3 INTERNAL APPLICANTS, JOB PROMOTIONS AND TRANSFERS.....	22
6.4 RE-EMPLOYMENT	23
6.5 WORK REDUCTIONS.....	24
6.6 EMPLOYMENT TESTING	24
7.0 YOUR RESPONSIBILITIES.....	24
7.1 PROGRESSIVE DISCIPLINE.....	24
7.2 EMPLOYMENT TERMINATION	25

7.3 EMPLOYEE CONDUCT.....	26
7.4 STANDARDS OF ATTENDANCE.....	27
7.5 BE HEALTH AND SAFETY CONSCIOUS.....	28
7.6 BE ALERT TO SECURITY	28
7.7 OBSERVE OUR RULES ON WORKPLACE SMOKING / VAPING	28
7.8 REMEMBER COURTESY	28
7.9 BE AWARE OF YOUR PERSONAL APPEARANCE	29
7.10 RESPECT CONFIDENTIAL INFORMATION	29
7.11 EXPECTATIONS FOR THE USE OF E-MAIL, COMPUTERS & OTHER EQUIPMENT	29
7.12 RESTRICT PERSONAL PHONE USAGE.....	30
7.13 RESTRICTIONS ON OUTSIDE ACTIVITIES	30
7.14 AVOID CONFLICT OF INTEREST	30
7.15 OBEY OUR EMPLOYEE SOLICITATION AND DISTRIBUTION RULES	30
7.16 MAINTAIN A DRUG AND ALCOHOL-FREE WORKPLACE.....	31
7.17 POLITICAL ACTIVITY	32
7.19 SOCIAL MEDIA EXPECTATIONS	32
8.0 OUR RESPONSIBILITIES	33

1.0 INTRODUCTION

Welcome to the Town of Ocean City. Our part-time/seasonal employees are such an integral part of our workforce and we appreciate you becoming a part of the Town. We're glad you're here!

1.1 ABOUT THIS HANDBOOK

The Town of Ocean City ("The Town") has always believed in promoting an atmosphere of open communication and cooperation among all of our employees. This Employee Handbook (the "Handbook") reflects that thinking. It supersedes in all respects any prior handbook and has been prepared for you, our employees, to provide general information about your benefits, and highlights the work rules and procedures under which we operate. Obviously, we could not begin to explain every Town procedure, rule or benefit in this Handbook, therefore its contents should be considered a general summary of our benefits, work rules and policies.

From time to time the Town may, in its discretion, amend, supplement, modify, or eliminate one or more of the benefits, work rules, policies or procedures described in this Handbook, or any other employment benefits, work rules, policies or procedures without prior notice.

This Handbook does not constitute a guarantee that your employment will continue for any specified period of time or end only under certain conditions. Nothing in the Handbook constitutes an express or implied contract of employment or warranty of any benefits. Employment with the Town is a voluntary employment-at-will relationship for no definite period of time.

While we hope to have a long and mutually beneficial working relationship together, regardless of anything which may appear in this Handbook or any other Town publication, policy, statement or practice, you have the right to terminate your employment relationship for any reason with or without cause or notice at any time and the Town reserves the right to do the same.

1.2 WELCOME TO OUR TOWN

It is our pleasure to welcome you to the Town of Ocean City and to wish you success in your job. You have become a part of a municipal government that has earned a reputation for fine service, courtesy, and professionalism. You were selected because we believe you have the potential and desire to meet these high standards and help us maintain our position of leadership. We hope you will find the atmosphere one in which you can learn and grow professionally.

The progress of any organization like ours depends on its employees, people with initiative, creativity, and enthusiasm. We believe we have such employees in Ocean City, a blend of experienced and new employees working together for our common success.

We are dedicated to the principle of quality service. Our record of progress and growth attests to the validity of this objective as well as our success in living up to it.

We hope that you will share our enthusiasm about the growth and progress of our Town.

1.3 ABOUT THE TOWN OF OCEAN CITY, MARYLAND

Ocean City, Maryland, boasts 10-miles of pristine beach and a nearly 3-mile historic Boardwalk, making Maryland's only coastal community a popular destination for visitors in the Mid-Atlantic region. Situated on a barrier island, Ocean City was once a barren seaside village attracting only a few fishermen until the late 1800s.

In 1869, Isaac Coffin, a local farmer, constructed a small inn to accommodate fishermen and other visitors to the seaside town. By 1875, other hotel properties arose, and the small fishing village was officially incorporated, paving the way for Ocean City to become the famous resort destination it is today.

In 1880, the first permanent bridge across the Bay was built, connecting Ocean City to the mainland. Before the bridge, visitors rode the train to the edge of the mainland, where they would then cross the Bay by boat.

In 1898, Daniel Trimper moved to Ocean City from Baltimore and started an amusement park, which is owned and operated by the Trimper family to this day. Soon after, Capt. Christopher Ludlum and his son traveled from Cape May, New Jersey, and started the pound fishing industry in Ocean City, which became a source of employment for many local men.

While the men fished, the wives were instrumental in running the hotels. From 1900 to 1915, the first Ocean City Boardwalk was constructed and the tourism industry grew.

In August 1933, a violent four-day storm hit Ocean City and cut an inlet through the island, linking the Atlantic Ocean with the Bay. The inlet soon brought a new industry to Ocean City - sport fishing. With easy access to the ocean, fishermen no longer had to launch boats through the surf or limit themselves to bay fishing. In 1934 the first white marlin was caught off the coast and Ocean City claimed the title of "White Marlin Capital of the World."

The Town's growth continued until World War II when the resort, like the rest of the world, focused its energies on the war. Still, it was during this period (1941) that the resort got its first automobile bridge.

This once humble fishing village that covered only a few blocks of land now stretches ten miles long. In 1981, the Town adopted a city manager form of government, serving as a full service, year-round resort and an economic powerhouse for the entire region. Ocean City currently welcomes over eight million visitors annually and generates close to \$3 billion into the State's economy. In addition, the Town offers a lively Convention Center, numerous area golf courses, and numerous events which encourage tourism year-round.

It is the Town of Ocean City's mission to continue to offer first-class amenities which make Ocean City a world-famous family resort with high-quality customer service to visitors and residents in the resort community. With the clean and safe beaches, natural salt air, magnificent views of the ocean and the Bay, Ocean City is a popular destination to live, visit and work.

1.4 EQUAL OPPORTUNITY EMPLOYMENT

The Town is an Equal Opportunity Employer that supports and is committed to the principle of equal employment opportunity. It is our practice to recruit, hire, train, and promote individuals, as well as administer any and all personnel actions, without regard to race, certain traits associated with race (including hair texture and certain hairstyles), color, religion, sex, gender identity, sexual orientation, pregnancy, marital status, familial status, national origin, age, disability (physical or mental), military service, or other non-merit-based factors in accordance with applicable laws.

1.5 HARASSMENT FREE WORKPLACE

The Town believes that all employees have the right to work in a mature, professional, and productive environment that is free from harassment. The success of the Town is contingent upon an atmosphere of mutual respect and cooperation regardless of individual beliefs or attitudes. Harassment is both unwelcome and offensive conduct that interferes with the maintenance of a positive work environment. For purposes of this Policy, the term “harassment” means: unwelcome and offensive conduct based on an individual’s race, color, religion, ancestry or national origin, sex, age, marital status, sexual orientation, gender identity or disability, and which where:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of employment of an individual;
2. Submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or
3. Based on the totality of the circumstances, the conduct unreasonably creates a working environment that a reasonable person would perceive to be abusive or hostile.

Harassment undermines the integrity of the entire Town and will not be tolerated by or against any Town employees. Prohibited and unlawful harassment can take many forms (including unwelcome and offensive verbal, physical or written conduct or communications based on a person’s protected status) and need not be severe or pervasive to violate this Policy.

One form of prohibited workplace harassment is sexual harassment. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when: (a) submission to the conduct is made either explicitly or implicitly a term or condition of employment of an individual; (b) submission to or rejection of such conduct is used as the basis for an employment decision, or (c) based on the totality of the circumstances, the conduct unreasonably creates a working environment that a reasonable person would perceive to be abusive or hostile. Examples of conduct which may constitute sexual harassment, include but are not limited to the following:

1. Promises or threats regarding any term or condition of employment which is conditioned on providing, or failing to provide, sexual favors;

2. Sexual flirtations, advances or propositions (including communication that is verbal, by text, email, social media or in any other form);
3. Unwelcome physical touching or other contact that is sexually suggestive.

The Town will decide on a case-by-case basis what conduct and behavior rises to the level of violating this anti-harassment policy. Additional examples of inappropriate behavior, which may constitute harassment include:

Verbal – Language or comments that are offensive, including vulgarities. This may include mocking, hostility, lewd comments and jokes, or intimidation, which alters an individual's work environment.

Nonverbal – Leering or gestures that create an intimidating, hostile or offensive work environment.

Physical – Threats that create an intimidating, hostile or offensive work environment. Unwanted physical contact that includes but is not limited to touching, patting, pinching or brushing against the body.

Written/Pictorial – Pictures, memes, videos, recordings, written communications including social media posts, texts or emails, objects, or expressions that could be interpreted as disrespectful of others, and/or conflict with the Town's goal of maintaining an environment that is free from harassment.

Technology Use and Harassment – The prevalence of group text, email and social media has significantly increased the potential for employees to make offense and take offense. The following are a few examples of forms of harassment through social media and other electronic/virtual communications:

1. Virtual harassment—harassment through a social media site, for example, "friending" a co-worker on social media and then sending offensive messages, or commenting on another employee's social media post in an inappropriate manner.
2. Text harassment—harassing, intimidating, or inappropriate comments, images or recordings sent via text messages.
3. Sexting—sending sexually explicit or offensive text messages, photos or videos via electronic media.
4. Cyberstalking—using technology to make someone else afraid or concerned about their safety, or to otherwise intimidate, threaten or cause anxiety to others.

This policy applies to all Town employees, as well as customers, vendors and other visitors authorized to be on Town property. If you believe that you or someone else is being harassed, or you have observed harassing behavior, the following procedure should be followed:

1. Any employee who believes that he or she has been the subject of harassment should report, in writing (if possible), the alleged act immediately to his or her department supervisor. The report should include the names of any individuals involved, any witnesses, dates of the alleged incident(s) and other relevant information. If a complaint involves a supervisor, the complaint should be filed with the next level supervisor, the division head, department head, Human Resources Director or the City Manager. If the employee reporting the harassment is unable to provide a written report of the alleged harassment, the supervisor will work with Human Resources to document that report.

2. All complaints will be investigated in a timely and thorough manner. The Town will make every effort to preserve confidentiality of the report and investigation whenever feasible and in a manner that will not restrict the Town from being able to fully investigate and address the allegations as appropriate.
3. If the investigation reveals that all or part of the complaint has been substantiated, the Town will take appropriate action to address any individual who has violated this Policy and to prevent any future harassment from occurring.

Violators of this policy will be subject to discipline up to and including immediate discharge.

Retaliation of any sort against an employee for reporting harassment, or for participating in a harassment investigation, will not be tolerated and is grounds for disciplinary action.

Accusations of harassment are very serious. Evidence that an individual intentionally made a false accusation is grounds for disciplinary action, up to and including termination of employment.

1.6 CODE OF CONDUCT

The Town will not tolerate any unlawful discrimination and any such conduct is prohibited. Employees must understand and abide by the following expectations related to the enforcement of the Town's Equal Opportunity Employment and Harassment Free Workplace policies:

1. All employees must refrain from engaging in discrimination and/or harassment, and must report any conduct that is or could reasonably be considered to be discrimination and/or harassment immediately to their supervisor with a copy to the Department Head. If the complaint includes the behavior of the supervisor, the employee should report the conduct to the Department Head and/or Human Resources.
2. Supervisory employees shall attempt to stop any conduct that is, or could reasonably be considered to be, discrimination and/or harassment, if witnessed.
3. Conduct that some regard as harmless "workplace pranks" may violate the Town's Equal Opportunity Employment or Harassment Free Workplace Policies if the conduct pertains to race, certain traits associated with race (including hair texture and certain hairstyles), color, religion, sex, gender identity, sexual orientation, pregnancy, marital status, familial status, national origin, age, disability (physical or mental), military service, and/or any other legally protected characteristic. Such conduct will not be tolerated.
4. Practical jokes, bullying, and other conduct of a belittling or teasing nature is inappropriate and does not demonstrate the degree of professionalism required of employees.

The Town complies with all applicable laws and regulations and expects all employees to conduct themselves in accordance with the letter, spirit, and intent of all relevant laws, and to refrain from any conduct that violates the Town's Equal Opportunity Employment Policy and Harassment Free Workplace Policy. Employees should bring concerns of this nature to their supervisor and/or, if appropriate, to the Department Head or Human Resources. Employees can raise concerns and make reports, as set forth in the Harassment Free Workplace Policy in the Employee Handbook, without fear of reprisal.

2.0 HOW WE KEEP IN TOUCH WITH YOU

We are always looking for new and improved ways to keep communication channels open on a two-way basis between employees and managers of our Town. We want you to feel free to tell us about your personal recommendations for improvements, as well as any problems you may be experiencing on the job.

The following Communications Network summarizes many of the ways you can share your ideas and concerns with us.

2.1 NEW EMPLOYEE ORIENTATION

The first part of our orientation program is conducted shortly after you are hired. Orientation is designed to help acquaint you with your new working environment and our expectations. Use this opportunity to raise any questions or voice any concerns to our orientation staff.

2.2 KEEP US UP-TO-DATE

Up-to-date personal information is necessary for a number of reasons, including ensuring the receipt of important communications from the Town and the administration of your employee benefits. It is your responsibility to notify the Human Resources Department promptly of any change in your address, telephone number, marital status, dependents, beneficiaries, or anything else that would affect your employee benefits or our ability to contact you quickly.

2.3 YOU AND YOUR SUPERVISOR

If you have any questions concerning your job or related activities, your supervisor is usually your first point of contact. If, however, you do not feel comfortable discussing a particular personal matter with your supervisor, be assured that the other methods of communication outlined in this Section are also available to you.

2.4 YOUR EMPLOYEE COUNSELOR

As noted in section 2.5, your immediate supervisor is the primary person to contact on all subjects when you have a question or concern. However, we've gone further to insure all employees have other means of communication for issues or suggestions that might not flow through the normal chain of management for one reason or another.

The Town has designated our Human Resources Director as an employee counselor to assist you, if you so elect, in addressing your concerns. Should circumstances arise where the steps outlined in section 2.5 are not deemed appropriate, please feel free to take advantage of this option.

2.5 YOUR PROBLEM-SOLVING PROCEDURE

During the performance of your duties, questions or issues may occur that affect your work. Communication usually is the key to resolving disagreements and misunderstandings and is emphasized here. Take all issues to your immediate supervisor for resolution.

Should the issue not be resolved at this level, or should your complaint be with your immediate supervisor, you may request a meeting with the Division/Department Head to discuss it further.

Finally, if the Division/Department Head does not resolve the matter to your satisfaction, you may reach out to the Human Resources Director.

This problem-solving procedure is your “direct line” to your supervisor – please use it! Remember that we can’t help you resolve the challenge if you don’t tell us about it.

2.6 OUR BULLETIN BOARD

Our Town maintains bulletin boards throughout its facilities that contain important information posted for your benefit. It is important that we reserve this space for Town communications. We cannot permit personal items or solicitations to be posted on the Town’s bulletin boards. Some Departments provide separate locations for personal notices.

2.7 OUR NEWSLETTER - “THE SALTY SCOOP”

Periodically the Town publishes an internal employee newsletter, The Salty Scoop, to update you on the Town’s activities, to advise you of upcoming events, and to give you a chance to share information with your fellow employees. Our Marketing & Communications Department is responsible for selecting content for this newsletter. Please contact the Marketing & Communications Department if you have news you want to share - we value your suggestions.

3.0 ABOUT YOUR JOB

Fully understanding and performing the duties for which you have been employed is an essential expectation of the Town of Ocean City.

3.1 APPOINTING AUTHORITY

The City Manager is the Appointing Authority for all full-time and part-time/seasonal employees in the Town, with the exception of the City Clerk, Chief of Police, Fire Marshal, City Solicitor, and administrative support to the Mayor.

The City Manager, with the advice and consent of the Mayor and Council, is the Appointing Authority for all Department and Division Heads.

All other new appointees to full-time and part-time positions must be approved in advance by the City Manager or designated representative.

3.2 EMPLOYEE CATEGORIES

Throughout this Handbook, you will find references to the following employee categories:

1. **Full-time employees, Probationary Period.** Newly hired employees who are regularly scheduled to work a minimum of forty (40) hours per week and who have NOT successfully completed their probationary period of twelve months or more. They are eligible for the benefits outlined in this Handbook and other official documents. Some benefits require a one-year waiting period.

2. **Full-time employees.** Those employees who are regularly scheduled to work a minimum of forty (40) hours per week and have successfully completed their probationary period. They are eligible for the benefits outlined in this Handbook and other official documents.
3. **Part-time employees.** Those employed to supplement full-time staff members. Intended to work a continuing, year-round, but indefinite, schedule. Employees are permitted to work a regularly scheduled workweek totaling less than 1,560 hours annually, to meet on-going needs. They are not eligible for employee benefits.
4. **Temporary or Seasonal employees.** Those employed for a specific period of time to supplement full-time staff members. Often work a regularly scheduled work week, generally not exceed 1000 hours annually. They are not eligible for employee benefits.
5. **Exempt and non-exempt employees.** All employees are also classified as either “exempt” or “non-exempt” for purposes of establishing eligibility for overtime pay under the Fair Labor Standards Act (FLSA). Our hourly paid employees are all classified as “non-exempt.” “Exempt” employees are not eligible for overtime pay, however they may earn “compensatory” time on an hour for hour basis to a maximum of 120 hours.

3.4 JOB CLASSIFICATIONS

Your job has been evaluated by the Town in comparison to other positions to determine your job classification and grade. Some of the factors considered include, but are not limited to: required education, training, and experience to be successful in a role, as well as responsibility for supervision, managing Town assets and exercising independent judgment. Additionally, criteria considered include the complexity of work performed, the impact of errors made by the position and the position’s working conditions. These and other criteria are carefully considered and benchmarked against other positions to arrive at an appropriate classification.

Similarly ranked jobs are grouped into pay grades as determined by the Town. Job classifications, minimum and maximum rates of pay, and pay grades are periodically reviewed internally, as well as by external compensation experts, at the Town’s discretion.

3.5 WORKING HOURS

Hours of work are determined by the Town to meet the needs of the Town. Your supervisor will advise you of your regular work schedule, meal periods, and arrangements for personal breaks. Your “regular work day” may vary (or range) as determined by management. All general employees should be provided with a thirty (30) minute unpaid lunch period, scheduled at a time convenient to the department. Paid fifteen (15) minute rest breaks may be permitted according to the service requirements of the individual departments, but are not guaranteed. You are expected to be at your job location ready to begin work at your assigned starting time. You should “clock-in” or “sign-in” in accordance with your department’s procedures.

All employees are on a bi-weekly pay schedule based on a seven (7) day work week, and pay day is every other Friday. Pay periods end on Sunday at midnight and paychecks are issued the following Friday.

Your pay stub contains pay and deduction information as well as sick leave balances. Errors in pay or balances must be brought to the immediate attention of your supervisor.

Nothing in this Handbook is a guarantee by the Town of hours of work per day, per week, per year, or any specific work schedule. Work schedules may be adjusted temporarily or permanently depending on the needs of the Town.

3.8 DAILY ATTENDANCE RECORDS

A daily attendance record is maintained for all non-exempt personnel. Employees may not clock in more than five (5) minutes before their scheduled start time, or clock out more than five (5) minutes after their scheduled end time, without pre-approval or unless working authorized overtime. You must also advise your supervisor of any variation to your normal lunch schedule, so that the times may be accurately noted in the Town's payroll records. Employees are strictly prohibited from clocking in for co-workers (also called "buddy punching")

3.12 ACTING CAPACITY

An employee temporarily covering for a higher-level position is considered to be in an Acting Capacity. If serving in an acting capacity role for at least five (5) business days, the employee is eligible to receive a temporary pay increase of five (5) percent above their regular rate or be placed at the minimum rate of the higher pay grade, whichever is greater. To qualify for acting capacity pay, the individual must be responsible for performing all or the vast majority of the higher level position's duties.

An exception to the five (5) day waiting period may be made for non-supervisor employees performing work which requires the direct supervision and the use of independent judgment related to matters of significance. If performing in an acting capacity position for more than one (1) pay period an employee will adopt that position's exemption status, if different than their normal job.

3.13 PAYROLL INFORMATION

All employees receive a paycheck every other Friday for their work in the previous two (2) work weeks unless that particular Friday happens to be a holiday.

You are strongly encouraged to authorize us to pay you by direct deposit to your designated bank account. The Town will not release paychecks to anyone other than the employee, except with written authorization. Remember that we are required by law to make deductions from paychecks for federal and state withholding taxes, for social security taxes (FICA), Medicare, pension (if applicable) and certain other court-ordered requirements.

You may voluntarily authorize in writing, additional deductions from your paycheck for your contribution to our benefit plans and other items permitted by the Town. It is your responsibility to be certain that all such deductions are correct.

Your pay stub contains important information. Any errors should be brought to the attention of Payroll or your supervisor immediately.

3.14 EMPLOYMENT OF RELATIVES

Members of the same “family,” including spouse, children, parents, brother, and sister are eligible for employment with the Town; however, such employment may not result in an employee directly supervising or having significant influence related to the employment status (promotion, pay increases, etc.) of an immediate family member.

Other relationships may develop between employees (i.e. dating, engagement) which may present a potential for conflict of interest. Employees are expected to disclose these relationships and contact the Human Resources Director for a determination as to whether the relationship presents a potential conflict, and whether the provisions of this section should apply. The Town prohibits direct reporting relationships between members of the same family and also prohibits romantic relationships between supervisors and subordinates.

3.15 MEDICAL EXAMINATIONS

The Town reserves the right to require applicants for employment as well as existing employees, to consent in writing and submit to medical or physical examinations by a physician designated by or approved by the Town at its expense.

3.16 SECURITY CHECKS

To ensure that contraband, drugs, weapons and other unauthorized or illegal substances or materials, do not enter our job sites, the Town premises and other Town facilities, and to further ensure that tools, files, equipment, products, materials, substances and other property of the Town are not being removed from our job sites, Town premises and other Town facilities without our authorization. The Town reserves the right, at its discretion, to question, inspect and search an employee or other person before they enter or leave any of these facilities.

This procedure applies to any employee while on Town business, whether or not on our job sites, Town premises or Town facilities, along with any packages or other items that the employee may be carrying. All vehicles, lockers, containers, brief cases, handbags, and other parcels and personal belongings of employees, as well as e-mail and mobile data utilized through Town operated computer systems are subject to inspection and search by the Town or its designated outside investigators at any time.

These procedures are necessary for the safety, health and security of everyone with the Town and the protection of our property and facilities. Submission to and compliance with these rules is a condition of your continued employment.

It will not be the practice of the Town to randomly search employees or their belongings, but searches may be conducted for reasonable suspicion, or as part of a larger investigation. Supervisors are expected to consult with Human Resources before engaging in a search of employee property.

3.17 LOCKERS

Some Town departments provide lockers for the convenience of their employees on a space-available basis. Both lockers and locks are the property of the Town. For security reasons, lockers and locks may be

inspected by the Town periodically without notice, as a condition of your employment. Locks other than those issued by the Town may be removed. The Town retains the right to remove from any locker all contraband, chemical substances, weapons or other materials or objects that could endanger safety, health, property or security, in the Town's judgment.

The lockers and locker rooms are furnished for your convenience. They may be used only during break periods and before and after work to change clothes. The Town shall not be responsible for theft or damage to property placed in lockers, and we discourage the storing of money, jewelry, or other valuables in lockers.

If you resign or otherwise terminate employment with the Town, you must return the lock to your supervisor if it is not built in, and remove your belongings from your locker. Any items remaining in the locker after your final paycheck is issued will be removed and disposed of by the Town.

3.18 LOST AND FOUND

A number of departments throughout the Town have lost and found programs. Check with your department to determine if a program is available to you. If so, items are to be turned in to the responsible person and will be released to those claiming ownership after satisfactorily establishing proof of ownership.

3.19 ACCIDENT REPORTS

Any illness or injury that you suffer on the job must be reported immediately to your supervisor who will contact the Risk Management Department. If your condition requires you to leave your job, you must present an authorized written statement from a physician when you return to work, stating that you are well and able to resume your job duties. This statement must be presented to your supervisor before you are allowed to return to work, and it is subject to verification by the Town's physician or designee, at the Town's expense, if we so choose.

In order to help prevent accidents, it is your duty to report immediately to your supervisor, any condition that you believe is unsafe or unhealthy.

3.20 EMPLOYEE IDENTIFICATION BADGES

You will be issued an identification badge upon your employment with the Town. You must use this badge which contains your photograph, name, department, and job title to gain access to the designated employee entrances on all job sites, to other Town facilities and for free bus transportation.

Although you will keep the badge while you work here, it remains Town property and it is returnable upon demand, as is all other Town property that you may be issued. If you lose your badge, you will be issued a new one as approved by your department/division head/supervisor.

3.21 PERSONAL PROPERTY

The Town does not accept responsibility for your personal property. We urge all employees to leave valuables at home. If you lose anything or you find anything of value, notify your supervisor.

3.22 ACCESS TO PERSONNEL RECORDS

Employees have the right to review their official employment records, except that sworn police officers cannot view background investigative files. An access log must be completed before the review occurs and it must be conducted in the presence of the Human Resources Department at a time amenable to both. Employees may request copies of documents in their employment records; however, they are not permitted to alter, remove, add, or replace any document. The Human Resources Department may charge reasonable fees when requested to provide copies of materials contained in the official employment record, or when frequent requests for copies of materials are received from the same employee.

3.23 EMPLOYMENT CONFIRMATION & OUTSIDE INQUIRIES

Inquiries from outside interests (credit checks, verifications of employment, etc.) should be directed to the Human Resources Department. The Human Resources Department shall continue the practice of only confirming position, salary (with written authorization), and dates of employment.

It is your responsibility to keep the personal information in your personnel record up-to-date. Changes may have a direct bearing upon your employment or your benefits. Therefore, the Human Resources Department must be notified promptly when you have any changes to be made in your record such as:

1. Name.
2. Address and telephone number.
3. Marital status.
4. Dependents.
5. Insurance beneficiary.
6. Tax withholding information.
7. Emergency contact.
8. Completion of any educational or training courses.
9. Any awards or letters of commendation.
10. Driver's license status.

3.24 EMPLOYEE VOLUNTEERING

The Fair Labor Standards Act (FLSA) provides that individuals performing volunteer services for local governments may be regarded as volunteers and not employees. The purpose of this procedure is to define the circumstances under which individuals may perform volunteer service for the Town without being considered as employees during that time.

A "volunteer" is defined as an individual who performs hours of service for the Town for civic, charitable, or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered. Individuals shall be considered volunteers only when their services are offered freely and without pressure or coercion, direct or implied, from the employer. An individual is not considered a volunteer if they are performing the same type of work they normally would as an employee of the Town. For an employee to

be eligible to volunteer during business hours they must receive advanced approval from their supervisor and use accrued leave to be compensated for missed time.

4.0 YOUR EMPLOYEE BENEFITS

In addition to the regular paycheck, you receive for working for the Town of Ocean City, the Town offers additional, services, and conveniences to help provide you protection and assistance.

4.10 WORKERS' COMPENSATION

If you are injured or become ill as a result of your work, you may be eligible to receive insurance benefits as provided under the Maryland Workers' Compensation Act. The Town pays all costs of providing this insurance protection. If your injury or illness results in a leave of absence that meets the definition of a "serious health condition" under the FMLA, that workers' compensation leave will run concurrently with any approved FMLA leave to the extent permitted by law.

Employees who experience any work-related accident, injury or illness are required to:

1. Report any injury or illness to your superior immediately after the occurrence, including a description of the accident or issues and any witnesses, and report if you are in need of any medical attention.
 - a. In the event of a medical emergency, the employee's department/division head or supervisor should call 911, or else another employee who is aware of the incident should contact 911 if management is not available.
 - b. The department/division head or supervisor must complete the First Report of Injury or Accident Form, and the Supervisor's Investigation Report, and forward both immediately to the Risk Management Department.
2. Contact the Risk Management Department for medical treatment authorization and additional information.

This policy applies to all employees who suffer a work-related injury or illness, as well as employees who witness or become aware of another employee suffering a work-related injury or illness. It is also important that employees report any incidents or accidents that do not involve injury or illness but had the potential to do so (e.g. any "near misses"), which should be reported as soon as possible.

The Town strictly prohibits any form of retaliation against any employee who reports a concern or complaint regarding hazards or safety rules, reports an injury or illness, or who otherwise cooperates with any investigation related to a safety issue, injury, illness, accident or near miss related to this policy.

4.11 UNEMPLOYMENT COMPENSATION

The Town pays into an insurance fund that may provide you with income in the event you become laid off and unemployed through no fault of your own. As an employee, you pay no part of the fund that provides you with this benefit. The entire cost for this protection is paid by the Town.

4.12 SOCIAL SECURITY & MEDICARE

Social Security and Medicare is a benefit to all employees, with responsibility for contributions shared equally by the Town and you as an employee. Your share is deducted from your wages each pay period. The Town makes an equal contribution and sends the total (employer and employee) payment to the Internal Revenue Service. Social Security and Medicare payments made by the Town are not subject to Federal or State Income Tax by the employee.

4.14 BUS SERVICE

Bus service is available at no cost to ALL employees if they present their Town of Ocean City Employment Identification (I.D.) card.

4.16 UNIFORMS

With the exception of uniformed Public Safety employees, if your job requires a uniform, the Town will provide a uniform service, which will launder and maintain them. The cost for this service may be shared by the Town and the employee. Upon separation from the Town for any reason, all uniforms must be returned. Your supervisor will inform you if this affects you.

All employees who participate in this co-share uniform program must sign an authorization for payroll deduction before uniform cost is deducted from any paycheck.

4.17 EMPLOYEE RECREATIONAL ACTIVITIES

A variety of voluntary recreational, social, and athletic functions are supported by the Town from time to time at its discretion, for the benefit of our employees. Financial support for these programs may be supplied by the Town. The Town is not responsible for injuries or accidents resulting from your participation in any of these voluntary recreational activities.

5.0 TIME OFF FROM WORK

For certain employees meeting criteria, the Town provides sick leave to use in the event of illness.

5.7 FAMILY AND MEDICAL LEAVE ACT (FMLA) POLICY

The Town grants periods of paid and unpaid leave to employees who request time off for family or medical reasons, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The eligibility criteria and general guidelines used in administering this policy are set forth below. The provisions set below are a summary of the entitlements and requirements of the FMLA. It is our intention to administer the policy in a manner consistent with regulations issued by the Secretary of Labor. Questions regarding the FMLA should be directed to your supervisor or the Human Resources Director.

Covered employees: To be eligible for leave under the FMLA, you must have been employed for at least twelve (12) months, whether consecutive or intermittent, and worked at least 1,250 hours during the twelve-month period preceding the leave.

Reasons for Leave: You may request leave under the FMLA for the following events: (1) birth of a child; placement of a child with you for adoption or foster care; (2) time needed to care for a spouse, child or

parent with a serious health condition; (3) you are unable to perform the essential functions of your job due to your own serious health condition; or (4) for any Qualifying Exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or called to covered active duty status.

For purposes of this policy:

1. A “serious health condition” is an illness, injury, impairment or physical or mental condition that involves:
 - a. Any period of incapacity or treatment connected with inpatient care (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care;
 - b. Continuing treatment by a health care provider that includes any period of incapacity (*i.e.*, inability to work) due to a health condition lasting more than three (3) consecutive days, and any subsequent treatment or period of incapacity relating to the same condition that also includes: treatment two (2) or more times within thirty (30) days of the first day of incapacity by a health care provider, or treatment by a health care provider on at least one (1) occasion, which results in a regimen of continuing treatment under the supervision of the health care provider. The first in-person treatment visit must take place within seven (7) days of the first day of incapacity;
 - c. Any period of incapacity due to pregnancy or for prenatal care;
 - d. Any period of incapacity due to a chronic serious health condition, which continues over an extended period of time and requires at least two (2) or more visits to a health care provider per year, and may involve occasional episodes of incapacity;
 - e. A permanent or long-term condition for which treatment may not be effective (only supervision by a health care provider is required, rather than active treatment); or
 - f. Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider for restorative surgery after an accident or injury or a condition that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment.
2. A “Qualifying Exigency” may include leave taken to: address any issues that arise from the fact that a Covered Servicemember (defined below) is notified of an impending call or order to active duty in support of a contingency operation seven (7) or fewer calendar days prior to the date of deployment; attend certain military events relating to active duty or call to active duty status; to attend family support or assistance programs and informational briefings; arrange for alternative childcare, to provide childcare on an urgent, immediate need basis (but not routine, regular or everyday basis); to enroll in or transfer a child to a new school or daycare facility; make or update certain financial or legal arrangements; attend certain counseling sessions; or to attend post-deployment reintegration briefings.

You may request Military Caregiver Leave under the FMLA to care for a Covered Servicemember with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the servicemember.

For the purposes of this policy, “Covered Servicemembers” include regular armed forces, Reserves, National Guard, or those on the temporary disability retired list; retired military service members are not included. “Next of kin” is the Covered Servicemember’s nearest blood relative (exclusive of parent or child) in the following order: blood relatives with legal custody, siblings, grandparents, aunts and uncles, first cousins. Next of kin can also include another blood relative named by the Covered Servicemember in writing as the preferred caregiver. A “serious injury or illness” is an injury or illness incurred by a Covered Servicemember in the line of duty on active duty that has rendered the service member medically unfit to perform the duties of the service member’s office, grade, rank, or rating and for which she/he is undergoing medical treatment, therapy, recuperation, outpatient treatment, or is on the temporary disability retired list.

Length of Leave: Family Medical Leave under the FMLA is limited to a total of twelve (12) workweeks during a twelve (12) month period. In determining your entitlement to FMLA, we will consider the twelve (12) month period preceding the date the leave is to be used. The Town applies the method described by the Department of Labor as the “rolling twelve (12) month” period.

Leave taken to care for a sick family member, or because of your own serious health condition, may be taken intermittently or on a reduced work schedule when medically necessary and supported by certification from your health care professional. In such a situation, however, you may be transferred temporarily to a position which, at the discretion of the Town, better accommodates the leave schedule but is equivalent in pay and benefits to the position held prior to the leave. FMLA leave taken for the birth of a child, or for the placement of a child for adoption or foster care, must be taken as a single block of time unless otherwise agreed to by the Town. Eligibility for such leave ends twelve (12) months after the date of birth or placement. If both parents are employed by the Town, they will be jointly entitled to a combined total of twelve (12) workweeks of Family and Medical Leave.

An eligible employee may take up to a total of twenty-six (26) workweeks of unpaid Military Caregiver Leave in a single twelve (12) month period.

You may be entitled to a combined total of twenty-six (26) workweeks in a single twelve (12) month period when using both Family Medical Leave and Military Caregiver Leave in that period.

Application: Employees requesting FMLA leave must provide verbal or written notice of the need for leave to their supervisor or Human Resources. Within five (5) days of your request you will be provided with the appropriate certification paperwork to have completed. You will have fifteen (15) days to return the paperwork to Human Resources. Once completed paperwork is received you will be notified by Human Resources within five (5) days as to the designation of your requested leave. If leave is designated as FMLA, all associated absences must be documented accurately on a leave of absence form, and in payroll, for tracking purposes.

Notice Required: If the need for leave is foreseeable (for example, for a planned medical procedure or the anticipated birth of a child), you must notify us at least thirty (30) days prior to the date the leave is to begin. If the proposed leave is for elective medical treatment, employees should schedule the treatment so as not to disrupt the operations of the Town. If the need is not foreseeable, you should provide as much

advanced notice as possible. The request for leave should be made in writing and include the reason for the leave and amount of time off required.

Certification: You will be required to provide the Town with a health care provider's certification to support your request for Family Medical Leave or Military Caregiver Leave in the following circumstances:

1. Leave for a serious health condition, for you or a family member. If the leave is for your own serious health condition, the Town will also require certification of your ability to return to work.
2. If the leave is for a Qualifying Exigency or Military Caregiver Leave.

If you fail to provide the requested information or if you return an incomplete or insufficient Certification and fail to correct any deficiencies within seven (7) calendar days of the Town's request to do so, your request may be denied. The Town may require re-certification from employees, generally every thirty (30) days unless it has reason to require certification more frequently.

Conditions: The following conditions apply to Family Medical Leave and Military Caregiver Leave.

1. During the leave, the Town will require you to periodically report to your manager on your leave status and your intention to return to work.
2. If you engage in other work or employment during the leave, you may be considered to have violated the terms of the leave and to have voluntarily resigned your employment with the Town.

Pay Status During Leave: Your pay status during a period of leave under the FMLA will depend on the reason for the leave, the length of the leave, and the amount of accrued leave available. You must use accrued paid leave to cover your absence until you become eligible for short-term disability leave. Once your paid leave and/or donated accrued leave benefits are exhausted, you will be on unpaid status during the remainder of the leave. Leave time will not accrue during any period for which you are receiving short-term disability benefits or are in an unpaid status.

Effects on Benefits and Employment: Coverage under our health plan will continue as though you were working during any period that you are on FMLA leave. You will be required to continue payment of any cost associated with insurance while on this leave. Coverage under the Town's life and long-term disability policies will be continued, in accordance with the provisions depicted in our Plan Documents.

Should an employee's period of leave under FMLA expire, they may request additional leave for a documented serious health related issue. This request must be made in writing to Human Resources and contain, at a minimum, the following information from the employee's healthcare provider: current diagnosis, anticipated return to work date, statement regarding the employee's ability to perform the essential functions of the job upon return, any requested accommodation upon return. It is at the sole discretion of the Town to approve additional leave in excess of twelve (12) weeks. Requests will be

considered based on factors including the hardship to the workplace, impact on services delivered to Town visitors, the amount of additional leave requested, and the employee's length of service. All requests will be considered using consistent and relevant criteria.

Return to Work: Upon return to work from leave under the FMLA, you will be reinstated to the position you held prior to the leave or in one which, in the Town's judgment, is equivalent in pay, benefits and other conditions and terms of employment to that held prior to the leave. If you are considered a "key employee" (among the top 10% earners) under the FMLA, however, we are unable to guarantee reinstatement.

Upon returning from a leave taken because of your own serious health condition, you must present a signed Return to Work Certification from your health care provider stating that you are able to perform the essential functions of your job with or without reasonable accommodation.

Should you fail to return to work after the expiration of your leave, depending on the circumstances, you may be considered to have voluntarily resigned your employment, and/or you may be required to refund to the Town any insurance premiums paid on your behalf during the leave.

No Retaliation: The Town will not retaliate against anyone for seeking or taking leave under this FMLA policy or for reporting or complaining about unlawful interference with this policy. The Town will not tolerate retaliation by a supervisor or co-workers.

5.8 PAID SICK LEAVE

Part-time employees accrue sick leave at a rate of one (1) hour for every 30 hours worked. Sick hours are accumulated from year to year with a usable maximum not exceed two hundred forty (240) hours.

Use of sick leave for an extended period of time, defined as three (3) or more consecutive days, due to illness or injury, requires a healthcare provider's certification, for non-FMLA related absences.

Extended sick leave beyond three (3) days, must be requested in advance (whenever possible) in writing, and be approved by the supervisor. Documentation from a medical provider indicating the time off was due to a health-related reason, is required in these circumstances along with a completed Leave of Absence (LOA) form. Documentation from a healthcare provider is not required and should not be requested for time missed due to short-term illnesses less than three (3) days in length. There are two exceptions. A supervisor may request documentation if it is believed an employee is abusing sick leave. This requirement should only be implemented after formal counseling with the employee and in coordination with HR.

It is the Town's expectation that employees will quickly return to productive employment, including light duty if available, immediately after release by their attending physician.

Accrued sick leave is not to be cashed out upon termination of employment.

6.0 YOUR CAREER DEVELOPMENT

Continued training and development in your job can be beneficial both to you and the Town, but you must show the initiative and desire to move ahead in your work life.

6.2 PERFORMANCE REVIEWS

The Town believes that providing employees with valuable feedback and setting meaningful goals is an important supervisory responsibility. All regular part-time employees should be evaluated at least at the end of the work period. The review includes your performance, setting of goals, and potentially discussions of career goals. The Town also wants to identify and discuss your accomplishments as well as opportunities for improvement. Performance reviews may be conducted more or less frequently, at any time, depending on management's judgment of circumstances and business needs.

6.3 INTERNAL APPLICANTS, JOB PROMOTIONS AND TRANSFERS

It is within the Town's discretion and practice to promote internally whenever it is appropriate to do so. Normal operating procedure is to post job notices in all Town Departments to inform employees of positions that are open and available.

Except for Department Head positions, when a vacancy (other than temporary) or a new regular job opening occurs, the Town will usually post the job opening for a period of not more than ten (10) consecutive calendar days. The posting period may vary, however, depending upon the urgency of the Town's need to fill the open position as designated in the notice.

If you desire to be considered, submit a completed employment application within the time specified in the notice. The Town will review, and give consideration to the comparative ability, training, attendance, work performance, length of Town service (seniority), and other factors and qualifications deemed relevant, as they relate to all candidates before selecting the successful applicant for the job opening. To be eligible to apply for another position within the Town, the employee must have completed at least six (6) months of service and be in good standing. Exceptions must be approved by the City Manager and Human Resources.

If you are the successful applicant for an internal job opening and accept the job offer, you must serve a probationary period of twelve (12) months. If we later decide that you cannot perform the job satisfactorily, you may be returned to your former job or another job which the Town determines you are qualified to perform, if one is available, at the Town's discretion. Other actions that may be taken by the Town are described as follows:

A. Position Reclassification

If a position is reclassified to a higher pay grade, the employee is eligible for a 5% salary increase for a reclassification of one pay grade, and an additional 2.5% for reclassification of each additional pay grade up to a maximum of 15%. The resulting pay will be no less than the minimum of the assigned pay grade, but not more than the maximum salary of the assigned pay grade.

Reclassification or changes in pay grade, whether resulting from an internal or external compensation study or individual change in pay grade, shall not be retroactive.

Placement of positions resulting from an internal or external comprehensive review are not considered a reclassification, therefore grade changes may not result in pay adjustments unless the employee's salary is below the minimum of the assigned pay range. Any exceptions to this procedure require the approval of the City Manager.

B. Promotion

When an employee is promoted as a result of a job change or job progression to a higher pay grade position within the same or to a different salary schedule, the salary placement within the new pay grade shall be determined as follows: The employee will be eligible for a 5% salary increase for a promotion of one pay grade, and an additional 2.5% for each additional pay grade up to a maximum of 15%. Exceptions to this procedure require the approval of Human Resources and the City Manager. The resulting pay will be no less than the minimum of the assigned pay grade but not more than the maximum salary of the assigned pay grade.

C. Lateral Transfer

A lateral transfer occurs when an employee is transferred from one job class to another in the same pay grade. When there is no change in pay grade there shall be no adjustment in base salary. Exceptions to this procedure require the approval of City Manager.

D. Demotion

A demotion occurs when an employee is transferred from one job class to a new job class in a lower pay grade. Typically, unless the demotion is for the good of the Town, there will be a reduction in salary but not less than the minimum of the new pay grade. These situations will be handled on a case-by-case basis with the input of the HR Director and approval of the City Manager.

- a. A voluntary transfer to a lower pay grade or a demotion for disciplinary/performance reasons will be handled as outlined above.
- b. A transfer to a lower grade at the request of the Town for the good of the organization and as approved by the City Manager would result in no reduction in salary.

6.4 RE-EMPLOYMENT

An employee who leaves employment in good standing will be considered reinstated and will not suffer a break in service, if re-hired within thirty (30) business days of separation. Therefore, time off accruals will remain unchanged, there will be no waiting period for benefits and the employee will not serve a new probationary period. Further, they will not need to have pre-employment drug testing or background checks repeated.

An employee who leaves employment in good standing, but returns within 90 days, will have the pre-employment drug test and criminal background check waived.

Employees who have a break in service greater than 90 days will be treated as a new hire and all normal pre-employment processing will apply.

These re-employment guidelines apply to general employees. Public safety expectations may vary.

Any exceptions require the approval of the City Manager.

6.5 WORK REDUCTIONS

Although the Town strives to maintain work for all Town employees, there may be situations where we determine that it is necessary to reduce our work force. Before making a final decision as to which employees are affected, management will give consideration to comparative ability, training, work performance, length of service (seniority), needs of the business, and other factors and qualifications we deem relevant, in the Town's discretion and judgment.

6.6 EMPLOYMENT TESTING

Whenever appropriate in the Town's discretion and in accordance with applicable laws, the Town may authorize written and/or performance (competency) tests including job-related skills, physical agility or other types of tests, singly or in groups, as circumstances warrant. Employees should follow all appropriate testing procedures. You are encouraged to discuss these matters further with your supervisor.

7.0 YOUR RESPONSIBILITIES

Working is an agreed upon partnership between yourself and the Town of Ocean City. Know your responsibilities. Ask questions if you have them and refer to this handbook when in doubt.

7.1 PROGRESSIVE DISCIPLINE

Whenever a group of people work together, there must be standards of conduct and attendance established to provide guidance and consistency. It is impossible to define in detail every standard for every circumstance, and the Town tries to keep rules to a necessary minimum. We hope that your common sense will guide you as to the appropriate actions to take in most cases, so while we have listed many behaviors to avoid in the Employee Conduct Section (7.3) of this Handbook, that list should not be regarded as an all-inclusive list of our expectations or standards and may be amended by Town officials.

If you have any questions about these standards of conduct, performance and attendance, or about what to do or not to do in a situation, please contact your supervisor.

Obviously when employee misconduct or continuing poor performance occurs, measures must be undertaken to correct the situation and to curtail further occurrences. The approach we take to discipline may vary, depending on our discretion, taking into consideration such things as the gravity of the offense, the circumstances under which it occurred, your duties, your length of service (seniority) with the Town, and your overall work record, including any prior misconduct. In order of severity, discipline can take any one of the following forms:

1. Verbal Warning
2. Written Warning
3. Placement on a Performance Improvement Plan (PIP)
4. Final Warning which may include:
 - a. Suspension from work, with or without pay
 - b. Denial of annual pay increase
 - c. Demotion
5. Dismissal

Keep in mind that the Town has no obligation to use any one or more of these forms of discipline prior to discharging an employee. Any or all of these steps may be omitted, as the Town deems appropriate in its discretion. Moreover, by establishing this disciplinary procedure, the Town is not relinquishing nor limiting its managerial right to discharge for any reason at all, at any time, with or without notice.

The use of progressive discipline as a pre-condition to termination is discretionary, in the Town's judgment. The Town's decision in every case is final and binding on all concerned, including the disciplined employee and all other persons or entities involved in any way, directly or indirectly.

7.2 EMPLOYMENT TERMINATION

Voluntary Separation

Every organization must plan for its future personnel needs if it is to operate efficiently. Should you decide to leave the Town, you are expected to notify your supervisor at least two (2) weeks in advance of your final day of work. The Town will consider the employee's last day actually worked the last day of employment. Accrued leave may not be used to extend an employee's official last day of employment. Failure to report for work, without contacting your supervisor for three (3) consecutive days will be viewed as voluntary resignation. Also, an employee who verbally quits and walks off the job will be seen to have voluntarily resigned.

Employees who voluntarily terminate their employment without notice, will not be considered to have resigned in "good standing", and therefore may not be eligible for re-employment.

Involuntary Separation

This may occur due to one of the following scenarios:

1. Failing to successfully complete job responsibilities at an effective level after reasonable attempts to correct, train and counsel for inadequate performance.
2. Lay off, furlough, reduced funding, reorganization or changed workloads. In these cases, there may be cause for temporary employees to be released before full-time employees based on their seniority, relevant qualifications, and performance evaluations.
3. Violation of code of conduct expectations.

On your last day worked, you must return all Town property such as tools, books, electronics, equipment, uniforms and other items. Failure to return Town property may result in a deduction on your final paycheck equal to the value of the items not returned. Remember that you must continue to protect confidential and proprietary Town information, if applicable, even after you leave the Town.

Before you depart, your supervisor or the Human Resources Director may conduct an exit interview with you. They will welcome your feedback on how Town operations might improve.

The Town provides all eligible terminating employees the opportunity to continue their health insurance under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

7.3 EMPLOYEE CONDUCT

You should be aware that there are certain major offenses which may result in an immediate penalty of probation, suspension or even discharge. In other words, if you commit a major offense, all or any part of our progressive discipline procedure may be omitted at the Town's discretion. Disciplinary procedures for sworn police personnel are governed by the collective bargaining agreement (for bargaining unit members) and State law.

The list below is intended to be a guide only, is not all inclusive and in no way limits management authority to discipline in a manner they deem to be appropriate. In order to avoid such severe consequences, follow simple common-sense guidelines and avoid major offenses such as, but not limited to, the following:

1. Failure or refusal to carry out orders or instructions, insubordination.
2. Unsatisfactory work performance.
3. Failure to fulfill the responsibilities of the job to an extent that might or does cause injury to a person, or damage to or loss of product, machinery, equipment, facilities, or other property of the Town.
4. Violation of a safety, fire prevention, health or security rule, policy or practice.
5. False, fraudulent, misleading or harmful statement, action or omission involving another employee, a customer, the Town or relations with the Town, or any action disloyal to the Town.
6. False, fraudulent, misleading or harmful statement, action or omission related to an employment application, or any other information provided to or requested by the Town whether oral or written; or refusal or failure to timely provide such information.
7. Unauthorized use of, removal of, theft of, or damage to the property of the Town, an employee, an independent contractor, or a customer.
8. Threatened or actual physical violence.
9. The use of profane or abusive language.
10. Carrying any weapon or explosive while on Town business, job site premises or property without authorization from the Town, except as authorized under State law.
11. Violation of any of the provisions of the Town's Drug and Alcohol Abuse Policy.
12. Organized gambling or disorderly or immoral conduct while on Town premises, job site or business.

13. Accepting or engaging in any outside employment without disclosure and approval of the Department Head.
14. Conducting or attempting to conduct any outside business while on the Town's premises or business; accepting gifts in conflict with Section 2-345(e)(4) of the Town code; purchase goods or services for personal use by using the Town's name and/or tax-exempt status.
15. Garnishments beyond the type and number protected by law.
16. Chronic, habitual, or excessive lateness or absenteeism of any type, early departure from work and/or other violations of the Town's Standards of Attendance.
17. Harassment of another employee of a sexual nature or otherwise, including but not limited to, verbal or physical conduct, or unwelcome advances with regard to or on the basis of race, certain traits associated with race (including hair texture and certain hairstyles), color, religion, sex, gender identity, sexual orientation, pregnancy, status as a parent, national origin, age, disability (physical or mental), family medical history or genetic information, political affiliation, military service, or any protected factor in accordance with applicable laws.
18. An arrest, criminal complaint, summons to answer a criminal charge, statement of charges, indictment, criminal information, or any other criminal charge or conviction of an employee, depending on the particular circumstances and the offense charged, including but not limited to, the Town's judgment as to the potential risk to safety or health of employees, the security of Town premises and property, and/or the Town's reputation. It is further noted that employees must disclose charges which could result in incarceration to their supervisor who will consult with Human Resources to determine how charges will impact continued employment.

7.4 STANDARDS OF ATTENDANCE

It is your responsibility to notify your supervisor as far in advance as possible whenever you will not be present during your normal work hours. This includes full and partial day absences, as well as lateness. You are expected to inform your supervisor of the reason for your absence, and to advise when you expect to return to work. Unless you and your supervisor have agreed to an alternate method of communication (i.e., text message), you are expected to call and speak with your supervisor. If the supervisor is not reached, you are expected to leave a message, and make an effort to speak with someone else in the administrative function of your department. If you are physically unable to make a personal call, you are expected to have someone else contact your supervisor on your behalf. A written medical excuse will be required from a healthcare professional for absences of three (3) days in length or more.

No absence is automatically considered to be excused. Chronic, habitual or excessive absenteeism or lateness, as judged by the Town in its sole discretion, may result in disciplinary action up to and including termination in circumstances including but not limited to the following:

1. Frequent short-term unplanned absence or lateness. The Town regards "excessive" absenteeism as two or more unscheduled instances not due to a certified medical condition within sixty (60) days.

2. Absence from work for three (3) consecutive, scheduled work days without notifying the Town during the absence of an illness or accident which prevents you from working. These absences must be supported by written certification from a medical professional, or be attributable to another satisfactory reason, as determined by the Town.
3. Failure to return to work promptly following release for duty by a healthcare professional, unless specifically requested not to do so by the Human Resources Director, or after being notified of recall from layoff/furlough status by the Town.
4. Extended absence from work for any reason, including but not limited to illness, off-the-job injury, layoff, or leave of absence, for a period in excess of six (6) consecutive months since your last day worked for the Town, or for a period exceeding the length of your continuous service with the Town, whichever is shorter.

7.5 BE HEALTH AND SAFETY CONSCIOUS

The Town is vitally interested in the health and safety of each employee. Employees are expected to know, observe and abide by our safety rules. This includes promptly reporting to your supervisor any condition which you believe is unsafe or unhealthy, and any on-the-job or work-related injury. More information related to safety can be found in the Health and Safety Manual which is incorporated into the Town's Policy and Procedure Manual, available for review on the Employee Website and in the Town's shared documents drive S:\TOC FORMS\HR Forms\Policies and Procedures.

7.6 BE ALERT TO SECURITY

Our construction sites, facilities, premises and other installations contain valuable machinery, equipment, furnishings, merchandise and other property. It is important in order to protect your job and the jobs of everyone employed by the Town that all employees pay close attention to the security of Town facilities as well as all other property. Notify your supervisor immediately if you see any suspicious or illegal activity of any kind, including the presence of strangers on our job sites or other Town premises.

7.7 OBSERVE OUR RULES ON WORKPLACE SMOKING / VAPING

The Town observes all current State and local ordinances concerning smoking and vaping. Since all Town-owned buildings are public facilities, smoking/vaping is not permitted in any Town-owned structure. Smoking/vaping is not permitted in Town-owned vehicles. Numerous facilities have identified outside areas where smoking or vaping is permitted. Please observe the applicable procedures in each location including clean-up of any smoking litter.

7.8 REMEMBER COURTESY

We view service to our customers and business family as one of our most important responsibilities. You are expected to help us carry out this procedure by extending every courtesy and all assistance necessary to residents, your fellow employees, callers and visitors to the Town. If someone asks you for assistance that you are unable to give, refer them to your supervisor or to the appropriate Town department.

7.9 BE AWARE OF YOUR PERSONAL APPEARANCE

Individual appearance is an important aspect of the Town's overall image, and each employee has a responsibility to be properly dressed at all times. Employees are expected to practice good personal hygiene and to wear clean and neat clothing. Consult with your supervisor for the specific guidelines regarding personal appearance in your work area.

7.10 RESPECT CONFIDENTIAL INFORMATION

Much information concerning the operation of the Town, its taxpayers, sub-contractors and employees is confidential in nature and should always be handled carefully. However, under the Maryland Public Information Act, certain information must be shared with the public when requested according to the procedure.

If you are not sure about whether particular information is available, refer your inquiry to your Department Head, the City Clerk or the Human Resources Director.

7.11 EXPECTATIONS FOR THE USE OF E-MAIL, COMPUTERS & OTHER EQUIPMENT

All communication systems including but not limited to Town provided phones, computers, e-mail, internet access, fax machines, radios and similar business devices (smart phones, laptops, etc.) are the sole property of the Town. Any information transmitted by, received from, or stored in such equipment is the Town's property. Employees should only use these systems for legitimate business purposes to advance the Town's business interests. These systems must not be used to transmit or download solicitations or offensive, vulgar or otherwise disruptive messages or materials, including but not limited to those that oppose the Town's policy regarding Equal Employment Opportunity and Harassment.

The Town reserves the right to initially issue this equipment free of cost to the employee. Should the equipment later require replacing due to the user's negligence, the employee will be responsible for replacement costs.

All messages and materials transmitted by, retrieved from, or stored within the Town's business systems shall be regarded as non-personal, business communications. The Town reserves the right to monitor electronic or telephonic communications in the ordinary course of business and may monitor or copy communications in accordance with applicable law. Employees should not use passwords or retrieve any stored communications or files without prior authorization. Passwords are on loan to employees and, at all times, remain the property of the Town.

Employees found to have violated these expectations shall be subject to disciplinary action, up to and including termination of employment. For more information, refer to the Town's Computer Policy Manual which is incorporated into the Town's Policy and Procedure Manual, and is available for review on the Employee Website and in the Town's shared documents drive S:\TOC FORMS\HR Forms\Policies and Procedures.

7.12 RESTRICT PERSONAL PHONE USAGE

While personal calls and texts on Town-owned and personal phones are permitted, they should be kept to a minimum. Calls and texts should be made or received only when necessary and be as brief as possible. Personal long-distance calls are not to be charged to the Town.

7.13 RESTRICTIONS ON OUTSIDE ACTIVITIES

There are some activities and conduct which you might engage in on your own time outside of work, but which are not compatible with your employment by the Town. This procedure prohibits employees from engaging in such activities if they wish to maintain their employment with the Town. This is not because the Town seeks to interfere in your personal life. Rather, these rules are necessary to protect the best interests of the Town and all of our personnel. Therefore, employees may not pursue activities outside of work which, in the Town's judgment could conflict with the general welfare of the Town; constitute improper or unethical conduct by a public employee or create an appearance of such impropriety; interfere with Town business or the proper performance of duties by any Town employee; or otherwise harm the Town's reputation.

By way of example only, some activities which would not be proper for Town employees include, but are not limited to: using the Town's time, facilities or equipment for personal purposes or for work unrelated to the Town's operations; engaging in outside activity which foreseeably causes you to lose time from work (excluding medical treatments or other activities for which legally protected leave is provided), or to be distracted while working, or otherwise interferes with your ability to perform your job safely and satisfactorily; and engaging in outside activity which creates an actual conflict of interest or the appearance of a conflict of interest with your Town employment. Before engaging in any activity which might be covered by this policy, you should consult with your supervisor, department head, or the Human Resources Department.

7.14 AVOID CONFLICT OF INTEREST

You are expected to avoid any conflict between your personal interest and the interest of the Town in dealing with suppliers and all others seeking to do business with the Town. The responsibility for exercising care and discretion rests initially with you. If you are uncertain about whether a conflict exists, ask for advice and guidance from your supervisor. While secondary employment is generally permitted, employees are required to disclose secondary employment to ensure it does not create a conflict of interest with primary employment.

7.15 OBEY OUR EMPLOYEE SOLICITATION AND DISTRIBUTION RULES

No employee may solicit another employee for any purpose while either employee is on work time. The distribution of literature during work time or in working areas is prohibited.

Further, persons who are not employed by the Town are prohibited from soliciting any employee or distributing literature on Town job sites, premises or at employee work locations at any time. Please report this activity to your supervisor if observed.

7.16 MAINTAIN A DRUG AND ALCOHOL-FREE WORKPLACE

In compliance with the Drug-Free Workplace Act of 1988, the Town has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of Town employees and to the security of the Town's equipment and facilities. For these reasons, we are committed to the elimination of drug and alcohol use and abuse in the workplace. The Town's full Substance Abuse Policy and Alcohol and Drug Testing Procedure can be accessed on the Town's Employee Website and in the Town's shared documents drive S:\TOC FORMS\HR Forms\Policies and Procedures. You may also be covered by drug and alcohol policies that are specific to your particular department or division. What follows here are general terms applicable to all Town employees. If there is any conflict between this Section and the Town's full Substance Abuse Policy or a department or division specific procedure, the latter shall take precedence.

Whenever employees are working, are operating any Town vehicle, are present on Town premises or are conducting Town-related work offsite, they are prohibited from:

1. Using, possessing, buying, selling, manufacturing, dispensing or being under the influence of illegal drugs (to include possession of drug paraphernalia) or alcohol at any time during the hours between the beginning and end of your work day, whether or not on Town business, premises, property or job site.
2. Performing duties while taking prescribed drugs that adversely affect your ability to safely and effectively perform your job duties. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist.
3. Using illegal drugs or alcohol outside of working hours in a way that could, or does, adversely affect job performance, or another person's safety, health, security or property, or the Town's reputation.
4. Refusing to cooperate in or submit to questioning, medical or physical tests or examination, or an inspection or search, when requested or conducted by the Town or its designee based on reasonable suspicion.
5. An exception may be made for the consumption of alcohol, in moderation, for authorized Town sponsored social activities or business entertainment purposes.
6. The Town reserves the right, in its discretion, to require all employees and applicants for positions to submit to physical examinations, as well as drug and alcohol testing, at any time by a person or agency designated by the Town at the Town's expense. Such examinations can include, but are not necessarily limited to blood, urine, breath or other tests for evidence of the presence of alcohol, drugs and other substances in the body. As further set forth in this Handbook, the Town also reserves the right to search employees' packages, vehicles, lockers, handbags and similar items while on Town property or business based on reasonable suspicion that controlled substances, alcohol or other contraband would be found in such locations.

In particular, the Town reserves the right, in its discretion, to examine or test for the presence of alcohol and drugs (as stated above) in situations such as, but not limited to, the following, in accordance with applicable law:

1. As part of a pre-employment physical examination.
2. As part of a physical examination which the Town may require employees to undergo on a regular basis, on a schedule to be determined by the Town.
3. As a part of random drug/alcohol testing performed due to the safety, health risk or sensitive security duties of a specific job, as determined by the Town, at any time.
4. Following a safety infraction or work-related accident that does or might cause bodily injury or damage to property in the Town's judgment.
5. Specific employee behavior on the job, which the Town determines, gives management reasonable suspicion that such behavior might be or is due to alcohol or drug use.
6. As otherwise required or permitted by applicable law.

A positive alcohol/drug test result may result in discipline up to and including termination of employment. An employee who refuses an instruction to submit to an alcohol/drug test may also be subject to discipline, up to and including termination.

The Town will promptly inform the appropriate law enforcement agency of all known drug-related crimes that occur in the workplace, or if it receives reliable information that a violation has occurred.

7.17 POLITICAL ACTIVITY

As employees of a local government entity, employees are limited as to the level of involvement they may have in the political process both on and off duty by both state and federal law. Maryland law prohibits employees of a local governmental entity from: (1) engaging in political activity while on the job during working hours; or (2) advocating the overthrow of the government by unconstitutional or violent means. Prohibited political activities include using an employee's official authority or influence for the purpose of affecting the results of an election, and wearing or displaying partisan materials or items while on duty. These guidelines are intentionally general in nature. If you have specific questions about state or federal laws regarding political activity by Town employees, or about the application of these legal requirements to a particular situation, please contact the City Manager's Office.

7.19 SOCIAL MEDIA EXPECTATIONS

The intent of this procedure is not to interfere with an employee's legal rights of speech or expression, but rather help ensure a distinction between sharing personal and professional views. Nothing contained in this procedure shall be construed as denying civil or political liberties guaranteed by the United States Constitution.

All Town employees may have personal social networking/social media accounts; however, the lines between public and private or personal and professional can be blurred. Guidelines for functioning in an electronic

world are the same as the values, ethics and confidentiality policies employees are expected to live every day. Remember, your responsibility to the Town does not end when you are off the clock.

1. Refrain from using social media for personal reasons while on work time.
2. Do not disclose confidential information or the personal information of others.
3. Follow existing policies – Online & Offline. Outside of the workplace - your rights to privacy and free speech protect certain online activity conducted on your personal social networks with your personal email address. Online and offline lives are linked and ultimately you are solely responsible for what you post. Therefore, employees should consider the following:
 - a. Nothing is private: The Internet is an open space and even the strongest privacy settings cannot prevent an approved friend or authorized recipient from independently choosing to forward or repost information.
 - b. Make it clear that the views expressed are yours: If you choose to list your work affiliation on a social network, exercise good judgment and make it clear the views expressed are yours.
 - c. Consider the risk before posting online content. Participating in social media does not change your responsibilities and obligations as a Town of Ocean City employee.

The Town's full Media and Social Media Policy, PPM 300-16, is incorporated into the Town's Policy and Procedure Manual and is available for review on the Employee Website and in the Town's shared documents drive S:\TOC FORMS\HR Forms\Policies and Procedures.

8.0 OUR RESPONSIBILITIES

Notwithstanding any other provision of this Handbook, all managerial and administrative functions and prerogatives entrusted to and conferred upon employers inherently, expressly, and by law, are retained and vested exclusively with the Town, including but not limited to, the right to exercise our judgment and discretion to take whatever action is necessary, to operate the Town's business, protect its health, property, security and general welfare; to reduce, contract out, sell, terminate, or relocate the Town's operations or any part thereof; to hire, lay off, direct, discipline, discharge or increase the efficiency of the work force in the manner and to the degree the Town deems appropriate; to set the standards of productivity, maintenance, services, security, research and development; and, in general, to take whatever other actions necessary in the Town's judgment and discretion, to administer the Town's operations and direct its work force.

Although the Town from time to time expects to expand the wages, benefits, work rules, services and policies summarized in this Handbook, we reserve the right to alter, amend, reduce or discontinue any wage schedule, policy, procedure, work rule, or benefit included in this Handbook. The failure of the Town to exercise any prerogative or function in a particular way shall not be considered a waiver of the Town's right to exercise such prerogative or function, or preclude it from exercising that prerogative or function in some other way.



Town of Ocean City

CODE OF CONDUCT

Employees must understand and abide by the following policies and procedures related to the enforcement of the Town's Equal Employment Policy and Harassment Free Workplace Policy:

- All employees must refrain from engaging in discrimination and/or harassment, and to report any conduct that is or could reasonably be considered to be discrimination and/or harassment immediately to his/her supervisor with a copy to his/her Department Head.
- Supervisory employees must also attempt to stop any conduct that is or could reasonably be considered to be discrimination and/or harassment if he or she witnesses it.
- Conduct that some regard as "workplace pranks" violates the Town's Equal Employment Policy and Harassment Free Workplace Policy to the extent that the conduct pertains to race, sex, national origin, sexual orientation, disability, religion, genetic information, marital status, and/or any other legally protected characteristic. Such conduct will not be tolerated.
- Horseplay, practical jokes, bullying, and other conduct of a belittling or teasing nature is inappropriate and does not demonstrate the degree of professionalism required of employees of the Town of Ocean City.

The Town of Ocean City complies with all applicable laws and regulations and expects all employees to conduct themselves in accordance with the letter, spirit, and intent of all relevant laws, and to refrain from any conduct that violates the Town's Equal Employment Policy and Harassment Free Workplace Policy. Employees should discuss difficult situations or questions openly with a supervisor and, if necessary, with the Department Head. Employees can raise concerns and make reports, as set forth in the "Harassment Free Workplace Policy" in the Employee Handbook, without fear of reprisal.

(Resolution 2013-5, March 18, 2013)



TOWN OF OCEAN CITY

SUBSTANCE ABUSE POLICY

Purpose *This is a re-statement of the Substance Abuse Policy first issued on October 30, 1989.*

The purpose of this policy is to establish and maintain a workplace free from the influences of unauthorized controlled substances to include illegal drugs, legal drugs

used not in accordance with a prescription, alcohol, or any other intoxicant or substance of abuse.

Applicability

This policy applies to all applicants, current employees, and contract or leased individuals as well as consultants, contractors, vendors, and visitors on the

City premises at all times. Each such individual is responsible for abiding by this policy.

General Standards

All applicants considered for employment will be tested for drugs as a part of the pre-employment physical examination. Applicants who fail this test will be denied employment.

The unlawful manufacture, distribution, dispensation, purchase, possession, sale or use of illegal drugs or unauthorized controlled substances on City premises, in owned, leased or rented vehicles, or while engaged in business is prohibited. Some controlled substances are:

- Narcotics (heroin),
- Cannabis (marijuana, hashish),
- Stimulants (cocaine, amphetamines),
- Depressants,
- Hallucinogens (PCP).

The possession, use, distribution, purchase or sale of alcohol, or being subject to the effects of alcohol while on City premises, or when providing services to the City in City owned, leased or rented vehicles is prohibited unless approved by management.

Employees who violate the above provisions will be subject to disciplinary action up to and including termination. Consultants, contractors, vendors or visitors who violate this provision risk the possible termination of the business relationship.

The providing of services to the City by any individual at any time when the individual is, in the opinion of the City, subject to the effects of any controlled

substance abuse is prohibited. Employees reasonably suspected by the City to have violated this provision may be referred for substance abuse testing, medical evaluation, and/or be subject to disciplinary action up to and including termination. Unless prohibited by law, termination of employment will occur as a result of the following:

- refusal to submit to a drug and/or alcohol test
- failing to complete a substance abuse treatment program
- failing a management initiated drug test which includes, but not limited to, reasonable suspicion, random, post incident, and return-to-duty testing.

Consultants, contractors, vendors or visitors who violate the above provision risk the possible termination of the business relationship.

It is the policy of the Town of Ocean City to assist those employees with substance abuse issues who self-identify or voluntarily seek assistance before they are found to be in violation of this policy.

The Town of Ocean City reserves the right to take whatever measures in addition to those listed that are necessary and appropriate to effectuate this policy.

The Town of Ocean City also reserves the right to modify or terminate this policy at any time.

Specific Standards Applicable to Certain Departments

These standards are in addition to and not a limitation of the General Standards

Department Of Transportation Covered Employees

Federal Transit/Federal Aviation Administration

Employees who perform certain functions as defined by the Federal Transit Administration will be required to submit to testing for illegal drugs, unauthorized use of controlled substances or alcohol. Under Federal law, individuals who fail such testing may not perform a covered function. In addition, such employees will be subject to disciplinary action up to and including termination.

Federal Highway Administration

Employee drivers of designated commercial motor vehicles as defined by the Federal Highway Administration will be required to submit to testing for illegal drugs, unauthorized use of controlled substances or alcohol. Under Federal-law, individuals who fail such testing may not operate a commercial motor vehicle. In addition, such employees will be subject to disciplinary action up to and including termination.



TOWN OF OCEAN CITY

Alcohol and Drug Testing Procedures

The Mayor and City Council, Town of Ocean City, Maryland have agreed to adopt the following procedures to ensure a drug free and safe work place and community for all employees of and citizens in the Town of Ocean City.

DEFINITIONS - In our procedures the following words have these definitions:

"Alcohol" - the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

"Alcohol use" - the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

"Breath alcohol technician (BAT)" - an individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

"Confirmation test" - for alcohol testing means a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy.

"Driver" - any person who operates a commercial motor vehicle. For the purpose of pre-employment testing, the term driver includes a person applying to drive a commercial motor vehicle.

"Employer" - means the Mayor and Council of the Town of Ocean City as the entity who owns or leases a commercial motor vehicle or assigns persons to operate such a vehicle, including agents, officers, and representatives of the employer.

"Evidential breath testing device (EBT)" - A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath and placed on NHTSA's "Conforming Product's List of Evidential Breath Measurement Devices" (CPL).

"Medical Review Officer (MRO)" - A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the City's drug testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.

"Performing (a safety-sensitive function)" - any period in which the employee is actually performing, ready to perform, or immediately able to perform any safety-sensitive functions.

"Refusal to submit (to an alcohol or controlled substance test)" - a driver (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement of urine testing and been given up to 2 hours to perform, or (3) engages in conduct that clearly obstructs the testing process.

"Safety-sensitive function" - any of those on-duty functions as listed below:

- (1) All the time at a carrier or shipper plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.

- (2) All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations (FMCSR's), or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- (3) All time spent at the driving controls of a commercial motor vehicle.
- (4) All time, other than driving time, spent on or in a commercial motor vehicle.
- (5) All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
- (6) All time spent performing the driver requirements associated with an accident.
- (7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.
- (8) All other potentially hazardous operations throughout the City which do or could expose persons to equipment such as machinery (moving or stationary), electrical components with exposed connections and other devices having exposed drive belts, pulleys and resulting pinch-points. (This list is not all inclusive.)

"Screening test (aka initial test)" - in alcohol testing it means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his or her system. In controlled substance testing it means an immunoassay screen to eliminate "negative" urine specimens from further considerations.

"Substance abuse professionals" - a licensed physician (Medical doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addictions counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

A. PROCEDURES - The Town of Ocean City has established the following alcohol and substance abuse procedures:

APPLICABILITY

All Town of Ocean City employees, full-time and seasonal, who are required to have a commercial driver's license (CDL) and those employees that could be called upon to perform the functions of the Commercial Motor Vehicle work force, including supervisors, and all other full-time positions in the City are subject to the controlled substance and alcohol testing rules.

B. CONDUCT - Prohibited Alcohol and Controlled Substance-Related Conduct

The following alcohol and controlled substance-related activities are prohibited by the Federal Highway Administration's and the Federal Transit Administration's drug use and alcohol misuse rules for drivers of commercial motor vehicles:

Reporting for duty or remaining on duty to perform safety sensitive functions while having an alcohol concentration of **0.04** or greater. An alcohol concentration greater than **0.02 but less than 0.04 would require the employee to be removed from a safety sensitive position for a minimum of 24 hours.**

Being on duty or operating a commercial motor vehicle (CMV) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken.

Using alcohol while performing safety-sensitive functions. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.

Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.

Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance; except when instructed by a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV.

Reporting for duty, remaining on duty or performing a safety-sensitive function, if the driver tests positive for controlled substances.

C. TESTING

In order to enhance highway transportation safety, Congress passed the Omnibus Transportation employee Testing Act of 1991. The Act required the Federal Highway Administration and the Federal Transit Administration to establish regulations requiring drivers of commercial vehicles to be tested for use of controlled substances and the misuse of alcohol. The following are the types of tests the City requires to be performed:

Pre-employment Testing - All applicants for seasonal and full-time employment in safety-sensitive positions requiring CDLs or individuals transferred to the positions or all other candidates for full-time positions in the Town must be given pre-employment drug tests.

Post-Accident Testing - Testing for prohibited drugs and alcohol is required in certain types of accidents and injuries:

- 1.) An accident is defined as an occurrence in which:
 - an individual dies.
 - an individual suffers a bodily injury and immediately receives medical treatment away from the scene of an accident.
 - if one or more vehicles involved incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle.
 - the vehicle involved is a railcar, trolley car, trolley bus or vessel, and is removed from revenue service.
- 2.) An OSHA recordable injury is one which should be recorded on the OSHA 200 Log. Included are:
 - on-the-job deaths.
 - on-the-job injuries; illnesses.
 - others noted on the 200 Log.

Random Testing - Federal Highway Administration and Federal Transit Administration Regulations require the random testing for drugs and alcohol use by all safety-sensitive employees.

Reasonable Suspicion Testing - An employee may be required to submit to a test when the employer has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol as defined by the Federal Highway Administration and the Federal Transit Administration Regulations as well as the descriptions found elsewhere in this document. The respective manager or supervisor will have completed a Reasonable Suspicion Test Documentation form to formalize the reasons why the test was deemed necessary. (See attached copy.)

Return-to-Duty-Testing - Before any employee is allowed to return to duty to perform a safety-sensitive function following a verified positive drug test result, an alcohol result of between 0.02 and 0.04, a refusal to

submit to a test, or any other activity that violates the regulations, that employee must first be subject to an evaluation by a substance abuse professional and pass a return to duty test.

Follow up Testing - Once allowed to return to duty, an employee shall be subject to unannounced follow-up testing for at least twelve months, but not more than sixty months. The frequency and duration of the follow-up testing will be recommended by the substance abuse professional as long as a minimum of six tests are performed during the first twelve months after the employee has returned to duty.

Split Sample Testing - Controlled substances tests conducted must follow split sample procedures. Under this provision, a person whose urine sample has tested positive for a controlled substance has the option (within 72 hours of being notified by the MRO) of having the other portion of the split sample tested at another laboratory at their own expense. If the second portion of the split sample also tests positive, then that person is subject to the sanctions contained in the regulations. If the second portion produces a negative result, or for any reason the second portion is not available, the test is considered negative and no sanctions are imposed.

Refusal Definitions - "Refusal to submit to an alcohol or controlled substance test" - a person (1) fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing, or (3) engages in conduct that clearly obstructs the testing process, or simple unwillingness to comply with the request to participate and cooperate.

A REFUSAL AS DEFINED ABOVE WILL BE INTERPRETED AS A POSITIVE READING AND RESULT IN AUTOMATIC DISCHARGE.

Consequences to Drivers Engaging in Conduct Prohibited by the Federal Highway Administration's and the Federal Transit Administration's Drug Use and Alcohol Misuse Rules.

Drivers who self declare to have problems with regard to alcohol misuse or use of controlled substances, are subject to the following consequences:

- * Drivers shall not be permitted to perform safety-sensitive functions and will work in another capacity, if such work is available. If work is not available, employee will be on unpaid leave until such problems have been identified and are working toward a solution.
- * Drivers shall be advised by their supervisor or the City's Human Resources Department of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of controlled substances.
- * Drivers shall be subject to evaluation by a Substance Abuse Professional (SAP) through a qualified agency or an appropriate agency through our medical insurance program who shall determine what assistance, if any, the employee needs in resolving their abuse problems.
- * Before a driver returns to duty requiring performance of a safety-sensitive function, he/she shall undergo a return-to-duty, alcohol test with a result indicating a breath alcohol level of less than 0.02 if the conduct involved alcohol, or a controlled substance test with a verified negative result if the conduct involved controlled substance use.
- * In addition, each driver identified as needing assistance in resolving problems associated with alcohol or controlled substances, shall be evaluated by a SAP to determine that the driver has followed the prescribed rehabilitation program and will personally pay for any medical expenses incurred as a result of the treatment program.
- * The driver will also be subject to unannounced follow-up alcohol and controlled substance testing. The number and frequency of such follow-up testing shall be as directed by the SAP, and consist of at least six tests in the first 12 months.

If the results of the driver's alcohol test indicate an alcohol concentration of 0.02 or greater, but less than 0.04, the driver shall not be permitted to perform safety-sensitive functions until the start of the Driver's next regular scheduled duty period, but not less than 24 hours following the administration of the test.

D. CONDITIONS OF CDL ALCOHOL/DRUG TESTING PROCEDURES

1. Alcohol Testing:

Employees suspected of "Operating While Intoxicated" or "Operating While Under the Influence" of alcohol will be initially screened by a supervisor or Town of Ocean City law enforcement officer. Initial screening may include field test and preliminary breath test by a trained EBT operator. If it is determined that the individual may be operating a vehicle "while intoxicated", or "under the influence" of alcohol, an EBT test of that individual's breath will be ordered. The employee also may have a physician administer a test for alcohol at the employee's expense in addition to the test directed by the Town of Ocean City or other qualified testing organization. Testing results will be kept by the Human Resources Department on a confidential basis.

2. Drug Testing:

Drug testing will be conducted by a qualified testing facility with results kept by the Human Resources Department on a confidential basis. The FHWA and the FTA regulations requires testing for the following drugs (or their metabolites):

- Marijuana
- Cocaine
- Opiates (e.g., heroin, morphine, codeine)
- Phencyclidine (PCP)
- Amphetamines (e.g., racemic amphetamine, dextroamphetamine, and methamphetamine)

3. Disciplinary Actions:

Employees who refuse alcohol or drug testing or who test positive for alcohol or illegal drugs shall be subject to termination of employment as stated in Section C above and the Town of Ocean City Personnel Policies Governing Classified Employees Manual.

Discipline will be taken as noted based on the following events:

A. Negative Test Results: should the tested employee be in active work status during the test for any of the reasons listed before, that person is permitted to return to work and is to be paid for the time spent testing.

B. Positive Test Results: should the employee test positive for alcohol with a level of .04 or greater or for unauthorized controlled substances (those cited in D.2. above) will result in Automatic Discharge.

4. Management Approved Functions - The Town of Ocean City management has identified the following as functions where the use of alcohol may be permitted:

- A. Dinner meetings held off-premises for official business purposes.
- B. Picnics/Christmas parties held either off-premises or on City property.
- C. Other events that may arise with the City Manager's approval.



Town of Ocean City **Media & Social Media Policy**

Purpose

The Town of Ocean City has a responsibility to be open and responsive to information requests from the public, the news media and on social media. This policy exists to ensure the Town provides accurate, timely and effective information to the public at large by laying out guidelines and procedures for handling any matters involving both traditional and social media outlets.

The intent of this policy is not to interfere with an employee's legal rights of speech or expression, but rather help ensure a distinction between sharing personal and professional views. Nothing contained in this policy shall be construed as denying civil or political liberties guaranteed by the United States Constitution.

Definition

For the purpose of this policy, traditional media is defined as any/all sources of news and public information. Examples of traditional media include, but may not be limited to, TV, radio, newspapers, magazine, websites/blogs.

For the purpose of this policy, social media is defined as any publicly accessible platform for electronic communication through which users create online communities to share information, ideas, personal messages and/or content. Examples of social media include, but may not be limited to, Facebook, Twitter, Instagram, LinkedIn, YouTube, Snapchat, TikTok, Flickr, etc.

Scope

This policy is applicable to all Town of Ocean City employees, departments, and volunteers. It governs the development and activity of official Town of Ocean City social media accounts and provides clear professional standards for interacting with traditional and social media.

Traditional Media

The Town of Ocean City is often contacted by various media outlets for information or comments on a wide range of issues. These requests come from television, radio, print or internet reporters, producers and/or freelance and blog writers. When any inquiry is made by a traditional media outlet or representative, the following procedures should be taken:

- I. The request should be referred to the Communications Manager/Public Information Officer (PIO) and/or Department Head to determine if the request will be fulfilled and to whom the reporter will speak. In the event that the PIO and/or Department Head is unavailable, these requests are to be forwarded to the Deputy Communications Manager and/or the Mayor's Legislative Office Coordinator.
 - a. If an employee is asked to conduct a traditional media interview in their official capacity, the Department Head and/or PIO will identify an employee who is the most qualified to speak on the subject. In addition, department heads will prepare the subject matter expert before the interview.
 - b. When appearing on television, employees are to be dressed professionally. They should be conscious of their surroundings and ensure they are professional at all times before, during and after the interview is conducted.
 - c. The employee shall speak clearly and shall not use profanity. The employee shall speak directly to the situation at hand and shall not offer their opinion or anything more than a direct answer to the question asked.
- II. Under no circumstance shall an employee, if approached by a reporter, producer and/or writer on-scene (in the field), offer an interview or comment on behalf of the Town without first consulting their Department Head, who shall then contact the PIO.
- III. When reporters and camera crews show up unannounced, be courteous and professional and explain: "The Town of Ocean City's policy is to refer all media inquiries to the Communications Manager/PIO."
- IV. Remember, you should never go "off the record" during an interview. When in doubt about a question, the employee shall offer to find the information and get back to the reporter with more specific information at a later time.

Social Media – Official Accounts (Professional Use)

The Town of Ocean City's website, www.oceancitymd.gov, remains the primary and predominant place for municipal information online. However, the Town also uses social media to broaden the reach of communication and engagement with the community we serve. The following information provides procedures and guidelines for maintaining official Town of Ocean City social media sites/accounts in order to ensure professional communication in accordance with the Town's policies, practices and expectations.

I. Approval and Registration:

Requests for any and all official Town of Ocean City social media accounts go through the City Manager's Office. Pending approval from the City Manager, the Communications Manager/PIO will set up the new account to ensure consistency of style, profile information and comment policies. The Communications Manager/PIO will serve as the manager of all accounts and will maintain a directory of all official accounts, including user names and passwords.

II. Objective of Social Media Accounts:

No matter which platform, all posts on Town of Ocean City's social media sites shall serve our community. In order to do so, social media pages and posts should consider the following standards before posting content:

- a. **Inform & Engage:** Social Media accounts are used to deliver Town of Ocean City news and provide information on city services, events, programs, job opportunities and public meetings. They should engage the audience and provide customer service with relevant, timely and actionable information.
- b. **Promote:** Social Media accounts are used by the Town of Ocean City as a tool for marketing and promotion to broadcast information to the widest possible audience. They establish a "voice" and build confidence and trust in the community.
- c. **Emergency Information:** Social Media accounts are used by the Town of Ocean City for the dissemination of accurate and time-sensitive information in an emergency or unique public safety situation.

III. Staff Use & Responsibilities:

Town of Ocean City social media account publishers, editors, moderators and administrators are responsible for composing content, posting on a regular basis, monitoring the account and

responding when necessary to comments and private messages. Every social media account should have a designated administrator who will serve as the content manager for that account. The designated administrator will be the main point of contact for that page and will be responsible for keeping content current, ensuring appropriate frequency of postings, guideline compliance, as well as monitoring comments and messages.

Only designated Town of Ocean City employees may be given permission to post as well as designated volunteer members of the Ocean City Fire Department. All staffing changes must be reported to the Communications Manager so they can be removed from the Town social media accounts.

IV. Posting Guidelines:

To fully maximize the reach and impact on social media, content should be clear, accurate and follow industry best practices for posting updates. Information posted on social media accounts should be current and closely monitored. All posts should be grammatically correct and free of spelling/typing errors.

a. Publish with Purpose:

- a. **Engage Regularly:** Post regularly and keep posts at appropriate length for the platform you are using. Also avoid jargon and make sure your voice and tone match your audience.
- b. **Relevant & Timely:** Post information that helps residents and pertains to their daily lives or information about deadlines, upcoming events or related to current events.
- c. **Actionable:** Include a clear call to action by providing information to act, attend, go to or register for.

b. Best Practices & Procedures:

- a. **Schedule Posts:** A schedule of postings should be created, maintained and shared with page administrators/editors to ensure strategic placement of posts and prevention of double posting. Posts should not be made within one hour of each other, with the exception of emergency notifications and/or weather updates.
- b. **Photos & Video:** Consider privacy when photographing or recording video of any individual or group in a public venue or while attending a public event. A written release from individuals is not required where there is not a practical expectation of privacy. When posting photos and/or video, make sure the highest quality possible is being used.
- c. **Responding:** For accounts with multiple active administrators, a system needs to be developed to handle responding to messages and comments. It is

recommended that one individual should be responsible for reviewing and funneling messages/comments to the appropriate subject matter experts who can provide an accurate response.

- d. **Reposting:** Reposting is an excellent way to engage with followers; however, credit should be given to the original poster by tagging them in a comment, the caption or using a reposting app.
- e. **Links:** As an extension of the Town's communications platform, social media sites should include links (via a link shortener) that direct users back to the Town's website for more information, forms and documents.
- c. **What not to post:**
 - a. Nonpublic, confidential, investigatory or information about items in litigation.
 - b. Personal identifiable information of an individual of any kind, including but not limited to medical information, financial information, personnel information (including contact information).
 - c. Political or commercial endorsements.
 - d. Opinions and inaccurate information.
 - e. Profanity, racist, sexist or any derogatory content or comments.

V. Removal of Posts and/or Comments:

The Town has an obligation to preserve and archive all social media data that is removed or deleted from our social media accounts. If a post or comment is deleted, a screenshot, snip, or copy and paste of the comment should be archived. Page managers/administrators should document the date and time of post/comment removal and the reason for the deleted post. Once you are sure the post has been archived and properly removed from the site, forward that information to the Communications Manager/PIO for record keeping.

VI. Comment Policy:

A web link to this comment policy is prominently posted on all Town of Ocean City social media accounts. Do not remove or edit.

Welcome to the Town of Ocean City's social media page. This page was created to share information about our organization, to promote events and programs and to engage with our community members. The Town of Ocean City welcomes postings and comments that are related to the specific content on the site. Comments posted on this page will be monitored regularly but not 24/7. The Town reserves the right to remove inappropriate comments such as the following:

- *Comments that are clearly off topic and not related to the post for which they are made;*
- *Contain profane, obscene, violent or sexual content;*

- *Defamatory or personal attacks or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;*
- *Solicitations of commerce or promotion of particular services, products, candidates or political organizations;*
- *Conduct or encouragement of illegal activity or content that violates a legal ownership of any other party or infringe on copyrights or trademarks;*
- *Are "spam" or include links to other sites;*
- *Include personally identifying information (PII) of any individual, including but not limited to contact*
- *Information that may compromise the safety or security of the public or public systems.*

The Town of Ocean City encourages fans to report any abuse or inappropriate comments to socialmediareport@oceancitymd.gov

VII. Emergencies and Emerging Incidents:

During emergencies, on-going incidents or current "calls for service," all social media content and posting must be coordinated with the Communications Manager or Deputy Communications Manager. Depending on the incident, publishers may be directed to point to specific social media sites that will serve as the main source of information. All incidents evolve over time and the Town may need to change how social media resources are being used for the most effective and strategic communication.

- Joint Information Center:** If a JIC is activated, the Communications Manager reserves the right to post messages on any/all Town of Ocean City social media sites as the incident progresses.
- Unschedule Post:** Unschedule any posts so content is not insensitive or untimely due to current events, emergencies or breaking news in the community and nationally.
- Important Publishing Guidelines:** Keep the following publishing tips in mind for effective execution of social media:
 - Timestamp any time-sensitive information to minimize confusion;
 - Share/Retweet messages to ensure message consistency;
 - Be aware of hashtags and include when appropriate;
 - Provide usable information for mobile devices (links to websites, not PDF).

VIII. Training:

Social media managers/administrators will be required to attend a mandatory workshop that reviews Town's social media policy, best practices and expectations for authorized employees.

Social Media – Official Accounts (Personal Use)

All Town of Ocean City employees may have personal social networking/social media accounts; however, the lines between public and private or personal and professional can be blurred. Guidelines for functioning in an electronic world are the same as the values, ethics and confidentiality policies employees are expected to live every day. Remember, your responsibility to the Town doesn't end when you are off the clock.

- I. **Refrain from using social media while on work time.** Employees must be engaged in Town business while at work or while on Town of Ocean City time. Accessing and posting to a personal social media site while at work or on Town time is not acceptable.
- II. **Respect and protect what's confidential.** Do not disclose confidential information or the personal information of others. Due to the nature of social media, extra diligence is required in respecting intellectual property, financial disclosure, false advertising and the like to include, but not limited to:
 - a. **Legal Information:** This includes any investigations, contracts, lawsuits or other legal matters;
 - b. **Copyrighted Information:** This includes copyrighted publications, third party or town logos, trademarks and images;
 - c. **Proprietary Information:** This includes any confidential information, such as business or strategic plans, management changes, and customer-related information;
 - d. **Personal Information:** This includes home phone numbers, addresses, or other personal information about our residents, visitors or employees;
 - e. **Active Investigation/Calls for Service:** DO NOT make social media posts involving on-scene events, active investigations or "calls for service" that you are involved in or otherwise privy to as the result of your employment unless it is approved by a Department Head or PIO. **Facebook, Twitter, Instagram, Snapchat or other posts, photographs and videos pertaining to active investigations or current "call for service" by on-duty employees and/or volunteer at the scene of the incident is unprofessional and prohibited by this policy.** Personnel should not disseminate information, videos or pictures gathered as the result of their employment while on emergency calls, meetings, drills, or trainings without departmental approval.

- III. **Follow existing policies – Online & Offline.** Outside of the workplace – your rights

to privacy and free speech protect online activity conducted on your personal social networks with your personal email address. Online and offline lives are linked and ultimately you are solely responsible for what you post. Therefore, employees should consider the following:

- a. **Nothing is private:** The Internet is an open space and even the strongest privacy settings cannot prevent an approved friend or authorized recipient from independently choosing to forward or repost information. As a result, what is posted on personal social media sites may be forwarded to co-workers and supervisors, which could negatively impact the work environment or have consequences in the workplace. Personal social media posts that relate to co-workers, other Town employees, supervisors, managers or activities that occur at work can be considered as part of human resource grievance or equal opportunity investigation.
- b. **Make it clear that the views expressed are yours:** If you choose to list your work affiliation on a social network, exercise good judgment. While healthy debate is acceptable, harassing, obscene, defamatory, malicious, threatening, intimidating or other offensive content must be avoided. Harassing or discriminatory comments, particularly if made on the basis of gender, race, religion, age, disability, national origin, or another protected characteristic, are inappropriate even if the Town is not mentioned. If social media communications adversely affect your relationships at work or violate Town policy, you may be subject to discipline up to and including immediate termination.
- c. **Consider the risk before posting online content.** Participating in social media doesn't change your responsibilities and obligations as a Town of Ocean City employee. Use your best judgement – if it is not something you would feel comfortable seeing in the media, or being seen by co-workers, other Town of Ocean City employees, supervisors or management, do not post it. Any content and/or online conduct that adversely affects the Town may result in disciplinary action.



SAFETY RULES AND REGULATIONS



The following safety rules are mandatory for all employees of the Town of Ocean City, Maryland. Employees must read, understand, and acknowledge these rules as a condition of employment. Willful violation of established safety rules is considered a serious infraction of Town policy and may result in discipline up to and including discharge. These rules have been adopted for our protection. We must all abide by them.

General Town of Ocean City Safety Rules and Regulations

1. Report all unsafe conditions, equipment, or practices immediately to a supervisor. Mark to prevent use until cleared by management. The Risk Manager must be contacted if the situation is uncertain.
2. Report all accidents and near misses immediately to a supervisor.
3. Accept responsibility to work safely and to help fellow employees from committing unsafe acts.
4. Use all personal protective equipment necessary to prevent exposure to hazards.
5. Seek first aid for all injuries. Don't let small problems get big.
6. Attend all required safety and health training. Reschedule missed training.
7. Keep work areas clean and orderly. Properly store materials and tools when not in use. Clean up spills and debris.
8. Do not wear loose clothing or jewelry around machinery.
9. Do not reach into energized or moving machines. Use Lockout Procedures.
10. Walk; do not run unless absolutely necessary in the performance of duty.
11. Smoke only in designated areas.
12. Do not engage in horseplay.
13. Use the legs for lifting, not the back. Do not lift and twist. Get help for heavy objects.
14. Do not operate or ride on equipment unless trained and authorized.
15. Do not blow compressed air towards any person.



SAFETY RULES AND REGULATIONS



General Town of Ocean City Safety Rules and Regulations – (cont)

16. Do not remove or bypass any safety equipment or guards unless alternative protective measures have been made.
17. Do not eat or drink in areas where hazardous chemicals are used or stored.
18. Do not report to work under the influence of alcohol or narcotics. Consumption of alcohol or narcotics is prohibited on all town property. Report to a supervisor when drugs are being taken that might affect ability to do a job safely.
19. Do not work if ability or alertness is impaired by fatigue, illness, or emotional distress.
20. Control improper language. Do not engage in profane, threatening, coercive, or abrasive behavior. Exercise common decency.
21. Do not fight.
22. Keep all weapons off of Town property unless possession is authorized.
23. Do not speed or drive recklessly in Town vehicles or on Town property.
24. Wear seat belts when driving or riding in city vehicles. Do not ride in the back of Town trucks on public roadways.
25. Follow instructions on signs and barricades.
26. Be familiar with the location of all emergency equipment.
27. Do not use damaged tools or equipment. Repair or replace as soon as possible.
28. Use the correct tool for the job.
29. Be aware of chemical hazards. Read the labels and use the Material Safety Data Sheets.
30. Follow specific safety procedures as instructed.



SAFETY RULES AND REGULATIONS



Specific Ocean City Beach Patrol Safety Rules and Regulations

- BP-1. If you are injured on the job you must report it to your immediate supervisor as soon as possible (on same work day, leave message if after hours). The appropriate form must be completed and an incident number will be assigned. If you go to a medical center on your own, **you will be responsible for your bill**. Workers' compensation claims will be investigated by the office of Risk Management for the Town of Ocean City. If an injury occurs off duty and you attempt to claim it as job related, you will be terminated!
- BP-2. The use of the Beach Patrol's ATVs is strictly prohibited by any employee other than Sergeants or those authorized by the Captain, First Lieutenant, or Officer in Charge and are on record as having proper training. Note: Authorization must be granted prior to each use. A copy of your driving record must be on file with the Town of Ocean City Risk Management office. Any incident involving a Beach Patrol Quad must be reported immediately to Beach Patrol Headquarters.
- BP-3. The use of the Beach Patrol's rescue water craft is strictly prohibited by any employee other than those authorized by the Captain, First Lieutenant, or Officer in Charge and are on record as having proper training and possessing a valid Safe-Boaters certificate or equivalent. Note: Authorization must be granted prior to each use. Any incident involving a Beach Patrol water craft must be reported immediately to Beach Patrol Headquarters.
- BP-4. It is your responsibility to protect yourself from unnecessary exposure to hazardous situations. This includes but is not limited to: Improper moving of the SRT tower (stand); Jumping from the top of the stand; not having a proper sand pile at the base of your stand; Sun (UVB) exposure (we provide sun screen, umbrella and hats); Unprotected contact with body fluids (Use gloves and CPR mask); UV and reflected light (wear sunglasses); Dehydration (drink plenty of fluids).
- BP-5. Although much of the time while performing your routine duties it will be appropriate to work without footwear, this causes a very real potential for lacerations and other types of open wounds to your feet with the possibility of infection. Therefore, you are expected to wear appropriate footwear at all other times. Very often these types of foot injuries will require you to stay out of the water and refrain from any running for a week or more. An SRT with these restrictions will not be permitted to work.
- BP-6. As a result of the physical nature of your job the risk of Skeletal/Muscular sports like injuries exists. Therefore it is your responsibility to maintain the physical conditioning required to perform any tasks that may be required of you in the normal performance of your assigned duties. This includes maintaining overall fitness and flexibility.
- BP-7. Use of Town supplied hand and power tools is restricted to those individuals who have received the approved training from a Town of Ocean City representative or their designee and are using those tools in accordance with established procedures. Any required protective personal safety equipment must be in use.

Important Contacts

Risk Management:

Risk Manager: Christine Parks

301 Baltimore Ave

Ocean City, Md. 21842

Email: cparks@oceancitymd.gov

Phone - 410-289-8772

Cell - 667-227-8627

Fax - 410-289-7385

Risk Mgt. Associate: Connie White

Email: cwhite@oceancitymd.gov

Phone - 410-289-8773

Fax - 410-289-7385

Phone Numbers for my Doctor or other
Medical Providers

The Town of Ocean City provides
workers' compensation benefits in
accordance with Maryland State Law.

Town of Ocean City Workers' Compensation General employees



**Workers' Compensation is administered
by the Risk Management Department**

UNDERSTANDING YOUR WORKERS' COMPENSATION CLAIM



The following information is provided to
help with questions you may have about
your workers' compensation claim.

FREQUENTLY ASKED QUESTIONS

*** If I need medical attention, who chooses the doctor?**

Under the Maryland Workers' Compensation statute, employees have the right to select physicians to treat work related injuries. However, the doctor must accept Workers' Compensation insurance. Risk Management can assist in finding a doctor.

*** If the doctor gives me a prescription, what should I do?**

Contact Risk Management and we will send a prescription card. If you must fill a prescription on the weekend or outside business hours and pay out-of-pocket, keep your receipt so you can be reimbursed.

*** What if the treating doctor releases me to work with restrictions?**

If the physician indicates you can return to work with restrictions, you must contact your department immediately to determine whether or not work is available within your restrictions. Failure to return to restricted duty when it is available will jeopardize your workers' compensation benefits.

***What should I do if the medical provider says I'm unable to return to work due to the work-related injury?**

All time missed due to a work-related injury must be authorized by the medical provider(s) and approved by Risk Management. You must contact your department immediately after each appointment and inform your supervisor of your status. You must keep all medical treatment appointments set up for you by the medical provider or the Claims Adjuster.

*** Will I get paid if I can't return to work?**

Yes, you will get paid 66 2/3% of your average weekly wage. Workers' Compensation checks are issued on the same schedule as the Town's paychecks. If you have direct deposit, the checks will go directly into your account – otherwise they will be mailed to your address.

*** What should I do if I receive bills for my Workers' Compensation injury?**

You should immediately send all bills related to your Workers' Compensation injury to Risk Management.

*** Do I need to start the FMLA leave process?**

FMLA leave and Workers' Compensation run together, provided the reason for the absence is due to a qualifying work-related illness or injury. Your supervisor will notify you if FMLA needs to be filed.

*** Do I have to file a claim with an attorney to receive workers' compensation benefits?**

No. Once you report the incident to your supervisor and fill out the First Report of Injury, you will receive Workers' Compensation benefits.

*** Do I need to file a claim with the Maryland Workers' Compensation Commission?**

If you are going to be away from work for more than 3 days for a work-related injury, you will need to file a claim with the Commission at:

https://www.wcc.state.md.us/wfms/c1_webforms.html

Or pick up a claim form from the Risk Management office at City Hall.

*** Do I need an attorney to file a claim with the Commission?**

No – but if you do, please let us know the name and number of the individual so that we may communicate with them as required by the Maryland Workers' Compensation Act.



Date: May 12, 2022

Subject: Sensitive & Private Information
Health Insurance Portability and Accountability Act (HIPAA)
Protected Health Information (PHI)

To: All Employees
REMINDER: Required by Federal and State laws

DEPARTMENT HEADS AND SUPPORT STAFF:

As a reminder, we have an obligation to protect and secure employee information in its various forms both as hard and electronic records.

The Health Insurance Portability and Accountability Act (HIPAA) requires appropriate safeguards to protect the privacy of personal health information and limits the use and disclosures of such information. This includes diagnostic and treatment records (sick notes) from medical providers about employees.

Additionally, social security numbers, payroll reports, phone numbers, addresses, insurance I.D. Cards, department information and other personal records should be protected and secured.

Please review your methods of handling this information to ensure it is properly stored, protected and disposed.

Thank you for your attention.

Katie Callan, Director
Human Resources

Maryland Deductions from Wages

Maryland Code, Labor and Employment 3-503

An employer may not make a deduction from the wage of an employee unless the deduction is:

- (1) ordered by a court of competent jurisdiction;
- (2) authorized expressly in writing by the employee;
- (3) allowed by the Commissioner because the employee has received full consideration for the deduction; or
- (4) otherwise made in accordance with any law or any rule or regulation issued by a governmental unit.

MARYLAND EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE

The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires that employers who employ 14 or fewer employees provide unpaid sick and safe leave for certain employees.

Accrual

Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time.

Leave Usage

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury, or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury, or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, or sibling.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Reporting

Employers are required to provide employees with a written statement of the employee's available earned sick and safe leave.

Prohibitions

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith.

How to File a Complaint or Obtain Additional Information

If you feel your rights have been violated under this law or you would like additional information, you may contact:

COMMISSIONER OF LABOR AND INDUSTRY
1100 North Eutaw Street, Room 607 | Baltimore, MD 21201
ssl.assistance@maryland.gov

Town of Ocean City
Maryland Healthy Working Families Act
(Sick and Safe Leave)

Overview:

On February 11, 2018, the Maryland Healthy Working Families Act went into effect. This law requires employers with 15 or more employees to provide paid sick and safe leave (hereafter referred to as SSL) for all employees. This law pertains to all employees of the town, however, the town's current sick leave policy for Full Time employees meets and exceeds the requirements of this law therefore these employees will not receive any additional sick/safe leave. Part Time and Temporary employees are entitled to paid sick/safe leave under the Maryland Healthy Working Families Act.

Purpose:

To comply with all requirements of the Maryland Healthy Working Families Act.

Specifics:

I. SSL and employee status

- a. Earning of SSL is applicable to all Part time and Temporary employees of the Town of Ocean City.
- b. Full Time employees are covered under the Town's sick leave policy which meets and exceeds the requirements of this law and therefore are not eligible for any additional sick/safe paid leave created under this Act.

II. How SSL is accrued

- a. Earned SSL begins to accrue on February 11, 2018, or the date, on which an employee begins employment, whichever is later.
- b. An employee accrues earned SSL at a rate of at one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick/safe leave in a year.
- c. Up to 40 hours of unused SSL will be carried over from year to year with the employee hire date marking the start of a new year.
- d. The maximum amount of SSL leave an employee can earn is 64 hours. Once employee earns 64 hours of SSL, they stop accruing until leave is used.

III. Termination of Employment / Rehire / Transfer of Employment and SSL

- a. Employees are not eligible for payout of any remaining SSL upon termination of employment.
- b. If a former employee is rehired within 37 weeks of their last date of termination, their unused SSL balance will be reinstated.

- c. If a former employee is rehired after 37 weeks of their last date of termination, no previously earned SSL will be reinstated.
- d. Transfers of employment status (full time, part time, temporary) will be subject to the appropriate accrual maximums of the position type.

IV. Employee Usage of SSL

- a. Employees must be employed for 106 days before they can use SSL.
- b. Employees who have been employed for at least 106 days before February 11, 2018 may use leave as it is accrued.
- c. Employees who are employed less than 106 days prior to February 11, 2018 or hired on or after February 11, 2018 must wait 106 days from their date of hire to begin using SSL.
- d. SSL may be used in increments of no less than 30 minutes.

V. Conditions of SSL use

- a. An employee is allowed to use earned sick/safe leave under the following conditions:
 - i. To care for or treat the employee's mental or physical illness, injury, or condition;
 - ii. To obtain preventative medical care for the employee or the employee's family member;
 - iii. To care for a family member with a mental or physical illness, injury, or condition;
 - iv. For maternity or paternity leave; or
 - v. The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking
- b. A family member includes a spouse, child, parent, grandparent, grandchild, or sibling.

VI. Employee Notice of SSL availability

- a. A formal notice of the initial implementation of SSL will be sent to all employees.
- b. Employment posters and new hire orientation packets will be updated to include all applicable information.

VII. Record Keeping / Reporting of SSL hours

- a. Records will be maintained bi-weekly for active employees and for 3 years past the date of employment termination.
- b. Employees earned SSL balance will be displayed on their bi-weekly pay stub.
 - i. Although a balance may appear on an employee's bi-weekly pay stub, the employee is required to wait the initial 106 day waiting period before using SSL.

VIII. Employee Rights:

- a. Pursuant to the Maryland Healthy Working Families Act, the Town of Ocean City will not take adverse action against an employee because that employee exercises rights under this Act. Employees who believe that their rights under the Maryland Healthy Working Families Act have been violated may contact the Commissioner of the Maryland Department of Labor, Licensing and Regulation to report their concerns and/or may bring a civil action against their employer.



OCEAN CITY BEACH PATROL

Town of Ocean City

Harassment Free Workplace Policy



The Town of Ocean City believes that all employees have the right to work in a mature, professional, and productive environment that is free from harassment.

The success of the organization is contingent upon an atmosphere of mutual respect and cooperation regardless of individual beliefs or attitudes. Harassment is unwelcome or inappropriate behavior that interferes with or has the potential to interfere with job performance or the maintenance of a positive work environment. It is behavior that undermines the integrity of the entire organization and it is often directed toward individuals based upon their race, color, religion, gender, sexual orientation, national origin, age or disability. Harassment may be visible in many forms, including, but not limited to the following:

Sexual - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (a) submission to or rejection of such conduct is used as the basis for employment decision, or (b) such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment. Examples of conduct which may constitute sexual harassment include the following: 1. Promises or threats regarding any term or condition of employment which is conditioned on providing, or failing to provide, sexual favors; 2. Repeated offensive sexual flirtations, advances or propositions; 3. Unwelcome physical contact that is sexually suggestive. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

Additional examples of inappropriate behavior which may be some form of harassment include:

Verbal - Language or comments that are offensive, including vulgarities. This may include mocking, hostility, lewd comments and jokes, or intimidation which alters an individual's job efficiency.

Nonverbal - Leering or gestures that create an intimidating, hostile or offensive work environment.

Physical - Threats that create an intimidating, hostile or

offensive work environment. Unwanted physical contact which includes touching, patting, pinching or brushing the body.

Written/Pictorial - Ideas, pictures, objects, or expressions that are demonstrated which are not respectful of others and/or conflict with the company's goal of maintaining an environment that is free from harassment.

This policy applies to all City employees, as well as customers, vendors and other visitors authorized to be on City property. If you believe that you or someone else is being harassed, or you have observed harassing behavior, the following procedure should be followed: 1. Any employee who believes that he or she has been the subject of harassment should report the alleged act immediately to his or her department supervisor. If a complaint involves a manager or supervisor, the complaint should be filed with the Human Resources Director, Department Head, or the City Manager. 2. All complaints will be investigated in a timely and confidential manner. 3. If the investigation reveals that the complaint is valid, action designed to stop the harassment will be taken.

Violators of this policy will be subject to discipline up to and including immediate discharge.

The Town of Ocean City will make every effort to preserve confidentiality and privacy, but the conduct of the investigation or legal proceeding may have to address otherwise private matters and may make complete confidentiality impossible. Please keep in mind that accusations of harassment are very serious, and if untrue, can have negative consequences for innocent individuals.

Specific Beach Patrol Policy on Hazing

Hazing or any type of Initiation ritual is strongly prohibited and will result in immediate discipline up to and including discharge. These behaviors are defined as any action taken or any situation created intentionally that causes embarrassment, harassment or ridicule and risks emotional and/or physical harm to members of a group or crew, whether new or not, regardless of the person's willingness to participate.



Ocean City Beach Patrol

Signature sheet for Directives, Memos and Policies



Please initial after reading each policy, then sign and date at the bottom on this page (using **BLUE** ink).

EMPLOYEE HANDBOOK

Initial _____ I acknowledge that I have received a copy of the Employee Handbook and understand it is my responsibility to familiarize myself with its content. I also understand that my employment is not for any definite period of time, and that nothing in this Handbook in any way creates an expressed or implied contract of employment or warranty of any benefits. Additionally, I understand that this Handbook is only a brief summary of many benefits currently offered by the Town of Ocean City and provides an overview of some of the TOC work rules and policies. I further understand that any and all of the rules, policies, wages, and benefits referred to in this Handbook may be unilaterally amended, modified, reduced or discontinued at any time by the Town of Ocean City, in its judgment and discretion. And finally, I agree that either the Town of Ocean City or I can terminate my employment-at-will at any time, with or without cause or notice.

CODE OF CONDUCT

Initial _____ I have read the CODE OF CONDUCT. I understand it and agree to act in accordance.

ALCOHOL AND DRUG ABUSE TESTING AND SUBSTANCE ABUSE POLICY

Initial _____ I have read the Alcohol and Drug Testing Procedures AND the Substance Abuse Policy. I understand them and agree to act in accordance.

SOCIAL MEDIA & Political Activities GUIDELINES

Initial _____ I have read the SOCIAL MEDIA GUIDELINES and the Political Activities Directive. I understand them and agree to act in accordance.

SAFETY RULES and REGULATIONS

Initial _____ I have read the General Safety Rules (1 – 30) applicable to all employees of the Town of Ocean City. I understand these rules and that these rules are a condition of my employment with the Town. Furthermore, I am aware that willful violation of established safety rules is considered a serious infraction of policy and may result in discipline up to and including discharge.

WORKER'S COMPENSATION

Initial _____ I have reviewed the WORKER'S COMPENSATION INFORMATION. I understand what my responsibilities are and will alert my immediate employer in the event of injury while on the job.

SENSITIVE & PRIVATE INFORMATION

Initial _____ I have read the SENSITIVE & PRIVATE INFORMATION Memo. I understand it and agree to act in accordance.

THE MARYLAND CODE, LABOR AND EMPLOYMENT

Initial _____ I have read the MARYLAND CODE, LABOR AND INFORMATION ACT and acknowledge receiving a copy there of.

THE MARYLAND HEALTHY WORKING FAMILIES ACT

Initial _____ I have read the Maryland Healthy Working Families Act and the associated Memo. I understand it and agree to act in accordance.

HARASSMENT FREE WORKPLACE POLICY

Initial _____ I have watched the video, completed the quiz and read the HARASSMENT FREE WORKPLACE POLICY. I understand it and agree to act in accordance.

By initialing the statements above and signing this document below, I agree to abide by all statements and understand that failure to comply with the stated policies, rules, memos, and codes may result in corrective action.

PRINTED NAME _____

DATE _____

EMPLOYEE SIGNATURE _____