

ORDINANCE #1900

BOROUGH OF GREEN TREE

ALLEGHENY COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF GREEN TREE, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING SECTION 79-1 OF THE BOROUGH'S CODE OF ORDINANCES TO ADOPT AN UPDATED AND REVISED PERSONNEL MANUAL

WHEREAS, the Borough of Green Tree ("Borough") adopted its current Personnel Manual by Ordinance #1737 on March 2, 2015; and,

WHEREAS, Borough Council now wishes to adopt a newly revised Personnel Manual to reflect updated laws and current practices.

NOW, THEREFORE, BE AND IT HEREBY ORDAINS, as follows:

Section 79-1 of the Borough Code of Ordinances shall be repealed in full and replaced with the following:


- A. The current Personnel Manual adopted through Ordinance #1737 on March 2, 2015 is hereby repealed in its entirety.
- B. Attached hereto as Exhibit "A" is the official Personnel Manual for the Borough of Green Tree.

ORDAINED AND ENACTED into law this 1st day of July, 2024.

ATTEST:



Judith Miller, Manager
BOROUGH OF GREEN TREE



Arthur Tintori, President
GREEN TREE BOROUGH COUNCIL

EXAMINED and APPROVED by me this 1st day of July, 2024.



Edward Schenck, Mayor
BOROUGH OF GREEN TREE

BOROUGH OF GREEN TREE



PERSONNEL MANUAL

Adopted by Ordinance #1900
July 1, 2024



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1.0 GENERAL PROVISIONS

1.1 Purpose

This manual is intended to provide employees of the Borough of Green Tree ("Borough") with a general understanding of our personnel policies. Borough employees are encouraged to familiarize themselves with the contents of this manual, for it will answer many common questions concerning employment with the Borough. This manual amends, replaces and supersedes any prior Borough Personnel Manuals, personnel policies and/or practices. To the extent that the policies contained in this manual conflict with the terms of any individual employment contract, collective bargaining agreement, or Civil Service regulations, the terms of the individual employment contract, collective bargaining agreement, or Civil Service regulations will apply.

This manual is not intended to be, nor should it be construed as, an employment contract and is not intended to create contractual obligations of any kind. Unless you are an elected official, an employee covered by a collective bargaining agreement, or a Civil Service employee, your employment with the Borough is "at-will", meaning that either you or the Borough may terminate your employment relationship with the Borough at any time, for any lawful reason, with or without notice. Only action ratified by Borough Council can alter the at-will status of your employment.

1.2 Equal Opportunity Statement (EEO)

The Borough is an equal opportunity employer. It is the policy of the Borough to provide equal opportunity regarding all terms of conditions of employment for all applicants and employees without regard to sex, sexual orientation, race, age, color, national origin, religion, disability, marital or familial status, pregnancy status or any other characteristic protected by local, state or federal law. Any employee who believes that he or she has been discriminated against in regard to any term or condition of employment should report his or her concerns to his or her Supervisor or to the Borough Manager. The Borough will not retaliate in any manner against any employee who complains of or reports discrimination, along with any employee who participates in an investigation or other proceeding concerning discrimination claim.

1.3 Reasonable Accommodations

The Borough will follow all requirements under the American with Disabilities Act ("ADA") for any employee who requests a reasonable accommodation under the ADA.

The Borough will follow all requirements under the Pregnant Workers Fairness Act for any employee who requests a reasonable accommodation under the Act.



1.4 Prescription Medication

All employees taking legally prescribed or over the counter medication are responsible for being aware of any potential effect or impairment such drugs may have on his or her reactions, judgments, or ability to safely perform his or her duties. If the medication may negatively affect or impair the employee's ability to perform his or her job properly or in a safe and/or efficient manner, the employee is responsible for notifying the Borough about such effect before working while using the medication. Upon receipt of such notification, the Borough will attempt to place the employee in an alternative assignment, or the employee may be permitted to use Paid Time Off until the effects of the medication have dissipated. Failure to notify the Borough about the use of medication that may impair an employee's performance will result in disciplinary action.

2.0 PERFORMANCE REVIEW

Performance reviews for all employees shall be conducted at least annually. The Borough's performance review process acknowledges improved or increased performance and also documents what is needed for continued growth and development. Performance reviews generally are conducted during the end of the fourth quarter using a standardized form but may be conducted more frequently based on the needs of the position, department or employee. The employee's performance shall be evaluated based on the completion of assigned duties, overall productivity and cooperation with the public and members of Borough staff. This process will also be utilized to identify any specific project/task for the following year.

3.0 DISCIPLINARY ACTION

3.1 Disciplinary Action

When an employee fails to meet expected standards of conduct or performance, or violates any provision of this manual, disciplinary action, up to and possibly including termination, may be appropriate depending on the circumstances.

Although the Borough generally follows progressive discipline, the Borough Manager may opt to issue any level of discipline without following progressive discipline, where merited by the level of misconduct.

A. Examples of Offenses that May Lead to Disciplinary Actions

It is impossible to anticipate every situation that may lead to disciplinary action. However, the following are examples of actions or behaviors that generally will lead to disciplinary action, up to and including termination of employment:



- Conviction of a crime that relates to the employee's suitability for the job.
- Insubordination, disobedience or refusal to follow the directive of a Supervisor.
- Excessive absenteeism, tardiness, early quits, extended lunch or break periods.
- Absence without leave.
- Falsification of records or reports of any nature.
- Abuse or misuse of Borough property.
- Use, possession, sale or consumption of alcohol, illegal drugs or controlled substances or misuse or abuse of legally prescribed drugs or non-prescription drugs during working hours, while working on Borough business, while on Borough property or while in Borough vehicles.
- Acceptance of bribes, gratuities, or other items of value.
- Fighting, threats, verbal assaults, terroristic threats or similar acts of violence or abuse.

This is not an all-inclusive list of offenses that could lead to disciplinary action. The Borough maintains its right to discipline for other types of misconduct not included on this list, and to issue any level of discipline deemed appropriate to the offense.

4.0 HOURS OF WORK

While the regular Borough Office Hours are from 7:30 a.m. to 4:00 p.m., starting and quitting times will be adjusted as necessary to meet the Borough's requirements. Regular full-time employees generally are scheduled to work 40 hours per week in the office with an unpaid 30-minute lunch break. During an unpaid lunch break, non-exempt employees shall be relieved of all duties. Regular part-time and temporary employees may have different schedules than regular Borough employees. Supervisors, with the Borough Manager's approval, may set a work schedule that varies from regular Borough hours. Employees should check with their respective Supervisors to determine their scheduled hours of work and applicable lunch break period and any deviation from established Regular full-time work schedule must be documented in writing. It is anticipated that all employees will work from the Borough Office. Remote work is only available with prior authorization from the Borough Manager and only when both appropriate and necessary.

5.0 PAY

The pay period for all Borough employees will be for a two-week period commencing on Monday at 12:01 a.m. and ending two Sundays later at midnight, or as set by Borough administration.

It is the Borough's policy to pay employees accurately and to comply with all provisions of the Fair Labor Standards Act (FLSA) and other applicable wage and hour laws or regulations. It is also the Borough's policy that improper deductions will not be made from the pay of employees. The Borough seeks to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

Deductions required by law are withheld from pay checks each pay period, including federal, state and local taxes, social security (FICA) and any legal wage garnishment. The Borough cannot refuse to honor legal garnishments. A garnishment is a court order requiring the agency to withhold a sum of money from an employee's pay check. Legal procedures in withholding the appropriate amount for repayment of a debt incurred must be followed.

Any optional payroll deductions elected require your written authorization. Although the Borough



endeavors to pay all employees promptly and accurately, on occasion mistakes may occur. The Borough will promptly correct all mistakes that are brought to its attention and will promptly reimburse employees for any improper deductions or under payments. If any employee believes that he or she has not been paid correctly or that an improper deduction has been made, he or she should immediately report it in writing to the Borough Manager. Such complaints will be promptly investigated and remedied as appropriate. Following the discovery of a mistake, the Borough will take steps to ensure that the mistake is not repeated in the future.

6.0 TIME REPORTING AND OVERTIME

6.1 Time Reporting

Non-exempt employees are required to accurately record and report all hours worked on time sheets or other timekeeping devices or software as directed by the Borough. Inaccurate or falsified reports of time worked will result in disciplinary action, up to and including immediate discharge.

6.2 Overtime

Non-exempt employees are compensated for all time worked in excess of 40 hours in a work week at an hourly rate of time and a half ("overtime"). For purposes of calculating overtime, holidays, vacation, sick leave, and funeral leave will be considered as time worked by the Borough, although it is not required by the Fair Labor Standards Act or State Wage law. The work week begins at 12:01 a.m. on Monday and ends at 12:00 a.m. the following Sunday. All overtime worked must be authorized in advance by a Supervisor. All hours worked must be recorded and reported to the employee's Supervisor within 24 hours. In the event that a non-exempt employee works overtime without receiving proper authorization, the employee will be paid for the overtime but will be subject to appropriate disciplinary action.

7.0 EMPLOYEE EXPENSE REIMBURSEMENT

All employees are eligible for reimbursement of expenses actually incurred as a result of employment related travel or purchases. Examples include the use of an employee's personal vehicle for business purposes, business travel expenses such as meals and lodging, training/licensing expenses, purchase of event supplies/equipment, or tools required to perform the employee's job. All expenses incurred require Supervisor approval *in advance*, failure to secure advanced approval may result in denial of reimbursement request. Employees who work from home may request reimbursement for expenses incurred such as office supplies, internet access and required equipment costs; all such expenses must also be approved in advance. All expense reimbursements must be submitted via the Borough's ***Expense Reimbursement Form***; the completed form must be submitted to the employee's Supervisor for approval, and then to the Finance Director for processing. Receipts or invoices for all expenses for which a reimbursement is requested must be attached to the Expense Reimbursement Form. If mileage reimbursement is requested, miles should be calculated utilizing a mapping tool such as Google Maps or MapQuest; mileage should be calculated by utilizing the Borough Building as the starting point; if the employee is originating travel from their residence or other location, the mileage calculation used should be the lower of the two origination points. Reimbursement requests



must be submitted within 30 days of the time the expense was incurred; reimbursement requests for periods that exceed 30 days may not be considered for reimbursement

8.0 HOLIDAYS

All regular full-time employees of the Borough will be granted the following paid holidays:

- New Year's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day
- Christmas Eve (1/2-day)
- Birthday holiday

When a holiday falls on a Saturday or Sunday, all full-time employees generally will receive either the preceding Friday or following Monday off with pay, as determined by the Borough Manager. Regular full-time employees will qualify for paid holiday time off immediately upon their date of hire. Regular part-time and temporary employees are not eligible for paid holidays but will be granted the holiday time off without pay.

9.0 VACATION

9.1 Vacation Time Earned:

Regular full-time employees shall earn vacation as follows:

0-2 years of employment- 10 days

3-7 years of employment- 15 days

8 or more years of employment- 15 days plus one additional day for year 8 and every year thereafter, up to a maximum of 25 days.

Regular part-time and temporary employees are not eligible for paid vacation time.

9.2 Scheduling

Vacation schedules must be submitted to and approved in advance by the employee's Supervisor. All requested leave, once approved, must be placed on the Employee Leave Calendar. Approval for vacation requests will be determined by the Supervisor based on operational needs and staffing levels. In the event that two or more employees request the same dates off, the employee with the most seniority will be granted the time off unless, in the opinion of the Supervisor, operational needs dictate otherwise.

9.3 Holiday during Vacation Week

When a Borough holiday falls within a paid vacation period, the holiday is not charged as



vacation time taken. (Example: If an employee is on vacation during a week in which an official Borough holiday occurs, only four vacation days will be charged to the employee as vacation time taken).

9.4 Accumulation and Payment

Vacation time is not cumulative and may not be carried over from year to year. Generally, no employee will be paid for vacation time earned but not taken by the end of the year. Extenuating circumstances (e.g., employee unable to take remaining vacation due to operational needs, etc.) may permit a variation from this provision with the approval of the Borough Manager. Employees terminated for cause, or who fail to give at least a two week notice of resignation, shall forfeit any unused vacation.

10.0 SICK LEAVE

10.1 Definition

Paid sick leave is provided to regular full-time employees to protect employees against financial hardship during non-work-related illness or injury. Sick leave shall be provided in compliance with applicable law, including the Allegheny County Paid Sick Leave Act.

Part-time employees shall earn paid sick leave at the rate of one hour per every 35 hours worked and will be able to accrue up to 40 hours of sick leave in a calendar year.

10.2 Accumulation of Sick Leave for Full-Time Employees.

Employees accumulate sick leave at the rate of one day for each full month of service up to a maximum accumulation of 240 days.

Any employee hired after January 1, 2016, shall earn eight days sick leave per year (added by Ord #1745, December 7, 2015).

Sick leave will continue to accumulate while an employee is on vacation leave, sick leave, jury service, military leave, or emergency leave. However, employees on leave without pay will not accumulate sick leave.

Employees who retire from the Borough shall be paid out at the applicable daily rate for any accrued and unused sick time. Employees who quit, are terminated, or otherwise separate from employment in any way other than retirement shall not be paid for any accrued and unused sick time.

10.3 Accumulation of Sick Leave for Part-Time Employees

Part-time employees may accumulate up to 40 hours of sick leave that shall carry over annually, but at no time shall a part-time employee have more than 40 hours of sick leave available. Part-time employees shall be permitted to use sick leave after 90 days of employment with the Borough.

Part-time employees shall not be paid out or compensated for unused sick time when they leave employment with the Borough.



10.4 Use of Sick Leave

For any usage of sick leave for illness or injury of three or more consecutive days, the employee is required to present a physician’s certificate substantiating, in sufficient detail, how the illness or injury affects the employee’s ability to work, any requested reasonable accommodation, and setting forth the expected length of absence and return to work date. Failure to present this certificate, or a complete certificate, will result in a loss of compensation for all days of absence.

In cases where an employee has been unable to work due to an injury of any duration, the employee must present certification from a treating physician stating that the employee is able to return to work and stating, in sufficient detail, any restrictions and/or reasonable accommodation requested.

In cases where an employee’s use of sick leave is part of a pattern of absenteeism, or where abuse of sick leave is suspected, the Borough will investigate the circumstances and impose discipline when warranted.

10.5 Request for Sick Leave

To receive compensation while absent on sick leave, the employee must notify his/her Supervisor no later than the scheduled starting time. If the employee is unable to speak with his/her Supervisor, the employee must notify the Borough Manager. When an employee must leave work early due to illness, the employee must first notify his/her Supervisor

10.6 Reporting

Employees on sick leave must contact their Supervisor on a weekly basis to report their current status and intent to return to work, unless a different reporting period is required under the FMLA or other applicable state or federal law. Employees who fail to regularly report in with their Supervisor are subject to discipline, up to and including termination.

11.0 SPECIAL LEAVES

11.1 Funeral Leave

Regular full-time employees are entitled to up to three working days paid leave with the approval of their Supervisor and the Borough Manager for a death in the employee’s immediate family. Members of the immediate family are defined to include:

- Spouse
- Mother or Father
- Mother-in-law or Father-in-law
- Sister or Brother
- Child or Stepchild
- Grandchild
- Grandparent

The Borough Manager may increase paid funeral leave up to five days if the decedent is the spouse, child, or stepchild of the regular full-time employee. A death in the family of an employee but outside the immediate family members listed above, shall entitle the regular full-



time employee to one day paid leave with the approval of the Borough Manager.

For extenuating circumstances outside the provisions listed above, the the Borough Manager will consider the circumstances to determine whether a regular full-time employee should be granted additional paid leave to attend the funeral of a decedent who is not a member of the immediate family. The paid leave may not under any circumstances exceed three working days.

Regular part-time and temporary employees are eligible for unpaid funeral leave under the same circumstances that apply to regular full-time employees.

11.2 Court Leave

A regular full-time employee who is required to serve on a jury, as a witness in a court case, or subpoenaed for purposes of being deposed, will receive paid leave for the necessary period. A regularly scheduled part-time employee, not to include temporary employees or seasonal employees, who is required to serve on a jury in a court case, as a witness in a court case, or is subpoenaed for purposes of being deposed, will receive paid leave for the necessary period. Employees requesting court leave must submit to the Borough Manager a copy of the Jury Notice, Court order or subpoena.

11.3 Military Leave

The Borough will comply with all federal and state laws pertaining to military leave.

11.4 Leave of Absence

Consistent with the needs of the Borough, the Borough Manager may, with the approval of Council, authorize leaves of absence for regular full-time Borough employees, for any period not to exceed 60 calendar days, unless otherwise provided by law, in any one calendar year. A leave of absence may be without pay, or if an employee has accumulated leave in the form of vacation, sick, or personal days, the employee may take his or her paid time consecutively during said leave. Regular part-time and temporary employees are generally not eligible for leaves of absence.

During a leave of absence, an employee will continue in the employment of the Borough but will not accrue vacation, sick leave, or other types of special leave benefits. An employee may continue to participate in medical and life insurance plans while on leave without pay but will be responsible for payment of the cost of such benefits. While on leave of absence, the Borough employee must not engage in employment elsewhere.

11.5 Personal Days

All regular full-time personnel are entitled to three paid personal days per calendar year. Regular part-time and temporary employees are not eligible for personal days. Personal days must be scheduled in advance and approved by the employee's Supervisor, with approval subject to staffing needs.

11.6 Family and Medical Leave Act (FMLA) Leave



As of the date of adoption of this policy, Borough employees are not eligible employees pursuant to the Family and Medical Leave Act ("FMLA") as the Borough employs fewer than fifty (50) employees. FMLA requires covered employers to provide up to 12 weeks, or 26 weeks, of unpaid, job-protected leave to eligible employees for certain family and medical reasons. As a covered employer, the Borough has an FMLA policy, though it is not applicable as there are no eligible employees. Please see the Borough Manager for a copy of the FMLA Policy.

12.0 EMPLOYEE BENEFITS

12.1 Disclaimer

The Borough has established a variety of employee benefit programs designed to assist regular full-time employees and their dependents in meeting the financial burdens that can result from illness and disability and to help them plan for retirement. Regular part-time and temporary employees are generally not entitled to benefits except for Social Security and Worker's Compensation. This portion of the manual contains a general description of the benefits to which an employee may be entitled as an employee of the Borough. This general description is not intended to, and does not, provide employees with all of the details of these benefits. The official plan documents and, in some cases, applicable law and regulations provide details with regard to the benefits offered by the Borough and the general descriptions contained herein does not change or otherwise alter the terms and provisions contained in the official plan documents and/or applicable law.

The Borough reserves the rights, in its sole discretion, to amend, modify, or terminate, in whole or in part, any or all provisions of the benefit plans described herein, consistent with applicable law and/or contract.

All regular full-time Borough employees will be fully informed of their benefits upon date of employment. Benefits provided are as follows:

A. Health Insurance

Regular full-time employees are entitled to participate in the health insurance plans in effect at the time. Any regular full-time employee may, at his/her option waive the health insurance provided for herein provided that such employee supplies the Borough with certification that such employee has available similar insurance from another source. See the Borough Manager for current health insurance information.

B. Life Insurance

Regular full-time employees will receive a paid life insurance policy with double indemnity for accidental death or dismemberment as determined from time to time by Borough Council. Regular part-time and temporary employees are not eligible.

C. Worker's Compensation

All employees are covered by Pennsylvania Worker's Compensation laws to the extent provided thereunder. In the event of any on-the-job or work-related injury or accident, no



matter how slight, the employee must report it immediately to the appropriate Department Head. Whenever the Borough learns of any on-the-job or work-related injury, it will promptly process a worker's compensation claim. Employees should refer to the list of Panel Physicians posted on Employee Bulletin Boards.

D. Retirement Benefits

All regular full-time non-union employees, upon completion of six months of continuous service will be covered by the plan provided by the Borough. Details of the plan shall be provided in separate documentation upon an employee's eligibility for the same. The Borough will continue to participate in the retirement benefits program in effect for full-time employees covered by this Manual. Part-time employees and temporary employees are not eligible to participate in the retirement benefits plan.

13.0 EMPLOYEE ASSISTANCE PROGRAM

It is the policy of the Borough to promote the idea of good health and wellness among Borough employees. Check Employee Bulletin Boards for current information on available Employee Assistance Programs.

14.0 SAFETY

The Borough makes all reasonable provisions for the safety of its employees during the hours of employment. All employees, however, have the responsibility to develop and maintain safe working habits in order to avoid injuring themselves and fellow employees.

14.1 Equipment

No employee will be required to work with machinery or equipment that is unsafe. If an employee is asked to operate equipment that he/she considers unsafe, the following procedure should be observed:

- The employee shall first notify his/her Supervisor of the equipment that he/she considers unsafe, specifying reasons.
- The Supervisor will then investigate the indicated equipment and take the necessary corrective steps provided that the condition is judged by the supervisor to be sufficiently unsafe to warrant correction before the performance of work.
- If the employee does not agree with the Supervisor at Step B above, he/she may request the next level of Supervision to make a subsequent judgment.
- The Supervisor will request the Borough Manager to make a final judgment if the condition is further questioned.

All employees are required to report to their Supervisor or to the Borough Manager any unsafe condition or equipment they encounter.

15.0 TUITION ASSISTANCE

It is the policy of the Borough to provide equal advancement opportunities for all of the Borough employees. Therefore, after one year of continuous employment, employees are eligible to participate in the Borough's tuition assistance program. All courses must be work-related and approved by the Borough Manager prior to course registration. (Borough Council will approve the Manager's request



for tuition assistance). One-half of the total tuition amount paid by the employee shall be reimbursed to the employee following completion of the course provided that:

- The employee presents proof of course completion.
- The employee has received a passing grade of "C" or better for the course.

16.0 ACCESS TO PERSONNEL RECORDS

The Borough Manager or designee will organize and maintain personnel records of each employee in Borough service, including police officers. The employee records contain information relevant to the individual's employment with the Borough. Upon request, a Borough employee, or his/her designated agent, will have access to his/her personnel file for inspection once each year. If a Borough employee wishes to designate an agent to inspect his/her personnel file, the employee must provide a written, signed authorization designating the specific individual(s) who will be authorized to inspect the employee's personnel file. The signed authorization must also be for a specific date or dates and must indicate either the purpose for the inspection is authorized, or the particular parts of the employee's personnel file which the designated agent is authorized to inspect. The Borough will make records available during normal business hours of the office where the records are maintained. Records may be reviewed only in the presence of a Borough management employee where the records are located. Employees may take notes concerning the documents in the personnel files but are not entitled to copies.

17.0 POLITICAL ACTIVITY

Borough employees are prohibited from engaging in partisan political activities during working hours.

18.0 PROFESSIONAL CONDUCT

Borough employees are representatives of the Borough. In large measure, the opinions of Borough residents are shaped by employee conduct and behavior. For this reason, employees are expected to be professional and courteous to all residents of the Borough, as well as to other employees, vendors and visitors of the Borough, at all times. Employees should listen carefully to any resident complaint and promptly refer it to the Borough Manager or the appropriate official for action.

19.0 PERSONAL APPEARANCE

A Borough employee is expected to maintain an acceptable level of personal cleanliness and hygiene and to dress in accordance with the duties performed. Office employees are expected to dress in business casual attire. Inappropriate dress for Borough employees during normal business hours includes, but is not limited to sweatpants, shorts or athletic apparel, excessively dirty or worn clothing, or clothing that is revealing or has offensive or inappropriate imagery. Non-exempt employees who report to work in improper attire or in an inappropriate state of hygiene may be sent home to change and will not be paid for the time away from work.

20.0 GRATUITIES

Employees must not create a perception that favorable treatment of outside entities by the Borough was sought, received, or given in exchange for personal business courtesies including through the



acceptance of gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom the Borough does or may do business.

21.0 UNLAWFUL HARASSMENT

20.1 Definition

The Borough is committed to maintaining a work environment free of all unlawful discrimination and harassment. Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's sex, color, race, ancestry, religion, national origin, age, disability, sexual orientation, pregnancy status, veteran status, or any other legally protected group status. Harassment includes conduct that denigrates or shows hostility or aversion toward an individual because of his/her personal attributes (such as gender or race) or that of his or her relatives, friends or associates. It also includes bullying, repeated mistreatment, verbal abuse or humiliation, threats or intimidation of an employee by others which interfere with the employee's performance of his or her job.

20.2 Consequences

Any form of discrimination or harassment against Borough employees by anyone, including but not limited to Supervisors, other employees, contractors, vendors or anyone with whom the employee must come into contact in the course of his or her Borough duties, will not be tolerated. Borough employees found to have engaged in discrimination or harassment are subject to discipline, up to and including termination.

20.3 Reporting a Complaint

All complaints of harassment as defined herein must be immediately reported to your Supervisor, the Borough Manager, or if your complaint involves the Borough Manager, Council President. An employee may bypass anyone involved in the harassment when reporting it. All complaints and related information will be promptly and thoroughly investigated and handled in a confidential manner to the extent possible; however, it may be necessary to include and speak with other individuals in order to fully investigate a complaint. The results of the investigation shall be reported to the person(s) making the complaint(s).

20.4 Post Investigation Action

Employees who, after investigation, have been determined to have engaged in harassment toward co-workers are subject to disciplinary action, up to and including discharge. Appropriate action may also be taken to correct the effects of the harassment and to deter any future discrimination or harassment.

20.5 Retaliation

The Borough expressly prohibits retaliation against any employee who, in good faith, complains of discrimination or harassment or who participates in an investigation and any violation of this prohibition may result in disciplinary action, up to and including discharge. Any claim of retaliation should be immediately reported to your Supervisor, the Borough Manager, or if your complaint involves the Borough Manager, Council President for investigation and remedy.



21.0 SEXUAL HARASSMENT

21.1 Definition

The Borough strictly prohibits all forms of sexual harassment in the workplace. This policy applies to all employees, Supervisors, vendors and non-employees who have contact with our employees. Sexual harassment includes, but is not limited to, unwelcome conduct on the basis of sex such as sexual advances, requests to an employee for sexual favors, and other visual, verbal, or physical conduct of a sexual or offensive nature.

Sexual harassment is not limited to harassment between a man and a woman. Sexual harassment can also occur between or among men, or between or among women.

21.2 Reporting Sexual Harassment

All complaints of sexual harassment must be immediately reported to your Supervisor, the Borough Manager or if your complaint involves the Borough Manager, Council President. An employee may bypass anyone involved in the harassment when reporting it. All complaints and related information will be promptly and thoroughly investigated and handled in a confidential manner to the extent possible; however, it may be necessary to include and speak with other individuals in order to fully investigate a claim of sexual harassment. The results of the investigation will be reported to the person(s) making the complaint(s).

21.3 Investigation

Employees who, after investigation, have been determined to have been engaging in the sexual harassment toward co-workers will be subject to disciplinary action, up to and including discharge. Appropriate action may also be taken to correct the effects of the sexual harassment and to deter any future sexual harassment.

21.4 Retaliation

The Borough expressly prohibits retaliation against any employee who, in good faith, complains of sexual harassment or who participates in an investigation and any violation of this prohibition may result in disciplinary action, up to and including discharge. Any claim of retaliation should be immediately reported to your Supervisor, the Borough Manager or if your complaint involves the Borough Manager, Council President for investigation and remedy.

22.0 WHISTLEBLOWERS

An employee who makes a good faith report of an activity that the employee suspects is illegal or dishonest, that employee shall be protected as a whistleblower. If an employee has knowledge of or a concern of illegal or dishonest fraudulent activities, the employee is to contact the Borough Manager, or if the concerns are regarding the Borough Manager, Council President. To the extent possible, confidentiality of the identification of the whistleblower shall be maintained. The whistleblower shall be protected against retaliation in the form of adverse employment action. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.



23.0 BOROUGH VEHICLES AND EQUIPMENT

Employees may be assigned or be provided with access to Borough owned vehicles and/or equipment. Borough vehicles and/or equipment are to be used only for the completion of Borough assignments; personal use is not permitted. When conducting business on behalf of the Borough, employees are to use Borough issued vehicles and/or equipment. If a vehicle is not assigned or provided for, the employee may utilize their personal vehicle with authorization from the Borough Manager, and subsequently submit for a mileage reimbursement as outlined in the Borough Expense Reimbursement Policy.

24.0 ACCEPTABLE USE OF INTERNET, COMPUTERS, AND ELECTRONIC COMMUNICATIONS

The Borough provides and maintains email, telephone voicemail, Internet access, and computer hardware and software for the use by employees to conduct Borough business. As a condition of providing access to these means of communication, the Borough places restrictions on the use of same. Violations of this policy may result in disciplinary action, up to and including termination.

The computers and communications systems, as well as the equipment and data stored thereon are the property of the Borough. Accordingly, all electronic messages (including email), Internet communications, and files created, sent, received or stored using Borough-owned computer or communications systems should be related to the business of the Borough and remain the property of the Borough. Employee should have no expectation of privacy when using a Borough-owned device or communication system and the Borough has the right to review all communications.

24.1 Prohibited Sites and Use

Employees will use the Internet, email, telephones, voicemail, and computer systems owned, controlled, and provided by the Borough for authorized Borough business. Certain websites are absolutely prohibited, such as sites containing pornography or sexually explicit images, or advocating discriminatory, hateful, or violent actions. The only exception to this prohibition is that authorized police personnel may access prohibited sites during the course of an investigation, provided that the Chief of Police authorizes such access in writing in advance, and that the details of such access are recorded in the investigative file maintained by the Police Department.

The Borough also prohibits the following in an employee's use of the Internet, email, computer systems, and/or voicemail: downloading, using, or accessing chat/client programs and chat/instant messaging; dissemination or printing of copyrighted materials, including articles and software; sending, downloading, or accessing offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, age, disability, and religious or political beliefs; sending, accessing, downloading, or soliciting sexually-oriented messages or images; soliciting money for personal gain or using for commercial purposes unrelated to the Borough's business; sending chain letters; online gambling or downloading using, or accessing online gambling software; using another individual's identity and password as well as disclosing or sending email account information without prior employee approval; misrepresenting one's identity or affiliation; disclosing or



releasing confidential information or email files without authorization to any constituency within or external to the Borough; intercepting, disrupting, or altering electronic communications; use of the Borough's Internet facilities to deliberately propagate any virus, worm, Trojan horse, or back-door program code or disable or overload any computer system, network, or to circumvent any system intended to protect the privacy or security of the Borough or another user; and, any activity in violation of local, state, or federal law.

24.2 Personal Use During Business Hours

Access of non-business websites or use of e-mail for personal use during business hours is discouraged and may result in disciplinary action including termination. Although the Borough permits employees to access the internet using Borough computers during working hours for limited, reasonable and appropriate purposes consistent with this policy, such personal use must be extremely limited and must not distract, impede or interfere with the employee's performance of Borough work in any way. The Borough email system must not be used for personal emails. Circulating or forwarding jokes, inspirational material, or other nonwork related items to co-workers is prohibited. Mass emails, even for Borough-related messages, are rarely appropriate and solicitations are strictly prohibited. Disciplinary action resulting from a violation of this policy is a function of the frequency and extent of the misuse, its severity, and the disruption to the employee's work and that of other employees.

INFORMATION AND DATA TRANSMITTED TO OR FROM ANY BOROUGH PROVIDED OR OWNED TELECOMMUNICATIONS EQUIPMENT OR COMPUTER IS THE PROPERTY OF THE BOROUGH. NO EMPLOYEE HAS ANY RIGHT TO CONSIDER SUCH INFORMATION AND DATA AS PRIVATE.

Employees must not expect any degree of privacy regarding any communications or information contained on the Borough's computer or phone system or any electronic communications system provided by the Borough including, but not limited to, email messages, voicemail messages or their content. Electronic messages and Internet communications should not be expected to remain private and confidential. Computers and related equipment are Borough property provided for each employee's legitimate business use. All electronic messages sent via email and over telephone communication systems provided by the Borough remain the property of the Borough. As such, the Borough reserves the right to access, intercept, and disclose the content of any message or deleted message with or without permission, prior or otherwise. In an employee's absence, the Borough may monitor the employee's electronic mail to verify that business-related messages are being serviced properly. Typically, such monitoring will include forwarding the employee's email to a Supervisor or other employee.

24.3 Access Codes and Passwords

All access codes and passwords are to be kept strictly confidential. Employees should not provide access or passwords to any outside party. Confidential information should never be transmitted over the Internet without proper encryption. All software must be used in accordance with its license agreements and copyrights. No software may be loaded, downloaded or copied without first obtaining the permission of the Borough. No employee may use Borough equipment or facilities knowingly to download or distribute pirated software or data. The Borough data and databases are private and confidential. No Borough databases or



data may be uploaded or otherwise transferred to persons or entities outside the Borough without the prior written approval of your Supervisor or the Borough Manager.

24.4 Reporting to the System Administrator

If any pornographic or unsolicited material appears or pops up on your computer screen, notify the Borough Manager immediately. Do not open email or attachments to emails unless the sender is known, and the employee is certain that neither the message nor the attachment is contaminated with a virus. Do not load or download any program or software without proof of a license.

24.5 Removal of Access

The Borough Manager may from time to time or at any time direct that a current employee be removed from access to some or all the Borough's electronic communication and/or computer system. The employee will not be permitted to have some, or all the access returned without the prior express approval of the Borough Manager.

25.0 USE OF CELL PHONES

This policy outlines the use of cell phones at work and the safe use of cell phones by employees while driving.

25.1 Personal Cell Phones

While at work, employees are expected to exercise the same discretion in using personal cellphones as is expected for the use of Borough phones. Excessive personal calls during the workday, regardless of the phone used, interfere with employee productivity and are distracting to others. Employees are encouraged to make any personal calls on nonwork time when possible and to ensure that friends and family members are aware of the Borough's policy.

Green Tree Borough will not be liable for the loss of personal cellphones brought into the workplace.

25.2 Personal use of Borough-Provided Cell Phones

When job or business needs demand immediate access to an employee, the Borough may issue a business cellphone to an employee for work-related communications. While Borough issued cell phones may be used for personal calls, all personnel must be aware that all calls, texts and other data transmissions sent or received on a Borough cell phone are subject to review by the Borough.

USERS OF BOROUGH CELL PHONES HAVE NO EXPECTATION OF PRIVACY IN THE CALLS, TEXTS OR OTHER DATA SENT OR RECEIVED ON THE CELL PHONE.

Additionally, the calls, texts and data on Borough cell phones and on personal cell phones are subject to disclosure in connection with Right-to-Know Law requests and other legal proceedings to the extent they relate to the Borough's business.

Employees in possession of Borough equipment such as cellphones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection.



25.3 Video or Audio Recording Devices

Use of the camera and audio recording features available on many cell phones while at work within the Borough may constitute a violation of Pennsylvania criminal law, and/or an invasion of the personal privacy of employees or members of the public. Therefore, the use of camera or other video and audio recording-capable devices on Borough premises is prohibited without the express prior permission of the Borough Manager and of the person(s) present at the time. **This prohibition is absolute with respect to the recording of employees and members of the public in restrooms, locker rooms and at the Borough Pool.**

25.4 Safety Issues for Cell Phone Use

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones in motor vehicles at all times.

Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

EMPLOYEES ARE FORBIDDEN TO SEND OR RECEIVE TEXT MESSAGES WHILE OPERATING BOROUGH MOTOR VEHICLES.

Employees who are charged with traffic violations resulting from the use of a cell phone while operating a Borough motor vehicle will be responsible for all liabilities that result from such actions and will be subject to disciplinary action.

26.0 USE OF SOCIAL MEDIA

26.1 Purpose

Green Tree Borough recognizes that employees may use electronic communication and social media in connection with their work and personal activities. Employees may use social media for business-related purposes under the guidelines and restrictions set forth in this Policy. Employees must also meet the standards and restrictions set forth in any other policy addressing employee conduct, e.g., the Internet Usage Policy, Cell Phone Policy, the Harassment and Sexual Harassment Policies.

For purposes of this policy, “social media” includes but is not limited to blogs, podcasts, discussion forums, and social networks (e.g., Twitter, Facebook, LinkedIn, etc.).

26.2 Application

This Policy applies to employee use of electronic communication or social media at work, use of Borough resources for electronic communication or social media, as well as to employee use of electronic communication or social media outside of work when such use makes the employee’s affiliation with the Borough expressly or impliedly known, or which references the Borough’s services, employees or residents.



26.3 General Guidelines

A. Prohibited Uses

The use of electronic communication and social media is a privilege, and this privilege may be revoked if abused. Under this Policy, the following uses or actions are prohibited and will result in discipline up to and including termination:

- Any use that is illegal or contrary to Borough policies.
- Any use that reveals confidential or proprietary information.
- Copyright infringement.
- Any communication that is transmitted, received, or stored that may be construed as harassment, sexual harassment, bullying or disparagement of others, including harassment or disparagement based on their race, national origin, sex, sexual orientation, age, disability, veteran status, or religious or political beliefs.

B. Borough Hosted Social Media

When communicating using Borough hosted social media, employees must follow these guidelines:

- Only authorized employees may post information on behalf of the Borough.
 - Employees must comply with all other Borough policies, including those regarding the use of confidential information.
 - Employees must be respectful, keeping in mind that the messages posted can end up on the screens of thousands of readers.

C. Employees' Personal Social Media

The Borough respects employees' right to engage in electronic communication and social media use during their non-work hours. The Borough may review and monitor any employee's personal social networking sites, blogs, and posts for compliance with this Policy.

The Borough provides these guidelines for employees who are using Borough resources or are identified with the Borough in their social media use:

- Know and follow the Borough's policies addressing harassment, sexual harassment, and bullying. These policies continue to apply even when employees are off duty.
- Employees are not permitted to use personal social media during work time.
- Employees may not use Borough related confidential information in their personal social media postings.
- Employees should be transparent in their posting. If the employee mentions the Borough or its services, employees or residents, the employee must identify him or herself as an employee of the Borough. The employee must also clearly state that the views expressed are solely those of the employee and do not represent the Borough's views. No employee may use any logo, copyrighted information, or trademark of the Borough at any time.
- Each employee is responsible for his own postings and electronic communication.
- Employees must not use Borough e-mail addresses or contact information for their personal sites.



- Employees must be respectful, keeping in mind that the messages posted can end up on the screens of thousands of readers and remain accessible indefinitely.
- Do not publish any photos, video images or audio taken at Borough events or on Borough property. If workforce members publish content to any listserv, website or media outside of the Borough's own internal network (for example, LinkedIn) that is related to their work at the Borough, they must use the following disclaimer: "The information contained in this posting is my own opinion and does not represent the Borough's official positions, opinions, or viewpoint."
- Be aware of any association with the Borough in online social networks. If identification is made as a Borough workforce member, please ensure your profile and the related content is consistent with Borough policies and how you wish to present yourself with colleagues and the public.
- Employees whose posts to social media sites violate any Borough policy as summarized in this Policy, will be subject to disciplinary action up to and including termination of employment. Employees may also be subject to civil liabilities and/or be subject to criminal penalties under applicable law.

27.0 MODIFICATION OF MANUAL.

No member of management has the right to make any commitments that negate or otherwise contradict this Personnel Manual. Borough Council reserves the right to modify or terminate policies, benefits programs, and other practices at any time and without prior notice.



BOROUGH OF GREEN TREE PERSONNEL MANUAL ACKNOWLEDGMENT

I, _____, understand that my signature below indicates that I have received, read and understand the information contained in the Borough of Green Tree's Personnel Manual. I understand that I should contact the Borough Manager with any questions or concerns about the content in this manual.

Date: _____

Signed: _____
(Employee Signature)

Date: _____

Signed: _____
(Supervisor Signature)