

**AGENDA**  
**REGULAR MEETING OF THE**  
**MECHANICVILLE CITY COUNCIL**  
**SENIOR CITIZEN'S CENTER**  
**178 NORTH MAIN STREET**  
**MECHANICVILLE, NY**  
**June 12, 2024**

1. OPEN MEETING: \_\_\_\_\_ P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

**MAYOR BUTLER**  
**COMMISSIONER BLODGETT**  
**COMMISSIONER MARTIN**  
**COMMISSIONER SGAMBATI**  
**COMMISSIONER HOSLEY**

4. ACCEPTANCE OF THE MINUTES OF THE PREVIOUS MEETING ON May 8, 2024

**Moved BY:**

**SECONDED BY:**

**AYES:**

**NAYS:**

5. ACCEPTANCE OF THE MINUTES OF THE SPECIAL0 MEETING ON May 29, 2024

**Moved BY:**

**SECONDED BY:**

**AYES:**

**NAYS:**

6. COMMISSIONER REPORTS:

**MAYOR'S REPORT & CORRESPONDENCE**  
**COMMISSIONER BLODGETT**  
**COMMISSIONER MARTIN**  
**COMMISSIONER SGAMBATI**  
**COMMISSIONER HOSLEY**

**CHIEF RABBITT**  
**MFD CHIEF DUNN**  
**SUPERVISOR RICHARDSON**

**7. Public Comment:**

**8. RESOLUTIONS:**

**RESOLUTION 57-2024 Employee Handbook**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 58-2024 Parcel Sale Minimum Bid Set**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 59-2024 Retirement Reporting (Blodgett)**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 60-2024 Public Hearing (Energize NY Open C-Pace Financing Program)**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 61-2024 Part-time Police Officer**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 62-2024 Skilled Laborer (Vandetta)**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 63-2024 Skilled Laborer (Doty)**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 64-2024 Mileage**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 65-2024 Part-time Recreational Supervisor**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**RESOLUTION 66-2024 Payroll**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_

**9. NEW BUSINESS:**

**10. OLD BUSINESS:**

**11. CLOSE MEETING: Time** \_\_\_\_\_

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Roll Call AYES \_\_\_\_\_ NAYS: \_\_\_\_\_

**12. EXECUTIVE SESSION: In- Time** \_\_\_\_\_

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Roll Call      AYES \_\_\_\_\_      NAYS: \_\_\_\_\_

**13. EXECUTIVE SESSION: Out- Time \_\_\_\_\_**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Roll Call      AYES \_\_\_\_\_      NAYS: \_\_\_\_\_

**14. MEETING ADJOURNMENT: Time \_\_\_\_\_**

Moved by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Roll Call      AYES \_\_\_\_\_      NAYS: \_\_\_\_\_

**City of Mechanicville  
Treasurer's Report for the Month of  
May 2024**

	Balance 05/01/2024	Receipts	Disbursements	Balance 05/31/2024
<b>General Fund:</b>				
Checking	2,456,599.61	750,168.70	1,276,051.29	1,930,717.02
Petty Cash	400.00	0.00	0.00	400.00
<b>Total General Fund</b>	<u>2,456,999.61</u>	<u>750,168.70</u>	<u>1,276,051.29</u>	<u>1,931,117.02</u>
<b>City Clerk Account</b>	<u>1,198.13</u>	<u>13,941.31</u>	<u>13,564.61</u>	<u>1,574.83</u>
<b>Payroll</b>	<u>14,295.67</u>	<u>118,254.03</u>	<u>118,487.25</u>	<u>14,062.45</u>
<b>Capital Fund</b>	<u>18,522.13</u>	<u>0.00</u>	<u>0.00</u>	<u>18,522.13</u>
<b>Escrow Account</b>	<u>12,100.19</u>	<u>32.23</u>	<u>0.00</u>	<u>12,132.42</u>
<b>Central Ave Drainage Project</b>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
<b>Depreciation Account 2213</b>	0.00	0.00	0.00	0.00
<b>Community Development</b>				
Home Grant Program - 5567	104,179.50	44,731.00	0.00	148,910.50
USDA Revolving Loan Funds 2320	64,993.82	833.34	0.00	65,827.16
<b>Total Community Development</b>	<u>169,173.32</u>	<u>45,564.34</u>	<u>0.00</u>	<u>214,737.66</u>
<b>Total Cash</b>	<u>2,679,153.91</u>	<u>927,960.61</u>	<u>1,408,103.15</u>	<u>2,199,011.37</u>

RESOLUTION NO.: 57-2024

WHEREAS THE CITY OF MECHANICVILLE HAS reviewed its Employee Handbook;  
and

WHEREAS AS A RESULT OF THE REVIEW there are changes that are to be made  
to the Employee Handbook;

NOW THEREFORE BE IT RESOLVED THAT the Mechanicville City Council adopts  
the attached changes to the City of Mechanicville Employee Handbook.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

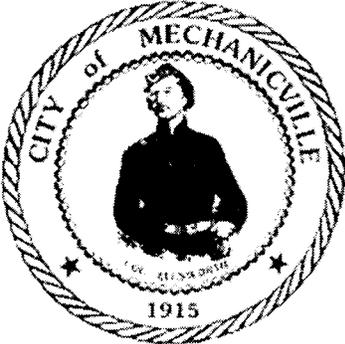
Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

# City of Mechanicville



# Employee Handbook

City of Mechanicville  
Employee Handbook

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## **INTRODUCTION**

### **101    *The Purpose of this Handbook***

The purpose of this Handbook is to communicate the City of Mechanicville's personnel policies and practices to all employees **and Elected Officials**. It is extremely important that each employee understand the policies that relate to **rules, regulations, procedures, practices, work standards, employment classifications, compensation, and benefits**. **This Employee Handbook is not a contract of employment, express or implied, and should not be construed as such. That is, employment can be terminated at any time at the will of either the employer or the employee; subject only to such procedural requirements as may be specified pursuant to New York State Civil Service Law, City Law, collective bargaining agreement, or any other applicable law, rule, or regulation.**

**Previous Personnel Policies - Unless otherwise specified, the provisions and policies contained in this Employee Handbook are intended to supersede any and all prior personnel manuals, guidelines or related policies issued by the City concerning all policies contained herein.**

**Collective Bargaining Agreements - In the event an expressed and explicit provision set forth in a collective bargaining agreement between the City of Mechanicville an employee organization as defined by the Public Employees' Fair Employment Act (Taylor Law) should conflict with an employee benefit, personnel policy, personnel procedure, or other provision set forth in this Employee Handbook, the expressed and explicit provision of the collective bargaining agreement will control. Otherwise, unless expressly excluded herein, this Employee Manual will be applicable to all employees.**

**Police Department - For the purposes of some of the policies stated in the Employee Handbook, the City of Mechanicville Police Department has the authority to promulgate its own policies and procedures. If a policy stated in the Employee Handbook differs from a rule, regulation or policy established by the Police Department, the latter shall supersede.**

**Questions - Any questions regarding any topic covered in the is Employee Handbook should be directed to the appropriate Department Head or the Human Resources Administrator.**

## 102 Definitions

1. City of Mechanicville – For purposes of this Handbook, the term “City of Mechanicville” shall mean and refer to the “employer”. Throughout this Handbook, the “City of Mechanicville” will be referred to as the “City of Mechanicville” or the “City”.
2. City Council – For purpose of this Handbook, the term “City Council” shall mean and refer to the “City of Mechanicville City Council”.
3. Department Head – For purpose of this Handbook, the term “Department Head” shall mean the elected or appointed Commissioner or other official in charge of any department, agency, or unit of government in the City of Mechanicville. This will also apply if such individual is acting in the position of Department Head as defined herein.
4. Supervisor – For purposes of this Handbook, the term “Supervisor” shall mean the Deputy Commissioner, Chief, or other individual to whom the employee is responsible. This will also apply if such individual is acting, temporary or provisional in the positions of Supervisor as defined herein.
5. **Employee – For the purposes of this Employee Handbook “employees” will mean a person employed by the City, including, but not limited to, an appointed official, an appointed member of a board or commission, Department Head, Managerial employee, confidential employee, supervisory employee, provisional employee, probationary employee, temporary employee, seasonal employee, or trainee. Employee does not include any person or entity retained as a consultant or, independent contractor.**
6. **Civil Service Law – For purposes of this Employee Handbook, “Civil Service Law” shall mean the New York State Civil Service Law and shall include the City Of Mechanicville Municipal Civil Service Rules and Regulations.**

## 103 Employee Classifications

**For purposes of this Employee Handbook, the following terms shall be defined as indicated. The definition provided for each of these terms applies only within the context of this Employee Handbook. The meaning and use of these terms or similar terms may be different in the context of Civil Service Rules or a collective bargaining agreement.**

**Full-Time Employees - For purposes of this Employee Handbook, the term “full-time employee” will mean an employee who is regularly scheduled to work a minimum of thirty hours per week.**

**Part-Time Employees - For purposes of this Employee Handbook, the term “part-time employee” will mean an employee who is scheduled on a regular and on-going basis to work twenty-nine hours or less per week.**

**Temporary Employees - For purposes of this Employee Handbook, the term “temporary employee will mean an employee who is employed on an interim or sporadic basis, or who is employed to work**

on a special, emergency, or on-call basis for a specified period consistent with the Civil Service Law as applicable.

In accordance with the rules set forth by New York State and Local Retirement System, temporary employees who are employed full-time for a period greater than one year will be required to join.

Temporary employees may be granted additional benefits, not normally offered to temporary employees, if required by grant monies received by the City.

Seasonal Employees - For purposes of this Employee Handbook, the term "seasonal employee" will mean an employee who is employed to work for a given season or portion thereof.

FLSA Non-Exempt Employees - For purposes of this Employee Handbook, the term "FLSA non-exempt employee" will mean a covered employee who is subject to the minimum wage and overtime provisions of the Fair Labor Standards Act.

FLSA Exempt Employees - For purposes of this Employee Handbook, "FLSA exempt employee" will mean a covered employee who qualifies for an exemption from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA), or an employee who is not covered under the FLSA.

#### **104 Changes or Modifications**

The City of Mechanicville reserves the right to interpret, change or modify any section of this Handbook. The employee benefits, personnel policies, procedures and rules of this manual will remain in effect until they are changed in writing by the City Council pursuant to a duly adopted resolution of the City Council.

Rights of the City Council - The City Council reserves the right to interpret, change, modify, or eliminate any provision contained in this Handbook.

Governmental Actions - This Employee Handbook is subject to alteration by resolutions of the City Council, changes in City and/or department rules, or changes in federal, state or local statutes, rules or regulations. (This is not meant to be a comprehensive list).

Statutes, Laws and Ordinances - In the event a federal or state statute or a City Law or ordinance should conflict with any provision contained in this Employee Handbook, then such statute, law or ordinance will prevail.

## **EMPLOYMENT MATTERS**

### **201 Employment at Will**

This Employee Handbook is not a contract of employment and does not alter the employment-at-will relationship under State **or other** law where applicable. Any employee may terminate his or her employment with the City of Mechanicville, at any time without any reason. In addition, the City of Mechanicville may terminate the employment of any employee at any time **for any reason so long as it is not a legally prohibited reason**. Such termination must be in accordance with applicable collective bargaining agreements and the Civil Service **Law**.

### **202 Personnel Files**

The City has an Official Personnel File **for** every employee. These files are kept in the Department of Accounts and are controlled and maintained by the Commissioner of Accounts **and are confidential**. All original documents, except for documents relating to an employee's medical condition, history, **or drug testing** must be part of the employee's Official Personnel File.

The Personnel File contains a variety of personnel related forms and records and may be reviewed by **the employee who is subject of the personnel file by** making a request to the Commissioner of Accounts. Some of these forms and records include, but are not limited to: The Civil Service Employment Application, Report of Personnel Change Forms (MSD-429), Federal and State Withholding Tax Forms, Immigration Form I-9, Retirement Enrollment/Waiver Forms, Health and Dental Insurance Enrollment Forms and Civil Service Probationary Reports (MSD 427). **Any medical information regarding employees shall be maintained in separate confidential files by the Commissioner of Accounts.**

### **203 Changes in Status**

Employees are responsible for keeping **certain** information in their Personnel File up to date. Change of name, address, telephone number, personal status, **marital status**, number and age of dependents, beneficiary designations, and individuals to notify in case of emergency are very important for insurance, retirement and tax purposes and must be reported immediately. Please notify your department head **and the Commissioner of Accounts** when changes occur in any of these or other matters.

### **204 Driver's Licenses**

Any employee who is required to drive either a City owned vehicle or his/her own vehicle to conduct business on behalf of the City, must possess at the time of appointment, and must maintain throughout employment, a valid New York State Driver's License **appropriate to the work performed**. This includes bus drivers employed by the Public Safety Department. In addition, employees of the Public Works

Department employed in every job title, except that of Laborer must possess and maintain throughout employment, a valid New York State C.D.L. Class B Driver's License with appropriate endorsements.

All levels of driver's licenses must be free from major infractions ***and infractions that may impact their work related duties*** and acceptable to the City's insurance carrier. It is the employee's responsibility to notify his or her department head of any violations or change in status of driver's license. Proof of this license may be required upon hiring and as requested throughout employment. Loss or change in the status of a driver's license may have an effect on your employment with the City.

### **205 The Americans with Disabilities Act (ADA)**

The City of Mechanicville does not discriminate against qualified individuals with a ***qualifying*** disability who, can ***with or without reasonable accommodation***, perform the essential functions of the employment position that such individual holds or desires. It is our policy to hire, promote, and maintain terms, conditions and privileges of employment in a manner which does not discriminate on the basis of a qualified individual's ***qualifying*** disability.

### **206 Equal Employment Opportunity**

The City of Mechanicville is an Equal Opportunity Employer. We do not discriminate on the basis of age, race, creed, color, national origin, religion, sexual orientation, military status, sex, ***pregnancy, childbirth or related medical conditions***, disability, genetic ***information***/characteristics, marital status, ***veteran status***, domestic violence victim status, or any other legally protected status pursuant to the New York State Human Rights Law and all other applicable federal, state, and local laws.

This policy applies to all terms and conditions of employment, including, but not limited to hiring, placement, promotion, termination, layoff, transfer, leave of absence, compensation and training, subject to and including the particular bargaining unit agreements. Discrimination based on any of the above ***protected status*** groups is strictly prohibited. Any employee who engages in such conduct is subject to appropriate disciplinary action in accordance with appropriate collective bargaining agreements and/or Civil Service Law (***e.g.*** Section 75).

We encourage employees to bring any perceived violation of this policy to the attention of your department head immediately. If you are unable to discuss this matter with your department head, take your complaint directly to your supervisor, who will bring the matter to the Mayor and the City Council. All complaints of discrimination will be investigated discreetly and promptly.

### **207 Fair Treatment Policy**

It is our policy to treat all employees with fairness, respect and dignity. We will not tolerate harassment or discrimination of ***any*** kind in the workplace.

If you believe you have encountered any kind of harassment or discrimination in the workplace, please advise your department head immediately. If you are unable to report this matter to your department head, take your complaint directly to your supervisor who will bring this matter to the Mayor and the City Council. All reports will be investigated promptly and your employment will not be affected by bringing this matter to our attention.

## **208 Sexual Harassment**

While all forms of harassment are prohibited, the City of Mechanicville has an explicit policy prohibiting the sexual harassment of its employees. Specifically, sexual harassment means unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when **this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates and intimidating, hostile, or offensive work environment.** **Unwelcomed sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:**

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

The City has the responsibility to maintain a workplace free of any form of sexual harassment. As such, we will not tolerate any actions by department heads or supervisory staff that threatens or insinuates, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development.

The responsibility for maintaining a workplace free of any form of sexual harassment is not limited to department heads or supervisory staff. All employees are prohibited from engaging in conduct **which constitutes sexual harassment,** including, but not limited to:

- Sexual flirtations, touching, advances, or propositions;
- Verbal abuse of a sexual nature (e.g., swearing, jokes or comments of a sexual nature, etc.);
- Graphic or suggestive comments about an individual's dress or body;
- Using sexually degrading words to describe an individual, and/or;
- Displaying sexually suggestive objects or pictures in the workplace, including photographs, postcards or posters.

If you believe that you have experienced or witnessed sexual harassment in the workplace, you have a responsibility to report that behavior to your department head immediately. If you are unable to discuss this matter with your department head, take your complaint directly to your supervisor who will bring the matter to the Mayor and the City Council. All complaints of harassment will be investigated discreetly and promptly. Any employee, supervisor, or department head that, after investigation, is found to have engaged in sexual harassment will be subject to appropriate disciplinary action in accordance with Civil Service Law (Section 75).

Any employee who reports sexual harassment activities will not suffer adverse employment consequences as a result of a complaint.

### **209 Workplace Violence Prevention Policy**

#### **Policy Statement**

**The City of Mechanicville is dedicated to the security, safety and overall well-being of all of our employees. Our Workplace Violence Policy is a direct reflection of the "Zero Tolerance" posture we have taken toward all forms of violence in our workplace. We assure that proper budgeting resources will be allocated to achieve our goal of creating and maintaining a safe and productive work environment. Our responsibility, as managers and human beings, is to invest, as best we can, in the safety and security of our workplace so we can provide our employees with the environment they need to be productive for our constituents.**

- 1. To reduce the probability of threats or acts of violence in the workplace, and**
- 2. To ensure that any incident, complaint, or report of violence is taken seriously and dealt with in a timely manner.**

#### **Position Categories and Union Representation**

The City recognizes two collective bargaining units:

1. The Mechanicville Police Benevolent Association (PBA)
2. The Civil Service Employees Association, Inc. (CSEA)

The employees/positions that are represented by each of the collective bargaining units are as follows:

1. The Mechanicville Police Benevolent Association (PBA) – Represents employees in the following **positions (as may be reflected in the current CBA):**
  - **Police Officer (Full-time and Part-time)**
  - **Police Sergeant**
  - **Detective Sergeant**

2. The Civil Service Employees Association, Inc. (CSEA) – Represents all full-time and part-time employees in the Department of Public Works, excluding officials and the City Engineer. This includes the following positions:
  - Automotive Mechanic
  - Heavy Equipment Operator
  - Laborer
  - Motor Equipment Operator
  - Water Maintenance Worker
  - Water Superintendent
  - Water Treatment Plant Operator
  - Working Supervisor
  - **Clerk/Dispatcher**
  - **Building Maintenance Mechanic**
  - **Skilled Laborer**

The City positions that are not represented by a collective bargaining unit fall under one of seven (7) categories listed below:

1. Elected Officials
2. Management/Administration
3. Clerical
4. Seasonal
5. Members of Boards/Commissions (Paid)
6. Members of Boards/Commissions (Volunteers)
7. Miscellaneous City Officials (Paid)

Job titles that fall under each of these categories are as follows:

1. Elected Officials
  - Mayor
  - Commissioner of Accounts
  - Commissioner of Finance
  - Commissioner of Public Safety
  - Commissioner of Public Works

2. Management **/Administration**

- Assessor
- City Attorney
- City Engineer
- Deputy Commissioner of Accounts
- Deputy Finance Commissioner
- **Deputy Public Safety Commissioner**
- Deputy Fire Chief
- Assistant Fire Chief
- Fire Chief
- Police Chief
- Youth Commission – Program Coordinator

3. Clerical

- Clerk
- Receptionist
- Secretary to the Civil Service Commission
- Typist
- 

4. Seasonal

- **Recreation Supervisor/Leader**

5. Members of Boards/Commissions (Paid)

- Members – Civil Service Commission
- Members – Board of Assessment Review

6. Members of Boards/Commissions (Volunteer)

- Board of Park Commissioners
- Planning & Zoning Board
- Traffic Commission
- **Civilian Review Board**

7. Miscellaneous City Officials (Paid)

- Animal Control Officer
- Building and Fire Code Inspector
- City Historian
- Health Officer

8. Miscellaneous Paid Employees

- Bus Drivers
- **Part-time Code Enforcement Officer**
- **Part-time Cleaner**

**301 Union Contract**

Your union contract may contain provisions regarding a number of different items including, **but not limited to**, overtime and compensatory time provisions, salary schedules, health and dental insurance, vacation, holiday, sick, personal and bereavement leave allowances, and grievance procedures. If your position is represented by a collective bargaining agreement, you should obtain a copy of the agreement from your union representative.

**302 Grievance Procedures**

In order to promote a harmonious and cooperative relationship between employees, department heads and members of the City Council which will enhance the operation of the City, each union contract contains a grievance procedure. It is the intent of these procedures to provide for the orderly settlement of differences in a fair and equitable manner, and resolution of differences at the earliest possible stage is encouraged.

All grievances and responses thereto shall be in **accordance with the steps and processes set forth in each respective collective bargaining agreement.** For further information regarding these procedures, please consult your union contract.

***Grievance Procedures for CLERICAL Employees:***

The following Grievance Procedure has been established for full-time permanent CLERICAL employees **or other employees (excluding elected officials)** not covered under a union contract.

Definitions:

1. **Employee** – Under the terms of this procedure, shall mean any person employed by the City on a full-time permanent basis **in a Job Title not represented by a Union.**
2. **Mayor** – Under the terms of this procedure, shall mean the elected Mayor of the City of Mechanicville.
3. **Department Head** – Shall mean the elected official in charge of any department, agency, or unit of government in the City. This will also apply if such individual is acting in the position of Department Head as defined.
4. **Immediate Supervisor** – Shall mean the Deputy Commissioner, ranking officer or other individual to whom the employee reports. This will also apply if such individual is acting, temporary or provisional in the position of Supervisor as defined herein.

5. **Grievance** – Shall mean any claimed violation, misinterpretation or inequitable application of any existing laws, rules, regulations or policies which relate to or involve the employee in the exercise of the duties assigned. A grievance shall not be construed to relate to, nor shall any grievance claim be permitted concerning salary or other amount of basic compensation fixed by the City Council by budget action or other resolution or Local Law except for administrative errors.

Procedures:

Step 1

The aggrieved employee, within ten (10) working days of when the employee knew or should have known of the events giving rise to the grievance, shall present the grievance to his/her Department Head in writing ***identifying in detail the alleged grievance.*** The immediate Department Head shall attempt to resolve the grievance and present his/her decision in writing to the employee within ten (10) working days.

**OPERATIONAL POLICIES**

**401 Workday and Work Week Schedules**

The normal work day and work week for full-time employees is dependent upon the department and category that their position falls under. The following chart illustrates the various work day and work week schedules that exist in the City.

Department	Category	M-F 9AM-4PM	M-F 7 AM-3:30 PM	M-F 6:00AM-2:30 PM	Sun-Sat 24 hrs.
City Hall	All	30 hrs.			
Police	PBA				40 hrs.
Public Works	CSEA		40 hrs.		
Building/Code Enforcement				<u>40 hrs.</u>	

**Workday hours may be adjusted to accommodate unanticipated and unavoidable conflicts in the workday schedules of employees, including the employee volunteering to work through a scheduled paid lunch, with Supervisor’s specific prior approval. Building/Code Enforcement schedule is flexible at the Mayor’s discretion to accommodate the needs of the Building Department’s needs. Any such changes are to be noted on the timesheet with some explanation.**

**Working Remotely**

***While it is the policy of the City to have City employees work from their City offices, the Mayor or Commissioner(s) may allow the employee(s) they supervise to work remotely if the Mayor or Commissioner deems it appropriate.***

**Emergency Situations**

**Closing Procedures - In the event that extraordinary weather conditions or other emergencies develop prior to the beginning of the workday, the Mayor may authorize the delayed opening or full-day closure of non-emergency operations, or, if extraordinary weather conditions or other emergencies develop during a workday, the Mayor may direct that certain employees who perform non-essential services leave work, in accordance with the City's Emergency Management Plan.**

**In the event of an emergency delay, an employee will be expected to arrive at the delayed start-time, initiated by the Mayor, and stay until the end of the normally scheduled workday.**

**Payment of Wages - Employee pay will not be affected by an emergency closing regardless of whether or not the closure is announced prior to the start of the workday or during the workday.**

**Inclement Weather - Employees are expected to report to work and remain at work during inclement weather conditions unless otherwise notified by their supervising department head or the Mayor. Employees should use their own discretion in determining whether they can commute safely to work due to inclement weather. When the Mayor has not officially shut down operations, an employee must obtain authorization from his or her Department Head prior to (1) not reporting to work; (2) arriving at work late; or (3) leaving work early. Should the employee obtain authorization, they shall take such time via use of paid vacation or personal leave, if available, or take the time off without pay.**

**402 Breaks**

1. Lunch Breaks – Employees **shall receive the following** unpaid lunch breaks:

City Hall Employees	–	sixty (60) minutes
Public Works Employees	–	thirty (30) minutes
  
2. Coffee Breaks – Full-time CSEA employees are entitled to one (1) fifteen (15) morning minute break per day. The calculation of the fifteen (15) minutes begins when the employee stops work. Any time spent traveling to and from a break site is included in the fifteen (15) minutes.
  
3. **Lactation/Breast-feeding Breaks – Employees who are nursing shall be allowed to use a reasonable break period (generally between twenty to thirty minutes) in addition to the**

**employees' meal and rest breaks to express milk. The City will provide this break at least once every three hours as requested by the employee. This provision applies up to three years following childbirth. The Town will make a reasonable effort to provide a room or location other than the restroom or toilet stall, within walking distance to the employee's workspace, or other location in close proximity to work so that the employee can express in private. An employee shall give reasonable advanced notice of their need to avail themselves of this break, preferably prior to the employee's return to work following the birth of their child, to allow the City an opportunity to establish a location.**

#### **403 Travel and Clean-up Periods (Department of Public Works)**

Employees in the Department of Public Works are allowed a period, not to exceed fifteen (15) minutes, immediately prior to the end of each work period for purposes of traveling from a work site to the Public Works facility and performing any necessary clean-up.

#### **404 Overtime, Compensatory Time, Holiday Pay**

It is the City's policy to authorize overtime only when absolutely necessary.

##### Union Employees

Employees covered by a collective bargaining agreement who are required by their department head to work in excess of eight (8) hours in a work-day or forty (40) hours in a work week are entitled to receive overtime pay ***in accordance with that CBA***. The calculation for overtime and compensatory time varies with respect to holidays, vacations, emergency situations etc. Refer to your union contract regarding the details for overtime, compensatory time and holiday pay.

##### **Non-Union Clerical and Seasonal Employees**

Employees (defined in Section 300) who are required by their department head to work in excess of eight (8) hours in a work day or forty (40) hours in a work week are entitled to receive either overtime pay calculated at time and one-half. Exception: Lifeguards and Pool Attendants are excluded from receiving overtime and compensatory time in accordance with the Fair Labor Standards Act (FLSA). Clerical and Seasonal employees will receive straight time for all hours under eight (8) hours in a work day or forty (40) hours in a work week.

##### Management Employees

Management employees (defined in Section 300) are exempt from earning and receiving overtime and compensatory time.

\*The Deputy Commissioner of Accounts during the two (2) Saturdays of Tax Collection that the Accounts Office is open will receive compensatory pay. **See Resolution #40-14.**

#### **405 Attendance Records**

In accordance with City policy, all employees, except elected officials, and the City Attorney are required to record time worked on a daily basis. This is done by completing a time sheet **or some other timekeeping method (e.g. invoices from the City Attorney).**

**All employees time sheets are monitored and approved by a Supervisor, not the individual employee.**

#### Time Sheets

The following guidelines have been established for employees required to complete a time sheet.

1. **Start and end times must be recorded. For non-exempt employees (meaning those employees legally entitled to be paid for overtime), start and end times for lunches must also be recorded.**
2. All paid and unpaid absences must be recorded.
3. Time sheets must be verified and signed by the department head and forwarded at the end of each pay period to the payroll office for computation.
4. Falsifying or altering your time sheet or the time sheet of another employee; or completing a time sheet for another employee; is strictly prohibited and can lead to disciplinary action up to and including dismissal, in accordance with applicable collective bargaining agreements and/or Civil Service Law (Section 75).
5. Any errors in time sheets should be brought to the attention of your department head immediately then the department head will make and initial the correction **and submit to the payroll department.**

#### **406 Social Media**

**Policy Statement - The purpose of the policy is to provide the framework for employee usage of Social Media, both inside and outside of the workplace. Social Media in general refers to internet-based applications that allow for the creation and exchange of user generated content. Examples of Social Media include, but are not limited to: Facebook, Twitter, LinkedIn, Instagram, Flickr, Snapchat, YouTube, web blogs, and web-based wikis whereby users can add, modify, or delete its content via a web browser or application.**

**Posting Content on Social Media (regardless of point of access) - The following uses of Social Media are prohibited. These terms pertain to content posted from computers or communication systems that are not City owned, as well as those that are City property.**

**This list is meant to be illustrative, and not exhaustive.**

- Disclosing confidential or proprietary information pertaining to matter of the City that is not otherwise deemed accessible to the general public under the Freedom of Information Law (Public Officers Law Article 6, §84-90).
- Matters which will imperil the public safety if disclosed.
- Promoting or endorsing any illegal activities.
- Threatening, promoting, or endorsing violence.
- Knowingly making false or misleading statements about the City, or its employees, services, or Elected Officials.
- Posting, uploading, or sharing images that have been taken while performing duties as an agent of the City, or while wearing City uniforms – the only exception to this rule is when it is directly pertinent to City business and such posting, uploading, or sharing of images is authorized in advance by the appropriate Department Head.
- Representing that an opinion or statement is the policy or view of the City, or of any individual acting in their capacity as a City employee or official, or otherwise on behalf of the City, when that is not the case.
- Posting anything in the name of the City or in a manner that could reasonably be attributed to the City without prior written authorization from the applicable Department Head.
- Using the name of the City or a City e-mail address in conjunction with a personal blog or Social Media account.

An employee's Social Media usage must comply with City policies pertaining to but not limited to Non-Discrimination and Harassment, Confidentiality, Violence in the Workplace, and Substance Abuse. Any harassment, bullying, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, outside of the workplace, using computers or communication systems that are not City-owned, if it has an impact on employment or the workplace.

Notwithstanding the above, nothing in this policy is designed to interfere with, restrain, or prevent employee communications regarding wages, hours, or other terms and conditions of employment. Nor is it meant to imply any restriction or diminishment of an employee's right to appropriately engage in protected concerted activity under law, including but not limited to NLRA Section 7 protected communications on non-work time. City employees have the right to engage in or refrain from such activities as they choose.

Reporting of Violations - Anyone with information as to a violation of this policy is to report said information to the appropriate Department Head or the Human Resource Administrator. Once the Department Head or Human Resource Administrator is informed of the violation, a formal process, consistent with this Employee Handbook and/or applicable law, will begin.

**Disciplinary Action - An employee who violates this policy will be subject to disciplinary action up to and including termination of employment.**

## **ABSENCE POLICIES**

### ***501 Tardiness***

Employees are expected to report to work on time each day. Tardiness can create a hardship for other employees as well as the public we serve. Because of this, chronic tardiness is not acceptable and may be cause for disciplinary action, up to and including dismissal, in accordance with the applicable collective bargaining agreements and/or Civil Service Law (Section 75). If you are going to be late, you must notify your supervisor within thirty (30) minutes of your scheduled starting time.

### ***502 Notification of Absence***

City Hall employees/Employees must call their supervisor and the Accounts Department each day of absence, except in the following instances:

- a. The absence is pre-authorized; or
- b. The absence is pre-authorized and extended with a projected return date.

Employees who leave their assignment during the work day must notify their supervisor **prior** to leaving. If employees know in advance that they will be absent, they must notify their supervisor who can approve reasonable absence requests.

### ***503 Military Leave***

**The City complies with all state and federal law regulations concerning employees who enlist in the military or who are called for active duty.**

### ***504 Jury Duty***

Full-time employees called to perform their civic responsibility of jury duty are provided with full pay and benefits during the period of service. Jurors employed by a municipal government on a full-time basis do not receive a stipend for serving on a jury. They are entitled to receive a daily expense reimbursement from the court system.

Part-time employees will not be paid by the City for jury service.

Employees released early from jury duty are expected to return to work if one or more hours remain in their work day. In these instances, employees are allotted time to return home and prepare themselves for work. The City understands the demands of jury service and wants to insure that you are able to

perform your responsibility. However, it is important that you do not take advantage of this situation and show consideration for fellow employees by completing work responsibilities to the extent possible.

**505 Crime Victims/Witness Leave**

**The City shall not penalize or discharge any employee who, upon notice to the City, is absent from employment as a result of their appearance as a witness, to consult with the district attorney, or to exercise their rights as a victim under applicable provisions of the law. The City shall not be required to pay such employee during the period of attendance and may require that the party who sought the attendance or testimony verify the employee's service.**

**506 Leave for Blood Donations**

**The City complies with the New York State Labor Law Section 202-J which entitles employees who work an average of twenty hours or more per week to a leave of absence for the purpose of making a blood donation. This leave shall be allowed for a period of up to three hours per year, including travel time, and shall be unpaid. Use of accruals is not required, but is permitted. An employee must receive prior approval from their Department Head to take leave for this purpose. Requests for such approval shall be in writing and submitted a minimum of two days in advance. The Department Head will have total discretion in the approval of this leave, but will not unreasonably deny such request. This leave does not carry over from year to year if left unused.**

**507 Leave for Cancer Screening**

**Pursuant to Civil Service Law Section 159-b employees are entitled to paid leave, not to exceed four hours on an annual basis, to undertake a screening(s) for cancer. Such leave is excused and shall not be charged against any other leave accruals to which the employee is otherwise entitled.**

**508 Family and Medical Leave Act**

The City complies with the provisions of **The Family and Medical Leave Act.**

This Act gives eligible employees the right to a maximum of twelve (12) weeks of job protected unpaid leave during any twelve (12) month period. Current accrued paid days such as paid vacation, personal days, or sick days may be used first and are part of the maximum (12) weeks. The remaining days will be unpaid leave. In accordance with the FMLA, the City recognizes that salaried, FMLS-eligible employees who are among the highest paid ten percent (10%) of all the City's employees are "key employees". The City may deny restoration to a position for a key employee following FMLA leave in accordance with the provisions of that law.

## Conditions

1. An eligible employee may request a leave upon the birth or adoption of a child of the employee, or one's placement with the employee for foster care.
2. An eligible employee may request a leave when the employee's spouse, child or parent has a serious health condition and requires care from the employee. The City will also give eligible employees job protected unpaid leave for their own serious health condition in accordance with the FMLA.
3. An eligible employee is defined as an employee of the City for at least twelve (12) months before the leave request (these need not be consecutive) who has worked for at least 1,250 hours during that time.
4. A serious health condition means an illness, impairment or physical or mental condition that involves either:
  - 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; or
  - b. A period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider; or
  - c. Any period of incapacity due to pregnancy, or for prenatal care; or
  - d. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.) or
  - e. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g. Alzheimer's, stroke, terminal diseases, etc.); or
  - f. Any absences to receive multiple treatments (including any period of recovery therefrom) by or on referral by a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g. chemotherapy, physical therapy, dialysis, etc.)
5. Throughout the duration of the leave, the City will continue the same level of benefits the employee received at the time of the leave, including health and dental insurance, sick, personal and vacation leave, and disability insurance, provided that all employee contributions are made on a timely basis. Employee contributions are at the same level they were at the time of the leave. Members of any of the New York State Retirement Systems will not receive service credit for any leave that is taken without pay.
6. When the need to take leave is foreseeable, employees must give a thirty (30) day or more notice of their intent to take a leave. When the need to take leave is not foreseeable, employees must give notice of their intent to take a leave as soon as practicable.
7. A certification issued by a Health Care provider may be required to support an employee's request for a leave due to a serious health problem. When required the employee must provide a copy in a timely manner (but no less than fifteen (15) calendar days from the date of the request). This certificate must include:
  - a. The date the condition began

- b. The probably duration of the leave.
  - c. Appropriate medical facts.
  - d. An assertion that the employee is unable to perform his/her job duties or that the employee is needed to care for a sick family member for a specified period of time.
8. Employees returning to work have the right to be returned to the job position that they held when they went on leave, or they may be placed in an equivalent position with equivalent benefits, pay and other terms and conditions of employment.
  9. If an employee fails to return to work after the leave period has expired, the City may recover the premium that it paid for maintaining the coverage during any period of unpaid leave.
  10. All request for participation in the Family and Medical Leave Act must be made through your department head.

## **COMPENSATION**

### **601 Pay Period**

Employees are paid on a bi-weekly or monthly basis. (Note: The two (2) members of the Civil Service Commission are paid on a quarterly basis).

### **602 Direct Deposit**

**All non-union employees hired after 1/1/2021 must have direct deposit.**

### **603 Authorized Check Pick-Up**

Authorized check pick-up by other than the employee must be in writing.

### **604 Expense Reimbursement**

Pre-authorized expenses will be reimbursed upon submission of proper documentation forms including receipts. These expenses include, but are not limited to, meals, lodging, parking, mileage (*see Section 605*), and thruway tolls.

### **605 Mileage Reimbursement**

Employees who are authorized to use their own vehicle to conduct City business will be reimbursed a mileage rate that is set in accordance with the IRS Standard Mileage Rate.

**606 Longevity Pay**

Longevity pay is given to eligible non-union employees in City Hall ***as follows:***

<u><b><i>\$600.00 after 5 years of service</i></b></u>
<u><b><i>\$900.00 after 10 years of service</i></b></u>
<u><b><i>\$1,300.00 after 15 years of service</i></b></u>
<u><b><i>\$1,600.00 after 20 years of service</i></b></u>

**EMPLOYEE BENEFITS**

The City offers full-time employees a comprehensive benefit package. Part-time and seasonal employees are provided with limited benefits, such as Social Security, Retirement, Worker’s Compensation and Unemployment Insurance. For purposes of defining eligibility for benefits, full-time, non-union part-time and season employees are defined as follows:

City Hall Employees:

Full-time: Employees who work a minimum of thirty (30) hours per week on a continuous annual basis.

Part-time: Employees who work less than thirty (30) hours per week.

Seasonal: Employees who are employed on a season basis, regardless of the number of hours worked per week.

**701 Health Insurance**

The City provides all ***elected officials and full-time employees with a health insurance. Eligible employees will be covered under the City’s health coverage plan.*** Coverage is provided for eligible spouses and dependent children of full-time employees.

Health Insurance – General Information

Enrollment of eligible new employees is not automatic. In order for coverage to be effective as of the first day of employment the eligible employee must within the first five (5) days of employment obtain the information booklets and enrollment forms that are provided by the Commissioner of Accounts.

It is the responsibility of each employee to:

1. Study the information material that is provided about the insurance plan.
2. Select individual, 2-person or family coverage.
3. Complete enrollment forms and return them on time.

***The City's health insurance provider*** is prepared to answer questions regarding the coverage provided and other related services that may be available. Phone numbers are included in the pamphlets. The Commissioner of Accounts is also ready to assist employees with the administrative and operational aspects of the Employee Health Insurance Program.

#### Keeping Your Coverage Up To Date

To keep your coverage up to date, please notify the Commissioner of Accounts if:

1. Your family unit changes. For example:
  - a. You marry or divorce;
  - b. You acquire a dependent;
  - c. You no longer have any eligible dependents;
  - d. Your dependent loses eligibility;
  - e. You no longer wish to provide coverage for a dependent;
  - f. You have a disabled dependent;
  - g. You or a covered dependent becomes eligible for Medicare benefits because of disability, although under age 65; or
  - h. Your spouse dies.
2. Your status changes. For Example:
  - a. You are going to retire;
  - b. You are going on Leave Without Pay;
  - c. You have questions about COBRA;
  - d. You want to cancel your health insurance coverage to obtain dependent status under your spouse's coverage;
  - e. You will become eligible for Medicare within the next four (4) months.
3. You have questions:
  - a. Concerning your family's eligibility for health insurance coverage;
  - b. About changing your type of coverage (Family/Individual);
  - c. Your Employee Benefit I.D. Card is lost or damaged;
  - d. You or a dependent does not receive your Employee Benefit I.D. Card;
  - e. You want to know how to coordinate your benefits with Medicare.
4. You have other issues/concerns such as:
  - a. You want to cancel your coverage;
  - b. Your home address changes; or
  - c. You would like a Participating Provider Directory.

## **702 Dental Insurance**

The City provides all elected officials and full-time City Hall and CSEA employees with coverage under the CSEA Employee Benefit Fund. Full-time PBA employees receive dental coverage under the Capital District Physician's Health Plan. Coverage is provided for eligible spouses and dependent children of full-time employees and elected officials.

## **703 Continuation of Benefits (COBRA)**

COBRA offers full-time employees, spouses and dependent children the ability to continue existing health insurance coverage completely at their own expense under certain qualifying conditions.

Employees must be enrolled in the City's health insurance plan at the time the qualifying condition occurs. This option must be taken at the time of separation or change of dependent status, and is in effect for a period of eighteen (18), twenty-nine (29) or thirty-six (36) months, depending upon specific circumstances.

Employees separated from employment or whose hours are reduced are qualified for coverage continuation for eighteen (18) months after the date of occurrence. Former spouses and dependent children of employees who are no longer eligible to be covered on the City plan, and retired employees are eligible for coverage for thirty-six (36) months. Certain disabled employees are eligible for twenty-nine (29) months.

If the required premium is not received by the City at the time specified, the coverage will cease.

## 704 Holidays

All full-time employees are eligible for holidays in accordance with the following schedule:

Holiday	PBA	CSEA	City Hall
New Year's Day	yes	yes	yes
Martin Luther King Day	yes	yes	yes
<b><i>Lincoln's Birthday</i></b>	<b><i>yes</i></b>	<b><i>no</i></b>	<b><i>no</i></b>
<b><i>President's Day</i></b>	<b><i>no</i></b>	<b><i>yes</i></b>	<b><i>yes</i></b>
<b><i>Washington's Birthday</i></b>	<b><i>yes</i></b>	<b><i>no</i></b>	<b><i>no</i></b>
Memorial Day	yes	yes	yes
<b><i>Juneteenth</i></b>	<b><i>no</i></b>	<b><i>no</i></b>	<b><i>yes</i></b>
Independence Day	yes	yes	yes
Labor Day	yes	yes	yes
Columbus Day	yes	yes	yes
Veteran's Day	yes	yes	yes
Thanksgiving Day	yes	yes	yes
Day After Thanksgiving	no	yes	yes
½ Day Christmas Eve	no	yes	yes
Christmas Day	yes	yes	yes
½ Day New Year's Eve	no	yes	yes
Employee's Birthday	yes	no	no
Floating Holiday	no	yes	<b><i>no</i></b>

\*If the holiday falls on a work day, City Hall employees will be allowed a ½ day off. If the holiday falls on a weekend, City Hall employees will not receive the ½ day.

### Holiday Observance

Exclusive of the PBA collective bargaining unit, when a holiday falls on a Saturday, the day of observance shall be on the preceding Friday. When a holiday falls on a Sunday, the day of observance shall be the following Monday. Employees covered by a collective bargaining unit who are scheduled to work on a holiday, will receive holiday compensation in accordance with the appropriate union agreement.

**705 Vacation Policy**

Full-time non-union employees shall be granted vacation time according to the schedule listed below:

After completion of	Vacation Schedule (Days)
	City Hall
1 year of service	10
2 years of service	10
3 years of service	10
4 years of service	10
<b><u>5 years of service</u></b>	<b><u>15</u></b>
6 years of service	15
7 years of service	15
8 years of service	15
9 years of service	15
<b><u>10 years of service</u></b>	<b><u>20</u></b>
11 years of service	20
12 years of service	20
13 years of service	20
14 years of service	20
15 years of service	25
16 years of service	25
17 years of service	25
18 years of service	25
19 years of service	25
<b><u>20 years of service</u></b>	<b><u>30</u></b>
21+ years of service	30

Vacation Carry-Over

If an employee does not use vacation accrued in any given year, that vacation leave cannot be carried over into the following year without prior written approval from the department head. In no case will more than five (5) days be allowed to be carried over. **All carry over vacation must be taken within six (6) months of the year in which it is deferred, unless otherwise indicated in the appropriate union agreement.**

Payment of Unused Vacation

Any employee who is terminated, laid off, resigns or retires from the City will be entitled to receive cash payment for unused vacation to which he/she is properly entitled

**706 Sick Leave Policy**

The City provides sick leave benefits for all *non-union* full-time employees in case they are ill and unable to work. Sick leave is an earned privilege and should be treated as one. Proper use of sick leave makes good sense. Accumulated sick leave means a paycheck when you cannot work and need it most. Sick leave benefits are earned as follows:

	<b>Sick Leave Earned (Days)</b>
	<b>City Hall</b>
Annually Accrues	15
Maximum Accumulation	<u><b>365</b></u>

Advanced Request to use Sick Leave

All requests to use sick leave must be made to your supervisor prior to the time that the work shift commences. If an employee calls in sick after his/her work shift commences, he/she may be docked payment for all unauthorized time used, at the discretion of the department head.

Physician's Verification

A department head may, at the end of an employee's use of three (3) consecutive sick days, request a physician's verification of an employee's illness or continued illness. Failure to produce such documentation may result in the employee being docked for those days if it has been found the employee has been abusing the use of sick leave.

Separation from Employment

If an employee is terminated, laid off, or resigns from the City, the balance of any unused sick leave is automatically lost.

Section 41-J of the Retirement and Social Security Law

All full-time CSEA and City Hall employees may transfer the balance of their unused sick leave to the retirement system at time of retirement in accordance with Section 41-J of the Retirement and Social Security Law, **up to whatever limit is permitted under law.**

**707 Personal Leave Policy**

The City provides Personal Leave for full-time employees according to the following schedule:

**PERSONAL LEAVE (DAYS)**

**CITY HALL**

Annually earns

4

If an employee does not use accumulated Personal Leave by the end of the year in which it is earned, the remaining personal leave cannot be carried over into the following year and is considered "lost" by the employee.

Advance Request to Use Personal Leave

All requests to use personal leave must be made to the department head at least twenty-four (24) hours prior to the time that their work shift commences. If an employee calls in to use personal leave after his/her work shift commences, he/she may be docked payment for all unauthorized time used, at the discretion of the department head. The twenty-four (24) hour notice may be waived by the department head in cases where the employee must use personal leave for emergency purposes during work hours.

Separation from Employment

If an employee is terminated, laid-off, resigns or retires from the City, the balance of any unused personal leave is automatically lost.

**708 Bereavement Leave Policy**

In the case of a death in the family, full-time employees are granted a certain number of days off which do not have to be subtracted from any of their leave balances. The parameters defining the use of bereavement leave are outlined below:

	<b>Category</b>	<b>City Hall</b>
	Employee's Spouse	4
"	Child	4
"	Child (Step)	4
"	Parent (Natural)	4
"	Parent (Foster/Step)	4
"	Siblings (Step)	4
"	Aunt/Uncle	2
"	Mother/Father In-Law	4
"	Grandparents	<u>4</u>
"	Relative (live in)	0

**Bereavement Leave is to be taken in consecutive working days adjacent to death of the family member.**

## **709 Disability Coverage**

The City provides disability coverage for eligible employees who suffer an on-the-job injury or illness. The premiums for this coverage are paid entirely by the City of Mechanicville. Eligibility requirements are detailed in the New York State Disability Benefits Law.

Disability coverage provides a weekly cash benefit determined by the claimant's average weekly earnings in the last eight (8) weeks of employment (not counting the week in which the disability began). Benefits are 50% of the claimant's average weekly salary, up to a maximum weekly benefit determined by the Worker's Compensation Board.

Payment of benefits begins the eighth day of disability and is payable for twenty-six (26) weeks per disability, however, if the employee is disabled for three (3) consecutive weeks after the initial one (1) week period, benefits are payable from the first day of injury or illness.

You may contact the Commissioner of Accounts for more information regarding disability benefits.

## **710 Worker's Compensation**

Workers' Compensation benefits, including payment of medical costs and replacement of lost wages up to the regulated maximum are provided for eligible employees who suffer a job related injury.

It is the employee's responsibility to submit a written report of the injury to your department head within forty-eight (48) hours of the accident in order to ensure prompt coverage of the claim.

The cost of Workers' Compensation is paid entirely by the City.

### 207-c Benefits

Employees of the Police Department receive Workers' Compensation benefits pursuant to Section 207-c of the General Municipal Law.

## **711 Unemployment Insurance**

Unemployment Insurance is available to those who are ruled eligible for benefits by the State Department of Labor and have served the appropriate waiting period.

## **712 Social Security**

Social Security Benefits are available for retirement, survivor's benefits and medical costs under qualifying conditions determined by the Federal Social Security Administration Office. Social Security

(FICA) is paid one-half by the City and one-half by the employees **as a part of the normal payroll process.**

### **713 New York State and Local Retirement Systems**

The City offers two separate New York State and Local Retirement System Plans. These plans provide employees with a regular income upon retirement from service. **Employees should consult with those retirement systems for any requirements and benefits.**

The two (2) Retirement System Plans are as follows:

1. Employees' Retirement System (ERS)

The New York State Employees' Retirement System (ERS) covers all City employees except for sworn personnel in the Police and Fire Departments.

2. Police and Fire Retirement System (PFRS)

The Police and Fire Retirement System covers all sworn personnel in the Police Department.

## **SAFETY**

### **801 Safety Procedures**

To be successful, a safety program must have awareness toward injury and illness prevention on the part of all employees. It also requires cooperation in all safety and health matters. Only through such a cooperative effort can a safety program be administered. Our objective is to reduce the number of injuries and illnesses to an absolute minimum. Our safety program includes, but is not limited to, the following:

- Providing mechanical and physical safeguards to the maximum extent possible.
- Conducting inspections to find and eliminate unsafe working conditions or practices, to control health hazards, and to comply fully with the safety and health standards for every job.
- Training all employees in good safety and health practices.
- Providing necessary personal protective equipment and instructions for its use and care.
- Developing and enforcing safety and health rules and requiring that employees cooperate with these rules as a condition of employment.
- Investigating, promptly and thoroughly, every accident to find out what caused it and to correct the problem so that it won't happen again.
- First Aid kits and fire extinguishers are provided in various locations throughout our buildings.

## Accident Plan

In the case of an accident, stop work immediately and take the following steps:

1. Eliminate the immediate cause of the accident.
2. Provide aid to the injured person and summon for assistance.
3. Call your department head immediately. If the accident appears serious, call an ambulance (911).
4. Take steps to prevent a second accident.
5. Prepare a written accident report with the full details of the accident and submit it to your department head immediately.

To protect all employees and to safeguard equipment and property, it is our policy that no employee will perform any type of work until they fully understand the correct operation and possible hazards involved, safety procedures, and the necessity of safety equipment. Accidents can be prevented through the use of reasonable precautions and the practice of safe working habits.

### **802 OSHA and Safety**

The Federal Occupational Safety and Health Act (OSHA) is designed to provide a safe work environment and eliminate unsafe conditions. All OSHA directives must be carried out.

Any suspected safety hazard should be brought to the attention of the supervisor immediately.

### **803 Hazard Communication Program**

The City considers Hazard Communication and the prevention of workplace injuries and illnesses to be of prime importance. Accident control involves the safety and well-being of our employees.

We are committed to providing a safe and healthy work environment. We comply with all Federal, State and Local laws regarding hazard recognition, accident prevention, and working conditions.

This portion of our comprehensive safety program has been prepared to comply with the requirement of Title 29 of the Code of Federal Regulations 1926.59.

It is intended to ensure that all information necessary for the safe use, handling and storage of hazardous chemicals be made available to employees.

The following are guidelines for the identification of chemical hazards and the preparation and proper use of containers, labels, placards, and other types of warning devices.

## Chemical Inventory

All chemicals on site will be stored in their original or approved containers with a proper label attached. Any container not properly labeled shall be given to the supervisor for labeling or proper disposal.

Workers may dispense chemicals from original containers only in small quantities intended for immediate use. Any chemical leftover must be returned to the original container or to the supervisor for proper handling.

No unmarked containers of any size are to be left in the work area unattended.

The City will rely on a manufacturer applied labels whenever possible, and will ensure that these labels are maintained. Containers that are not labeled or on which the manufacturer's label has been removed, will be relabeled.

The City will ensure that each container is labeled with the identity of the hazardous chemical contained and any appropriate hazard warnings.

## Material Safety Data Sheets (MSDS)

Employees working with a Hazardous Chemical may request a copy of the material safety data sheet (MSDS). MSDS are available on file. A standard chemical reference is also available to provide immediate reference for chemical safety.

## Employee Training

Employees will be trained to work safely with hazardous chemicals. Our Employee Training includes methods that may be used to detect a release of a hazardous chemical in the workplace, physical and health hazards of chemicals and protective measures to be taken, safe work practices, emergency responses and use of personal protective equipment. We also provide information on the Hazard Communication Standard including labeling and warning systems and an explanation of Material Safety Data Sheets.

## Personal Protective Equipment (PPE)

Required Personal Protective Equipment (PPE) is available from your supervisor. Employees may be required to wear special safety equipment as directed by the supervisor. Employees must comply with the supervisor's request. Any employee who does not follow the supervisor's instruction is in violation of PPE requirements and may be subject to disciplinary action.

Depending on job duties, employees must routinely wear protective devices such as gloves as directed by the supervisor.

### Emergency Response

Any incident or overexposure or spill of a hazardous chemical/substance must be reported to your supervisor at once. The supervisor will be responsible for insuring that proper emergency response actions are taken in leak/spill situations.

### Hazards of Non-Routine Tasks

Department Heads will inform employees of any special tasks that may arise which would involve possible exposure to hazardous chemicals.

Review of safe work procedures and use of required PPE will be conducted prior to the start of these tasks. Where necessary, areas will be posted to indicate the nature of the hazard involved.

## **THE CIVIL SERVICE SYSTEM**

### **901 The Merit System**

It is written in the New York State Constitution that all appointments and promotions in the civil division, thereof, should be based on merit and fitness and so far as practicable after competitive examination. As a City employee, you are now part of this merit system.

### **902 The Unclassified and Classified Services**

All positions in the City are included in either the Unclassified or Classified Service. An explanation of these two (2) services is as follows:

Unclassified Service – Consists of those employees among others who are elected officials, members of boards or commissions, **and Deputy Commissioners.**

Classified Service – Includes all other City employees who are subject to the rules and regulations of the City of Mechanicville Civil Service Commission. The Classified Service is divided into four (4) jurisdictional classes:

- a. Competitive – those positions for which it is practicable to determine merit and fitness by competitive examinations.
- b. Non-Competitive – those positions for which it is not practicable to ascertain the merit and fitness of applicants by competitive examination but rather by a review of training and experience.
- c. Exempt – those positions for which competitive or non-competitive examinations or other qualification requirements are not practicable.
- d. Labor – includes positions which require no specific minimum requirements.

### **903 Veteran's Credits**

If you are a veteran, you may be eligible to apply for veteran's credit on a Civil Service examination. Veteran's credits may be added to a passing score only and may be used for appointment purposes only once. Veterans are encouraged to contact the City of Mechanicville Civil Service Commission for details concerning these credits.

### **904 Eligible Lists**

Candidates who pass an examination are placed on an eligible list in the order of their passing mark. Permanent appointments from this list must be in compliance with the "Rule of Three". (i.e., appointments to be made from among the three highest scoring candidates on the eligibility list).

### **905 Appointments**

The following types of appointments are made to positions which are classified as Competitive:

1. Permanent – employees in the competitive class who are appointed to vacant positions from an eligible list established as a result of examination and who successfully complete the probationary term.
2. Provisional – Appointments made whenever there is not an appropriate eligible list available for filling a vacancy in the competitive class. Provisional appointees are required to take an examination whenever it is scheduled. At such a time, the provisional appointee will be required to compete with all other qualified applicants on terms which give no advantage to the incumbent. A permanent appointment will thereafter be made on the basis of the eligible list resulting from the examination. Employees appointed provisionally for non-promotional positions have no Civil Service protection.
3. Temporary – Temporary appointments may be made in the competitive class for a variety of reasons including: a need for emergency work; planned termination of a position in a short time; an employee is on a leave of absence; the position is funded through a temporary grant; or in cases where an employee has been appointed to a position vacated through the promotion of another employee. Until the employee who has been promoted receives permanent status, the other employee's status remains temporary. Temporary appointments may be for a period of up to twelve (12) months. Since the temporary job falls within the scope of the competitive class it is subject to the following provisions:
  - a. A temporary appointment may be made for one (1) to three (3) months without referring to an eligible list.
  - b. A temporary appointment for three (3) to six (6) months may be made by selection of anyone on an eligible list.
  - c. A temporary appointment may be made for a period of more than six (6) months if the candidate is among the top three (3) candidates and is willing to accept a temporary position or if a current eligible list does not exist for that particular position.

## **906 Examination and Promotions**

Competitive Class positions in the City are filled by examinations. Candidates are ranked according to their performance on the examination. The names of the top three (3) applicants are sent to the appointing officer who then chooses one (1) of the three (3) to fill the position. The City offers opportunities for advancement for those who qualify. Normally, qualified employees must take a promotional examination in which case the above "rule of three" would apply. Employees wishing to advance in their careers are encouraged to become quite knowledgeable about their present position and be aware of higher level positions for which they may be qualified.

## **907 Probationary Period**

All employees appointed to a permanent position in the competitive, non-competitive, exempt and labor class must successfully complete a probationary period. The length of the probationary period for permanent appointments, promotions, transfers and reinstatements is established by the City of Mechanicville Civil Service Rules. All permanent appointments from an open-competitive list and every original permanent appointment to a position in the non-competitive, exempt or labor class have a probationary period of not less than (8) or no more than twenty six (26) weeks, except for Police Officers (see below).

Upon successful completion of the required probationary period, the employee is permanently retained, subject to the provisions of the Civil Service Law. If an employee's performance or conduct during probation is not satisfactory, the individual may be dismissed or returned to her/his previous position in City service.

The probationary period is necessary for an employee to become familiar with the specific duties of a particular job. This period also allows the departments head an opportunity to observe the employee's work performance and to make recommendations for his/her future growth and development in the position.

### Probationary Periods for Police Officers

Probationary periods for Police Officers shall be for a term of not less than twelve (12) or no more than fifty-two (52) weeks. For Police Officers, permanent status is attained after the successful completion of the probationary period and the satisfaction of the requirements of General Municipal Law (Section 209-q).

## **CITY POLICIES AND PROCEDURES**

### **1001 Personal Appearance/Dress Code**

While it is not the City's intention to dictate the personal wardrobe of our workforce, the appearance and dress of employees is important in creating a favorable image supportive of the public confidence. In general, employees are encouraged to maintain their personal appearance in a manner which will reflect a good image to the public in accordance with departmental rules and reflective of job requirements.

### **1002 Drug-Free Workplace Policy**

The City Council, in the interest of providing a safe work environment and a healthy productive workforce, has adopted the following Drug-Free Workplace Policy which is consistent with the Federal "Drug-Free Workplace Act of 1988":

#### **Statement**

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is strictly prohibited in all work places and work sites of City employees. Any person who violates this prohibition may be referred for counseling or rehabilitation and satisfactory treatment or be subject to disciplinary action, up to and including dismissal, even for the first offense.

#### **Employee Assistance**

In establishing a drug-free workplace, it is the City's policy to work with employees suffering from substance abuse so that they will receive assistance necessary to overcome their dependency. Any employee seeking such assistance is encouraged to contact his/her department head to discuss the situation before problems begin to surface in the workplace. Any disclosures made by an employee will be treated as strictly confidential by the department head. The employee's decision to seek assistance will not be used as the basis for disciplinary action or used against the employee in any disciplinary proceeding.

#### **Employee Responsibilities**

As a condition of the City receiving Federal grant monies, every employee must abide by this policy and notify his/her department head of any criminal drug conviction occurring in the workplace, within five (5) days of the conviction.

## City Responsibilities

The City will notify the granting federal agency within ten (10) days after receiving notice from an employee of such a conviction or otherwise receiving actual notice of such conviction.

### **1003 Smoking, Vaping, and Use of Tobacco or Cannabis Products Policy**

**For the purposes of this Section, the following definitions shall apply:**

- 1. Smoking: the burning of any matter or substance which contains tobacco or cannabis.**
- 2. Vaping: the use of an electronic cigarette.**
- 3. Using: the consumption of any matter or substance which contains tobacco, tobacco products, and/or cannabis.**

The following smoking policy applies to all City employees:

1. Smoking, **vaping, and/or the use of tobacco and/or cannabis products** shall be prohibited in all City Municipal Buildings.
2. Smoking, **vaping, and/or the use of tobacco and/or cannabis products** shall be prohibited in all City vehicles.
3. Smoking, **vaping, and/or the use of tobacco and/or cannabis products** shall be prohibited in all Police and Fire Departments.

This policy is in accordance with Federal and State Guidelines.

Any questions concerning this smoking policy should be directed to your department head.

### **1004 Telephone Use**

In order to achieve our goal of effective public service, it is important to maintain good relations with the residents of our community. Remember these people are not only taxpayers, but are also our employers. When conducting City business on the telephone, be sure to follow these brief guidelines:

1. During office hours, be sure someone is always in your office to answer the telephone. If your department has a limited staff, make arrangements with another department for telephone coverage or make sure an answering device is in operation.
2. Answer promptly, speaking in a clear, friendly and courteous tone.
3. Identify your office and yourself. If a call is not for you, be sure to transfer the caller to the correct party.
4. If you must hold a call, return to the line frequently so the caller will not think she/he has been forgotten.
5. Personal long distance calls are strictly prohibited.

6. Employees are prohibited from accepting collect calls without the approval of the department head or supervisor.
7. Employees are limited to the personal use of our telephones only in the case of emergencies or to check on family matters.

## **1005 Unauthorized Work**

Employees are expected to perform work only for the City during the workday ***unless specifically authorized by a supervisor in writing.*** Any employee who performs unauthorized work, claims that City work has been done when such is not the case, or performs any act of fraud or deceit, will be subject to disciplinary action, including dismissal, in accordance with applicable collective bargaining agreements and/or Civil Service Law (Section 75).

## **1006 Supplies, Tools, Equipment and Vehicle Usage Policies**

### Supplies

In order to insure the proper use of taxpayer's money, all City owned supplies must be used efficiently and not wasted. Employees are not permitted personal use of any City supplies, such as postage, paper and other office supplies, gasoline and motor oil.

### Tools and Equipment

The City supplies employees with the necessary tools and/or equipment necessary to perform their job duties. It is the responsibility of the employee to use these items wisely. Any tool or piece of equipment lost or damaged by the employee as a result of negligence or intentional misuse will be the employee's responsibility to have replaced or repaired. Employees are not allowed personal use of any tool or piece of equipment, including, but not limited to, fax machines, copiers and computer equipment. Work on private vehicles using the City Garage, tools and equipment is strictly prohibited. Violations of this policy will result in disciplinary action, including dismissal, in accordance with applicable collective bargaining agreements and/or Civil Service Law (Section 75).

### Computer Use

#### Purpose

Any employee ("user") using the City of Mechanicville ("City's") computer systems, Internet technologies and/or email system must adhere to the rules contained in this policy. By utilizing such computer systems, internet technologies and/or email system, users agree to abide by the terms of this policy.

#### Use of City property outside the City

All data and programs on the City's computers, network stations and file servers are the property of the City. Such city property shall not be copied, except for City purposes and shall not be moved or used outside the City, except for City-related purposes, without prior notification and approval by the employee's department head or his/her designee.

#### Computer system usage

All electronic and telephonic communications systems and all communications and information transmitted by, received from or stored in the City's computer systems are to be used solely for job-related purposes. Use of the City Internet technologies to access any Web site for the purpose of personal gain, websites of a sexually explicit nature or websites otherwise inappropriate in a professional environment or for any purpose is strictly prohibited.

#### E-mail communications

The use of the City's email system to transmit, intimidate annoy or make available to others information containing sexually explicit, profane, obscene, harassing, offensive or otherwise discriminatory material is strictly prohibited. The City's e-mail systems are not to be used for personal financial gain or profit.

#### Privacy

Users cannot and should not attempt to use the City's email and/or other computer systems to send, receive or store any messages or data they wish to keep private. By using the City's e-mail and/or computer systems, all users waive any right to privacy in e-mail messages or other data transmitted. The city reserves the right to access, review, copy and/or delete any message, file, data or document on its e-mail or computer systems, including matter stored on individual computers and related material.

#### Confidential information

Confidential information of or concerning the City shall never be forwarded to others who are not authorized to receive such information and shall not be transmitted to anyone who does not need to know such information. In order to further guard against dissemination of confidential City information, employees shall not disclose their passwords and information in the computer systems. No employee shall enter the e-mail files of another employee without the prior consent of the employee unless authorized by the department Commissioner/Mayor or his/her designee.

#### Copyright Infringement prohibited

Use of the City's computers systems to copy and/or transmit any documents, software or other matter that is otherwise protected by the copyright laws is strictly prohibited.

#### Authorization required for download or installation of software

Personal copies of software (not City-owned) shall not be loaded/installed or run on City computers without prior written authorization from the department Commissioner/Mayor or his/her designee. City-owned software shall not be copied or downloaded from a city computer to any electronic media for personal use without prior written authorization from the employees' department Commissioner/Mayor or his/her designee.

#### Security; integrity of City's Computer System

Users must not attempt to circumvent or subvert computer systems security measures or to access unauthorized resources or entities. Users must not do anything to harm the City's computers systems or the information stored in them. This includes, but is not limited to, creating or spreading viruses, degrading system performance, disrupting services, damaging files or vandalizing or otherwise compromising the data of another user.

#### Enforcement; penalties for offenses

Any violation of this policy may result in access privileges being revoked and/or appropriate legal or disciplinary action being pursued against the user.

#### Waiver of responsibility

Users of the city's computer systems for personal use do so at their own risk, even if the employee has received prior authorization for such use by the user's department Commissioner/Mayor. The City makes no warranties with respect to network or computer service and it specifically assumes no responsibility for:

- A. The content of any information received by a user, whether for personal or City business purposes from a source outside of the City or any costs or charges incurred as a result of receiving or accepting such information.
- B. Any costs, liability or damages caused by the way the user chooses to use his/her City computer systems access for personal purposes, even if done with prior authorization of such personal use by the user's department Commissioner/Mayor.
- C. Any consequences of service interruption or changes, even if these disruptions arise from circumstances under control of the City.

#### Vehicles

There are certain employees who must regularly drive a City owned vehicle in order to perform their job duties. The following guideline regarding the use of City owned vehicles has been established to insure the safety of employees as well as the efficient use of taxpayer's money.

1. Vehicles are only to be used to conduct City business; personal usage is prohibited unless written approval has been granted from the department head.
2. Alcoholic beverages or drug related paraphernalia shall be prohibited in any vehicle.
3. All accidents regarding a City owned vehicle must be reported immediately to the Police Department and a complete police investigation report submitted to the department head.

#### **1007 Disciplinary Action**

If the need arises to correct a situation in which an employee has violated City policies or regulations **or otherwise engaged in misconduct or incompetence**, appropriate disciplinary action may be administered in accordance with applicable collective bargaining agreements and/or Civil Service Law (Section 75).

##### Civil Service Law (Section 75)

Section 75 of the Civil Service Law **covers some titles and positions and** states that certain covered civil service employees may not be removed or otherwise subjected to disciplinary action except for incompetence or misconduct shown after a hearing upon stated charges. This section shall be deemed at all times to be amended so as to be consistent with Civil Service Law Section 75, should that provision be amended. **Any employee who is the subject of discipline and is eligible for the protections of Civil Service Law Section 75 will be disciplined in accordance with those procedures.**

#### **1008 Rules of Conduct**

In addition to the **violation of any of the** policies, procedures, rules and regulations in this Handbook, the following, not meant to be all inclusive, are job related actions that may result in disciplinary action, up to and including dismissal, in accordance with applicable collective bargaining agreements and/or Civil Service Law (Section 75).

1. Falsification of any reports, pertaining to absence from work, injuries on the job, claims for benefits provided by the City.
2. Threatening, intimidating, coercing, or interfering with fellow employees, supervisors or department heads.
3. Improper performance of job or repeated failure to perform all duties assigned.
4. Refusal to obey instructions of supervisor or department head or any other form of insubordination.
5. Careless or negligent use or operation of City equipment and vehicles
6. Willful abuse or deliberate destruction of City property or removal of City property
7. Violation or disregard of safety rules or safety practices.
8. Repeated violations of rules of conduct.
9. Leaving work area without permission.
10. Habitual tardiness and absences.

11. Unauthorized absences/repeated failure to notify employer.

1009 Code of Ethics

(Adopted by the City Council 02-14-2024)

Purpose

Pursuant to the provisions of § 806 of the General Municipal Law, the City Council of the City of Mechanicville recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this chapter is to promulgate these rules of ethical conduct for the officers and employees of the City of Mechanicville. These rules shall serve as a guide for official conduct of the officers and employees of the City of Mechanicville. The rules of ethical conduct of this chapter, as adopted, shall not conflict with but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Definitions

As used in this chapter, the following terms shall have the meanings indicated: INTEREST-A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of:

- A. His/her spouse, minor children, and dependents, except a contract of employment with the municipality which such officer or employee serves.
- B. A firm, partnership or association of which such officer or employee is a member or employee.
- C. A corporation of which such officer or employee is an officer, director or employee.
- D. A corporation, any stock of which is owned or controlled directly or

indirectly by such officer or employee.

MUNICIPAL OFFICER OR EMPLOYEE - An officer or employee of the City of Mechanicville, whether paid or unpaid, including members of any administrative board, commission, or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a Fire Chief or Assistant Fire Chief.

Business Dealing

A. Having or providing any contract, service or benefit to of for the City.

8. Buying, selling, renting, leasing or otherwise acquiring.

C. Any corporation of which the City official or employee is an officer, director or employee or of which he or she legally or beneficially owns or controls more than 5% of the outstanding stock.

D. Any person from whom the City official or employee or his or her spouse has received within the previous twelve-month period a pecuniary or material benefit having an aggregate value greater than \$5,000.

SOLICIT - To make a specific request of a person not otherwise disposed to be a recipient of such request.

SPOUSE - Shall include spouse and/or domestic partner.

CITY - The City of Mechanicville governmental and administrative operations, including officials, officers and employees of the City of Mechanicville who act under the auspices of the City of Mechanicville or on its behalf including City Council members, commissions, districts or other agency, department or unit of the government of the City of Mechanicville.

CITY OFFICIAL OR EMPLOYEE - Any official or employee of the City including City officials, whether paid or unpaid. No person shall be deemed to be a "city official or employee" solely by reason of being a member of the Ambulance.

VENDOR - Any person or entity that sells or provides to the City any property, goods or services, whether on a regular basis or pursuant to periodic agreement, and does not include a City Official or employee.

Standards of Conduct

Every officer or employee of the City of Mechanicville shall be subject to and abide by the following standards of conduct:

A. Gifts. He/She shall not, directly or indirectly, solicit any gift having a value of seventy- five dollars (\$75) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her, in the performance of his/her official duties or was intended as a reward for any official action on his/her part.

B. Confidential information. He/She shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.

C. Representation before one's own agency. He/She shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

D. Representation before any agency for a contingent fee. He/She shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby his/her compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

E. Disclosure of interest in legislation. To the extent that he/she knows thereof, a member of the City Council and any officer or employee of the City of Mechanicville, whether paid or unpaid, who participates in the discussion or gives official opinion to the City Council or any other official board or agency on any legislation or matter before the City Council of the City of Mechanicville or

any other official board or agency of the City of Mechanicville shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

F. Investments in conflict with official duties. He/She shall not invest or hold any investment, directly or indirectly, in any financial, business, commercial or other private transaction which creates a conflict with his official duties.

G. Private employment. He/She shall not engage in, solicit, negotiate for or promise to accept private employment, or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his/her official duties.

H. Future employment. He/She shall not, after the termination of service or employment with such municipality, appear before any board or agency of the City of Mechanicville in relation to any case, proceeding, or application in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration.

#### Annual disclosure

A. The following City Officials shall be required to file with the Commissioner of Accounts a financial disclosure statement within 30 days after taking office and no later than April 30 of each year thereafter: Members of the City Council, Members of the Planning/Zoning Board, Assessor, and City Attorney. The above must also file an amended disclosure within 30 days after any substantial change in the information.

B. Matters to be disclosed by all City Officials on the disclosure forms shall include:

(1) The location of any real property within the City in which the City official or spouse has an ownership or other financial interest, not including their residence.

(2) The name of any partnership, unincorporated association or other unincorporated business of which the City official or spouse is an officer, employee or partner or in which the City official or spouse has a proprietary interest, and the spouse's position, if any, with the partnership, association or business, if any such entity has engaged within the past 12 months or which is anticipated to have any business dealings with the City.

(3) The name of any corporation of which the City official or spouse is an officer, director or employee or of which he or she or his or her spouse or of which the City official or spouse legally or beneficially owns or controls more than 5% of the outstanding stock, and any

such entity that he or she has engaged within the past 12 months or which he or she is anticipated to have any business dealings with the City, and the City official's and spouse's position, if any, with the corporation.

(4) The name of any persons from whom the City official or his or her spouse has derived during the previous calendar year and any income whereby such income was derived from business dealings with the City.

C. A person who knowingly violates any provision of this section shall be guilty of a violation. Maintenance of disclosure statements  
Financial disclosure statements filed pursuant to this Local Law shall be public records and shall be indexed and maintained on file in an appropriate manner by the Commissioner of Accounts. The Commissioner of Accounts shall retain disclosure statements in his or her files for not less than seven years from the date of filing.

#### §18-5 Filing of claims or demands.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand, or suit against the City of Mechanicville or any agency thereof on behalf of himself/herself or any member of his/her family arising out of any personal injury or property damage for any lawful benefit authorized or permitted by law.

#### § 18-6. Distribution.

The Mayor of the City shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the City of Mechanicville within thirty (30) days after the effective date of this chapter. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his/her office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code or the enforcement provisions thereof.

#### § 18-7. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended, or removed from office or employment, as the case may be, in the manner provided by law.

## **1010 Solicitations/Distributions**

Without department head approval, solicitation or distributions of non-work related literature to co-workers by City employees during working hours is prohibited.

## **1011 Resignations**

Employees who consider resigning should discuss that possibility with their department head before making a final decision. If a decision to resign is made, employees must submit a written resignation to their department head at least two (2) weeks before the date of resignation.

## **COMMUNICATION PROCEDURES**

### **1101 Bulletin Board**

Bulletin Boards are located throughout our buildings for communicating information to employees. Please check the Bulletin Boards frequently to keep informed on changes in employment matters and other items of interest. No memos or announcements can be posted without prior approval from your department head.

### **1102 Adverse Correspondence**

Any memos, fax messages, letters, telegrams, legal notices, summons, or other forms of communication of a negative nature are to be immediately given to your department head.

Employees receiving complaints from City residents of unfair treatment or expressions of anger and/or dissatisfaction are to notify their department head who will take action immediately.

### **1103 Public Relations**

The courteous, professional treatment of members of the public by all employees helps to build confidence among the taxpayers we serve. We ask that all employees make every effort to represent the City in a polite and professional manner.

## **CONCLUSION**

In general, we have mentioned benefits, procedures and responsibilities. Now, we need to emphasize again the most important component, that is, the taxpayers of the City of Mechanicville. In order to retain the confidence of those we serve, we want to ensure that our excellent reputation continues by always giving the best service.

Thank you for taking the time to review this Handbook. If you have any questions, suggestions, or concerns, please contact your department head.

**I HEREBY ACKNOWLEDGE RECEIPT OF A COPY OF THIS CITY HANDBOOK**

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**Employee Name**

---

**Employee Signature**

---

**Date**

RESOLUTION NO.: 58-2024

WHEREAS, The City of Mechanicville owns certain of real property, described as:

<u>SBL</u>	<u>Property Location</u>	<u>Minimum Bid</u>
262.37-4-15	Stillwater Avenue	\$3200.00

WHEREAS the property will be sold to the highest bidder, with the auction of the real property being held on July 8, 2024 at 10:00 am at the Mechanicville Senior Center, and will be subject to the approval of the Mechanicville City Council at their regular monthly meeting on July 10, 2024; and

WHEREAS, the City of Mechanicville has no use or need for the parcels, it is the intention of the City to offer them for sale; and

WHEREAS, the City of Mechanicville has an interest in returning the above referenced parcels to the active tax rolls; and

WHEREAS, the successful bidder will be required to deposit fifteen percent (15%) of their bid at the auction with the balance due within thirty (30) days from the date of the auction. Failure to make full payment will result in a forfeiture of the deposit; and

WHEREAS, the City makes no representations as to the condition, zoning, title, improvements, size, dimension, exact location, environmental condition of the parcel, easements, or other encumbrances to which the properties may be subject; and

WHEREAS, the City makes no representations or warranties with respect to the marketability or insurability of the title to the properties and the successful bidder takes title "**AS IS**"; and

WHEREAS, the properties will be conveyed by Quit Claim deed and the City shall prepare and provide a Quit Claim Deed and closing documents to the purchaser with all other expenses of closing, including but not limited to costs of recording the deed, including Real Property Transfer Tax and all other costs including but not limited to title insurance shall be borne by the purchaser;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City Council of the City of Mechanicville hereby authorizes the auction of the aforementioned properties under the conditions set forth herein to be held on July 8, 2024 at 10:00 am at the Mechanicville Senior Center located at 178 North Main Street, Mechanicville, New York.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

RESOLUTION NO.: 59-2024

**WHEREAS** Regulation #315.4 of the New York State Retirement System requires reporting of Elected and Appointed Officials who are enrolled in the New York State Retirement System; and

**WHEREAS** it is a requirement of regulation 315.4 that those Elected and Appointed Officials must log their daily activity for a (3) three-month period; and

**WHEREAS** Commissioner Cheryl L. Blodgett has fulfilled that requirement.

**NOW THEREFORE BE IT RESOLVED** that the City of Mechanicville City Council recognizes that Commissioner Blodgett has successfully completed the requirement established in Regulation 315.4 and the Standard workday & Reporting Resolution will be posted in the Commissioner of Accounts Office in City Hall for minimum of 30 days.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

RESOLUTION NO.: 60-2024

WHEREAS THE CITY COUNCIL OF THE CITY MECHANICVILLE is ever mindful of the need to update Local Laws to enhance the community and encourage development that is environmentally friendly including the installation of renewable energy systems and energy efficient measures; and

WHEREAS THE CITY COUNCIL OF THE CITY OF MECHANICVILLE is desirous of establishing an Energize NY Open C-PACE Financing Program consistent with the laws of the State of New York; and

WHEREAS THE CITY COUNCIL OF THE CITY OF MECHANICVILLE hereby schedules a Public Hearing for July 10, 2024, at 6:00 p.m. or as soon thereafter as their agenda allows to receive public comment and discuss a local law that will establish an Energize NY Open C-PACE Financing Program in the City of Mechanicville;

NOW THEREFORE BE IT RESOLVED THAT a Public Hearing to discuss amending the current Code to include an Energize NY Open C-PACE Financing program in the City of Mechanicville is scheduled for July 10, 2024, at 6:00 p.m. or as soon thereafter as their agenda allows.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

**CITY OF MECHANICVILLE**

Records

RESOLUTION: 61-2024

**WHEREAS**, The Police Department is in need of a part-time police officer; and

**WHEREAS**, Christopher Toleman is a certified police officer and has experience in this field and is willing to start immediately; and

**WHEREAS**, after a background investigation and interviews with Chief Rabbitt, and Detective Sergeant Dunn, Chief Rabbitt now recommends the appointment of Christopher Toleman; NOW

**THEREFORE BE IT RESOLVED**, that the Mayor is authorized to hire Christopher Toleman as a part-time police officer, at \$25.75 an hour, effective June 13, 2024.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

RESOLUTION NO: 62-2024

WHEREAS, on May 8, 2024, the City of Mechanicville created a new position and title within the Department of Public Works of “Skilled Laborer” with resolution 51-2024;

WHEREAS, since this is a newly created title, the City establishes the new hire rate of \$23.28 per hour;

WHEREAS, Daniel Vandetta has all of the qualifications for this position.

NOW THEREFORE BE IT RESOLVED THAT the Mechanicville City Council is authorized to appoint Daniel Vandetta to the position/title of Skilled Laborer at the rate of \$23.28 per hour effective June 13, 2024.

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

RESOLUTION NO: 63-2024

WHEREAS, on May 8, 2024, the City of Mechanicville created a new position and title within the Department of Public Works of “Skilled Laborer” with resolution 51-2024;

WHEREAS, since this is a newly created title, the City establishes the new hire rate of \$23.28 per hour;

WHEREAS, Stephen Doty has all of the qualifications for this position.

NOW THEREFORE BE IT RESOLVED THAT the Mechanicville City Council is authorized to appoint Stephen Doty to the position/title of Skilled Laborer at the rate of \$23.28 per hour effective June 13, 2024.

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024

RESOLUTION NO: 64-2024

WHEREAS Josh Rabideau is the part-time Cleaner for the City of Mechanicville.

WHEREAS Josh Rabideau uses his personal vehicle to perform the duties for the City of Mechanicville.

NOW THEREFORE BE IT RESOLVED THAT the City Council authorizes Josh Rabideau to be reimbursed for mileage at the Federal reimbursement rate for mileage. This resolution takes effect immediately.

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

*June 12, 2024*

RESOLUTION NO: 65-2024

WHEREAS there is a vacancy for a part-time Recreational Supervisor for the Summer Youth Program at the Playgrounds in the City for the Public Safety Office.

WHEREAS the position dates are from 6/8/2024-8/16/2024. Some training hours will be needed before 6/8/24.

WHEREAS Tyrell Pryor has all the qualifications needed to fill this position.

NOW THEREFORE BE IT RESOLVED that Tyrell Pryor is hereby appointed to the position of Recreation Leader at an hourly rate of 17.00 per hour. Hours of work will range from 9:00 am-3:00pm Monday through Friday and 10am-2pm Saturdays. Not to exceed 29 hours a week. The appointment would be effective immediately.

Introduced by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

*June 2024*

RESOLUTION NO.: 66-2024

WHEREAS THE MECHANICVILLE CITY COUNCIL approved the 2024 budget including payroll,

WHEREAS the city is required to transfer funds from the general fund to the payroll account for the purposes of covering payroll and employer contributions, as follows:

Payroll date	Amount
05/09/2024	\$104,037.83
05/23/2024	\$118,254.03

NOW THEREFORE BE IT RESOLVED THAT these transfers are approved.

Introduced By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Mayor Butler \_\_\_\_\_

Commissioner Blodgett \_\_\_\_\_

Commissioner Martin \_\_\_\_\_

Commissioner Sgambati \_\_\_\_\_

Commissioner Hosley \_\_\_\_\_

June 12, 2024