

AMENDING THE VILLAGE EMPLOYEE HANDBOOK AND CREATION OF THE POSITION OF VILLAGE OMBUDS OFFICER

WHEREAS the Board reaffirms the primary role played by the Village's formal Grievance Procedures as outlined in the Employee Handbook; and

WHEREAS the Board of Trustees believes that from time to time an informal alternative conflict resolution process might be useful to address issues among Village employees or volunteers; and

WHEREAS one or more volunteer, unpaid Ombuds Officers, normally Village residents, may be appointed by the Mayor to serve for a renewable two-year term, or on a case-by-case basis; and

WHEREAS the Board had previously adopted an Ombuds policy and procedure that was subject to legal counsel review, and such subsequent review required modification of the previously adopted policy;

THEREFORE, BE IT RESOLVED THAT the Ombuds policy and procedures adopted by the Board at its July 30, 2023 meeting is hereby rescinded; and

BE IT FURTHER RESOLVED THAT the Board hereby adopts the position of Village Ombuds Officer with the authority and responsibilities described herein, and amends the Village's Employee Handbook as follows:

**VILLAGE OF SALTIRE  
BOARD OF TRUSTEES**

**Resolution Affirming the Creation of the Position  
of Village Ombuds  
and Establishing the Ombuds Alternative  
Resolution Process**

**Preliminary**

The Board of Trustees provisionally established the position of Village Ombudsman by resolution of the Board of Trustees adopted on July 30, 2023.

This Resolution is adopted to affirm the creation of the position of Village Ombudsman and to give further clarification and process to the prior resolution and resulting policy, and the intentions of the Board of Trustees.

The Board of Trustees hereby adopts this resolution ratifying the adoption of the policy creating the position of Village Ombudsman which appointee shall hereinafter be known and referred to as the Village Ombuds.

This Resolution shall become part of the Village of Saltaire Employee Handbook.

### **Appointment and Term**

The Mayor may appoint one or more Ombuds, each to serve as a volunteer for a term of two years, which appointment(s) shall be approved by the Board of Trustees. A shorter initial term of one or more of the appointments of the Ombuds may be made, at the option of the Mayor and Board of Trustees, in order to have the expiration of the Ombuds terms staggered in the event that more than one Ombuds is appointed. The Mayor may also with the approval of the Board of Trustees appoint a person to serve as Ombuds for a shorter term, to serve for a special purpose or matter.

### **Purpose**

The purpose of the creation of the position of Village Ombuds and the optional Ombuds process is to provide Village of Saltaire employees with an alternative informal resolution process wherein an employee may, at the employee's sole choice or option, express concerns that the employee may have with regard to their employment by the Village of Saltaire, learn of the options that are available to them to resolve such concerns, and if desired, pursue the Ombuds option and work with or consult the Ombuds to obtain information and/or attempt an informal resolution. For purposes of this policy, "employee" shall include all full and part-time employees of the Village of Saltaire, as well as the volunteers of the Village of Saltaire.

The purpose of this policy is to also reaffirm the formal complaint-grievance policy of the Village of Saltaire, while establishing an alternative or additional non-binding process which an employee may, at the employee's individual choice, utilize. As set forth in this resolution and policy, an employee may utilize the Ombuds process prior to and in lieu of the formal process; or in the alternative, the formal process.

If the employee chooses to pursue the formal grievance procedure, he or she may also elect to suspend or terminate that formal process before it has been concluded and, if he or she wishes, choose to commence the Ombuds option instead. However, once the formal complaint-grievance process has been completed and a decision rendered, the employee may not elect to pursue the Ombuds option to review or as an alternative to the completed formal grievance process, and the result of the formal grievance process shall be final except as to remedies that may be available under the law. Similarly, an employee who opts to pursue the Ombuds option may terminate that process at any time, and, if he or she wishes, opt to pursue the formal grievance procedure instead.

The Ombuds process may be used for complaints or grievances between an employee and management, between two employees, or between employees and agencies of the Village of Saltaire.

### **Role of the Ombuds**

- The Ombuds listens with an open mind.

- The Ombuds helps to resolve problems fairly.
- The Ombuds provides a safe place to voice employee concerns and explore options for productive conflict management and resolution.
- The Ombuds supports a safe, respectful and civil community.

### **When an Employee Should Use the Ombuds Services**

- When you need information or assistance in resolving your concern.
- When you are unsure of how to proceed or what options are available.
- When you feel your concerns have not been, or will not be, adequately addressed through formal channels.

### **Ombuds Duties**

The primary duties of the Village Ombuds ~~is~~ are:

- To work with an individual and/or a group of employees or volunteers of the Village of Saltaire to explore and assist in determining options in order to help resolve conflicts, problematic issues or concerns.
- To bring systemic concerns to the attention of the Village Board of Trustees for resolution.

In pursuing his or her duties, an Ombuds Officer will:

- Listen to the issues and concerns with which he or she is presented from the perspective of the individuals involved, while remaining neutral with respect to these concerns.
- Not judge or decide who is right or wrong.

- Assist in reframing issues to help the individuals identify and understand the interests of the various parties and focus efforts on potential options to address these interests.
- Guide and/or assist individuals to deal directly with the other parties, including through the use of the formal resolution resources of the Village as set forth in the Employee Handbook.
- Help individuals improve their skills and confidence in giving voice to their concerns directly to these formal sources as well as the other concerned parties and aid in referring the individuals to the appropriate resolution resources as a way to formally resolve the issue.
- Identify and create an awareness within the organization of potential problems within the organization and point out opportunities and suggestions for systemic change for the Village.

Because of the informal, neutral, confidential and independent positioning of an Ombuds in Saltaire, he or she does not typically undertake the following roles or activities:

- Participate in formal investigations or play any role in a formal issue resolution process.
- Make binding decisions or institute corrective measures.
- Serve in any other Village role that would compromise the neutrality of the Ombuds Officer role.
- Receive notice or act as an office of notice for the Village.
- Create policies or create or maintain official Village records.
- Undermine or disrespect the roles of supervisors or public officers or officials in their official capacities.

- Form any type of formal relationship (e.g., attorney-client) with the individuals seeking the Ombuds Officer's services, or with other Village employees or officials.

### **Timing of Availability of the Ombuds Resource**

The Ombuds process is available to an employee at any time, including but not limited to prior to, during or after the filing and/or commencement of a formal grievance or complaint. However, it is not available once a formal grievance process has been completed and a finding rendered.

### **Non-Waiver**

The use of the Ombuds process, whether a limited informational discussion or full involvement with the process by an employee, shall not be a waiver of the rights of an individual to the formal grievance process, which may be initiated at any time otherwise allowable, or a waiver by the employee of any rights that they may have under the Village of Saltaire policies or by law.

### **Implementation of Policy**

The Board of Trustees may adopt such other resolutions amending or supplementing this resolution that the Board feels necessary to implement the intentions of the Board of Trustees with respect to the Ombuds process.

The Board of Trustees working with the Management of the Village may create forms, information or processes that the Board and Management feel are necessary to complete or support the implementation of the Ombuds Policy.

**AMENDING THE VILLAGE EMPLOYEE HANDBOOK BY MODIFYING THE PERSONAL TIME OFF, HOLIDAY SCHEDULE, AND LEAVE POLICY FOR VILLAGE EMPLOYEES**

WHEREAS the current Personal Time Off, Holiday Schedule, and Leave Policy in its current form has been unchanged in the Employee Handbook for a number of years; and

WHEREAS the Board of Trustees believes that from time to time it is prudent to review the Personal Time Off, Holiday Schedule, and Leave Policy to reflect the most recent federal holiday schedule, as well as to stay competitive with Personal Time Off and Leave Policies in the general labor market but specifically with governmental agencies in order to facilitate employee recruitment and retention;

THEREFORE, BE IT RESOLVED THAT the Board hereby amends the Village’s Employee Handbook by adopting the following Personal Time Off, Holiday Schedule, and Leave Policy with the effective dates of each provision as identified therein, and with all remaining sections of the Employee Handbook to remain unchanged.

**INCORPORATED VILLAGE OF SALTAIRE**

**EMPLOYEE HANDBOOK**

**BENEFITS**

**Paid Time Off (PTO) Policy**

All full-time employees of the Village of Saltaire are eligible for Paid Time Off (PTO), paid Holidays and Leaves of Absences as indicated herein. For the purposes of this handbook, PTO means time away from work at the discretion of the employee for any reason other than sick leave as defined herein, with advance notice to, or approval of, the employee’s supervisor.

Temporary and Seasonal employees and part-time employees are not eligible for PTO.

Effective June 1, 2024, annual PTO will be determined by length of service and accrued as follows:

<u>Length of Service</u>	<u>Days of PTO Accrued Annually</u>
1 Month to 12 Months	10 days
13 Months to 48 Months	15 days
49 Months to 120 Months	20 days
121 Months and Up	25 days

The Village Administrator will determine the actual number of PTO days each fiscal year based on the most reasonable estimate of the pro-rata percentage of time worked in between the above-listed transition periods for those employees whose first day of employment as a full-time employee start on a date other than June 1, the first day of the fiscal year.

The Village Administrator has discretion when determining the initial PTO accruals amount for a newly-hired full-time employee to give service credit for time worked by that employee at an agency or company, including the Village of Saltaire as a part-time employee, that provides relevant expertise and experience for the position for the which the employee is hired.

PTO must be scheduled in advance of its use to avoid conflicts with other employees' PTO use and with busy periods of the year, and any PTO use consisting of three consecutive workdays or more must be approved in advance by your supervisor at least 30 days prior to the anticipated PTO use, except for emergency situations or special circumstances, in which case the employee shall notify their direct supervisor as soon as practical. Some or all of the requested time for PTO may be denied (but not unreasonably withheld) if, in the sole discretion of either the employee's supervisor or the Village Administrator, the time requested conflicts with other employees' PTO use or the Village's busy periods of the year. Other than days that are approved by the Village Administrator for emergency situations or special circumstances, no PTO may be taken to be taken between May 10 and May 31 in any year.

PTO days are intended to be used in the fiscal year in which they are accrued pursuant to this section of the Handbook, and may not be carried over to the subsequent fiscal year, except that a maximum of five unused PTO days from one fiscal year may be carried over to the subsequent fiscal year upon approval of the Village Administrator. Accrued and unused PTO will not be paid out at the end of any fiscal year or upon separation of employment from the Village of Saltaire for any reason.

## **SICK LEAVE**

Full-Time Employees of the Village of Saltaire accrue sick leave in accordance with the following schedule, which will take effect June 1, 2024. Sick Leave is separate from and in addition to PTO

1 Month to 12 Months	7 days
13 Months to 24 Months	9 days
24 Months to 48 Months	11 days
48 Months and Up	12 days

Sick leave may be used for an employee's personal illness, well-care and medical and dental appointments. Sick leave also may be used for illness and well-care of a member of an employee's immediate family (*i.e.*, the employee's spouse, domestic partner, children (including step-children), grand-children, mother and father).

The employee is required to notify their direct supervisor when sick leave is taken for any duration on the day taken, or as soon as is reasonably practical if physically unable to do so. Failure to report sick leave as required herein may lead to denial of the sick leave use or disciplinary action up to and including termination of employment.

A doctor's note from a licensed medical professional that an employee is able to return to work will be required for any absences of three consecutive workdays or longer.

Up to a maximum of three days of unused Sick Leave at the end of each fiscal year will be applied to a Sick Bank Reserve for the employee's individual use, which can accumulate from year to year to a maximum of 30 sick days. The Sick Bank Reserve of any employee as of June 1, 2024 will be carried over and applied to the employee's new Sick Leave Bank Reserve, up to a maximum of 30 sick days. Any Sick Leave Days in excess of 30 in the Sick Leave Reserve Bank will be forfeited and will not be paid out.

The Sick Leave Bank Reserve may only be used for verified illnesses or disabilities that are subject to pre-approval from the Village for their use. The type of medical verification and the approval of their use is completely at the discretion of the Village Administrator or the Board of Trustees.

Accrued and unused sick leave, including an employee's sick leave days in the Sick Leave Reserve will not be paid out at the end of the fiscal year or upon separation of employment from the Village of Saltaire for any reason.

## **HOLIDAYS**

The following 13.5 paid holidays will be observed, which will start effective January 1, 2024.

- **New Year's Day** - January 1
- **Martin Luther King's Birthday** - 3rd Monday in January
- **Washington's Birthday** - 3rd Monday in February
- **Memorial Day** - last Monday in May
- **Juneteenth National Independence Day** – June 19
- **Independence Day** - July 4
- **Labor Day** - 1st Monday in September
- **Columbus Day** - 2nd Monday in October
- **Veterans Day** - November 11
- **Thanksgiving Day** - 4th Thursday in November and the following day
- **Christmas Day** - December 25 and the following day
- **Election day** - 1/2 day

A Full-time employee may not elect to be paid for a holiday in lieu of not taking time off. If the employee requests to work on a holiday, an alternative day off will be allowed in lieu of taking the holiday.

If requested to work by the Village on a holiday, exempt and non-exempt full-time employees will be paid for the holiday plus one and one-half times (1.5x) their regular rate of pay for any



time worked on the holiday. If requested to work by the Village on a holiday, non-exempt part-time employees will be paid at one and one-half times (1.5x) their regular rate of pay for any time worked on the holiday.

Temporary or seasonal employees will be paid at their regular straight time rate of pay for hours worked on a holiday.

## **PERSONAL LEAVES OF ABSENCES**

The Village may grant personal leaves of absence in its sole, non-reviewable discretion, in exceptional cases. A personal leave of absence may be granted at the sole discretion of the Village Administrator or the Board of Trustees up to a maximum of 30 days. An extension beyond 30 days will be considered in the event of serious or extenuating circumstances, and must be approved by the Board of Trustees.

A leave of absence is an extended period of time absent from work without loss of employment. Leave of absence is without pay. During the first 30 days of a leave of absence the Village continues to pay Village-paid benefits.

The employee must present a written request for a leave of absence, providing a full explanation of the circumstances, presented to the Village Administrator at least two weeks prior to the intended start date of the leave of absence, subject to a lesser period as approved by the Village. Failure to report to work on the first day after the expiration of the approved leave of absence, without further approval, may result in disciplinary action, up to and including termination of employment.