

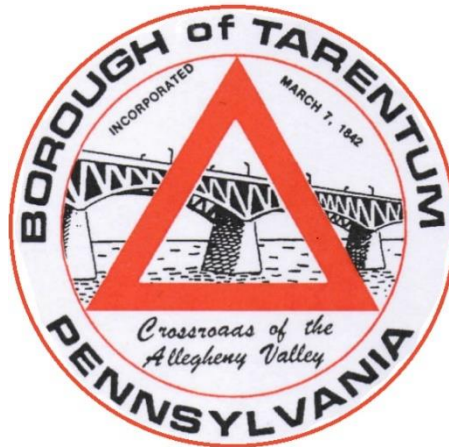


BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

TARENTUM BOROUGH
**PERSONNEL POLICIES AND
PROCEDURE MANUAL**



ADOPTED BY BOROUGH COUNCIL ON

TUESDAY, MAY 12, 2022



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

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**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Purpose and Disclaimer

**1. GENERAL POLICIES
Purpose and Disclaimer**

Purpose.

To outline the reason for these policies and to assert a disclaimer of personnel policies and procedures.

Statement of Policy.

These policies are enacted by Tarentum Borough in order to further the following goals:

1. To provide, to the greatest extent possible considering provisions of collective bargaining agreements and Civil Service rules and regulations, a uniform system of personnel administration throughout the Borough organization;
2. To ensure that recruitment, selection, placement, promotion, retention and separation of Borough employees are based upon employees' qualifications and fitness, and are in compliance with federal and state laws;
3. To assist managers in the development of sound management practices and procedures, and to make effective and consistent use of human resources throughout the Borough;
4. To promote communication between Borough directors, managers, supervisors and employees; and
5. To ensure, protect and clarify the rights and responsibilities of Borough employees.

Scope.

Except for wages, benefits and conditions of employment that are governed by the various collective bargaining agreements that exist between the Borough and various labor organizations, these Personnel Policies and Procedures shall apply to all Borough employees, except legislative elected officials and independent contractors. In the event of conflict between these rules and any collective bargaining agreement, personnel services contract, Borough ordinance that is adopted after the effective date of these policies, Civil Service Commission rule, or state or federal law, the terms and conditions of that contract, rule or law shall prevail. Unless otherwise resolved within collective bargaining agreements or bona fide past practice, employees' wages, hours and terms and conditions of employment shall be governed by the provisions of the relevant collective bargaining agreement. In all other cases, these policies and procedures shall apply.

In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes.

In this document, the masculine includes the feminine.

Disclaimer.



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Purpose and Disclaimer

THE BOROUGH SPECIFICALLY RESERVES THE RIGHT TO REPEAL, MODIFY OR AMEND THESE POLICIES AT ANY TIME, WITH OR WITHOUT NOTICE. NONE OF THESE PROVISIONS SHALL BE DEEMED TO CREATE A VESTED CONTRACTUAL RIGHT IN ANY EMPLOYEE NOR TO LIMIT THE POWER OF THE BOROUGH COUNCIL TO REPEAL OR MODIFY THESE RULES. THE POLICIES ARE NOT TO BE INTERPRETED AS PROMISES OF SPECIFIC TREATMENT. UNLESS OTHERWISE COVERED BY A COLLECTIVE BARGAINING AGREEMENT, OTHER EMPLOYMENT CONTRACT, OR APPLICABLE CIVIL SERVICE RULES AND REGULATIONS, EMPLOYMENT IS "AT WILL", MEANING THAT THE EMPLOYER OR EMPLOYEE CAN AT ANY TIME END EMPLOYMENT FOR ANY OR NO REASON.

ACKNOWLEDGMENT OF READING, RECEIPT, AND UNDERSTANDING OF PERSONNEL POLICES AND PROCEDURES MANUAL BY EMPLOYEE:

Print Name of Employee

Signature of Employee

Date

A COPY OF THIS SIGNED POLICY SHALL BE PROVIDED TO THE EMPLOYEE. THE ORIGINAL SHALL BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Chain of Command

Chain of Command

Purpose.

To provide a formal framework that outlines the chain of command for all elected and appointed officials of the Borough to follow.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Elected Officials Responsibilities.

Members of the Borough Council are collectively responsible for providing direction to the Borough Manager. The Borough Manager is responsible for the direction of individual departments.

Employee Responsibilities.

Department directors and managers have the authority to make day-to-day decisions necessary for the operation of their departments and to delegate such authority, as is necessary to their subordinates. Matters that require a change of established policy, a major change in the type or standard of service being provided or an expenditure outside the approved budget or above agreed upon limits shall be first brought to the Borough Manager and thereafter, if the employee chooses and agreed to by the Borough Manager, to the entire Borough Council for discussion.

If an employee is asked to respond to an elected official, the employee should respond as they would to any citizen and attempt to meet the request as best as they can within their assigned responsibilities. The employee shall report this to their immediate supervisor.

If an employee is asked to respond in a manner that is in conflict with other directions or something that is outside their authority, they should explain this to the requester and ask them to take the matter to the person responsible for directing their work.

Furthermore, employees shall not request elected Borough Council members to resolve work-related problems or to hear complaints without first attempting to resolve them in accordance with the grievance process, chain of command and/or these policies. This is not intended to keep employees from bringing personal concerns, as Tarentum Borough residents, to the attention of Borough Council members.

Organizational Chart.

Following this policy is the official organizational chart of the Borough which illustrates the various relationships between elected and appointed officials and staff.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Americans with Disabilities Act (ADA) Policies

Americans with Disabilities Act (ADA) Policies

Purpose.

To provide a reasonable policy and procedure that will ensure: 1) equal opportunities for persons with a disability to participate in and benefit from services, programs, or activities sponsored by the Borough; 2) a bias free environment for persons with a disability, or for persons with a disability who seek employment with the Borough; and, 3) prompt and equitable resolution of complaints alleging discrimination on the basis of a disability.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough does not discriminate on the basis of race, color, national origin, sex, sexual orientation, religion, age, disability, or any other protected characteristic in employment or the provision of services. It is the intent of the Borough to guarantee persons with a disability equal opportunity to participate in or enjoy the benefits of Borough services, programs, or activities, and to allow disabled employees a bias free work environment. The Borough, upon request, will provide reasonable accommodation in compliance with the Americans With Disabilities Act (ADA).

The Borough is committed to creating an environment in which facilities for public meetings and general public use are accessible. Furthermore, the Borough will provide reasonable auxiliary aids and services (assisted listening devices, text telephones, large print materials, audio tape, help in filling out forms, and other similar services and actions) if necessary and if such reasonable accommodation can be provided without undue hardship to the Borough. Disabled persons may request the auxiliary aids and services of their choice, which will be given primary consideration.

The Borough shall ensure equal opportunities for disabled Borough employees. Every reasonable effort will be made to provide an accessible work environment and additional accommodations, including auxiliary aids and services. Employment practices (e.g. hiring, training, testing, transfer, promotion, compensation, benefits, termination, etc.) will be administered in such manner as to not unlawfully discriminate against persons with a disability. Detailed policies and procedures regarding employment practices are contained in this manual.

Recruitment and selection procedures are intended to grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of disability. Reasonable accommodation will be provided upon request during an application/interview process.

The Borough is also committed to ensure equal opportunity for disabled persons to participate on boards and commissions. Board and commission meetings will be held in accessible locations, requested auxiliary aids will be provided, and accommodation provided during the selection process of board and commission members.

All future construction and renovation of Borough-owned buildings and facilities will be carried out in accordance with ADA Accessibility Guidelines (ADAAG).

In the event citizens, employees, or other participants in the Borough's programs, services, and



BOROUGH OF TARENTUM ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Americans with Disabilities Act (ADA) Policies

activities feel the Borough has violated their rights under the ADA or harassed them based upon a disability, this policy provides a grievance procedure for handling such complaints.

GRIEVANCE PROCEDURE: Tarentum Borough adopts the following internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Equal Employment Opportunity Commission (EEOC) regulations implementing Title I of the ADA and the U.S. Department of Justice regulations implementing Title II of the ADA. Title I of the ADA states that “no covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.” Title II of the ADA states that “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

Complaints should be addressed to: Borough Manager, Tarentum Borough, 318 Second Avenue, Tarentum, PA 15084. The Borough Manager has been designated to coordinate ADA compliance efforts. He shall maintain the files and records of the Borough relating to the complaints filed and ensuing investigations. If an employee wishes to file a harassment grievance concerning a situation that involves the Borough Manager, that employee may file the complaint with the Council President.

1. A complaint may be filed either in writing or verbally. It shall consist of the name and address of the person filing it, or on whose behalf it is filed, and a brief description of the alleged violation of the ADA regulations. A complaint shall be filed within the statutory time frame after the complainant becomes aware of the alleged violation.
2. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be commenced by the Borough Manager, within ten (10) calendar days following the filing of a complaint. The investigation will be thorough, affording all interested persons and their representatives, if any, an opportunity to submit information relevant to such investigation.

If an employee wishes to file a harassment grievance concerning a situation that involves the Borough Manager, that employee may file the complaint with the current Council President.

3. A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued by the Borough Manager and a written copy mailed to the complainant within thirty (30) calendar days following the filing of the complaint unless the nature of the complaint or investigation requires additional time for the Borough to arrive at a determination.
4. The complainant may request a reconsideration of the case determination of the Manager in instances where he is dissatisfied with the decision of the Manager. The request for reconsideration shall be made within ten (10) calendar days following the date the complainant receives the determination of the Manager. The request for reconsideration shall be made to the Borough Council. The Borough Council shall review the records of said complaint and may conduct a further investigation when necessary to obtain additional relevant information and shall issue its decision thereon within thirty (30) calendar days of the filing of the request for reconsideration. A copy of said decision shall be mailed to the



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Americans with Disabilities Act (ADA) Policies

complainant. The decision of the Borough Council is final.

- 5. The complainant’s right to prompt and equitable resolution of the complaint must not be impaired by his pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or any other appropriate federal agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time.
- 6. These rules shall be construed to: 1) protect the substantive due process rights of interested persons, 2) meet appropriate due process standards, and 3) comply with the ADA and implementing regulations.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Administration of Personnel Records

Administration of Personnel Records

Purpose.

To establish procedures and responsibilities for the maintenance of employee Personnel Records.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. Establishment of procedures and responsibilities for the maintenance of personnel records.
 - a. The Borough Manager's Office is responsible for establishing and maintaining an official personnel file for each employee of the Borough.
 - b. Official Civil Service files (not to be confused with official employee personnel files) will be maintained by the Civil Service Commission, which will include all material of a confidential nature to include, but not limited to:
 - Psychological Profiles (to be maintained in a separate location)
 - Civil Service Test
 - Polygraph Results
 - Background Checks
 - Oral Board Results
 - Physical Fitness Test Results
 - c. Access by the Borough Council to the Civil Service files may be allowed if the Borough Council feels access would be helpful, necessary or warranted for administrative purposes. Such access shall be granted by the Borough's Civil Service Commission.
 - d. Department Directors are responsible for the forwarding of documents for inclusion in the personnel files of those employees assigned to their department.
 - e. Each employee is responsible for the verification of information contained in the personnel file through periodic audit. An administration representative must be present when a personnel file is audited. Only the Borough Manager or Civil Service Commission may remove items from the respective files with notification to respective Department Director. All audits or inspection of records by employees shall be scheduled by the Department Director. All audit appointments should be with the Borough Manager and/or Civil Service Commission. The purpose of the audit or inspection is to ensure accuracy and completeness of the file.
 - f. Individual departments shall not maintain separate personnel files.
2. Identification of information to be included in the employee's personnel file:
 - a. Permanent Documents. Documents retained in the folder throughout the



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Administration of Personnel Records

association of an employee with the Borough may include:

- 1) Employee application or resume
- 2) Job description and specification information
- 3) Wage or salary information
- 4) Job performance ratings and evaluations
- 5) Notices of commendations, warnings or discipline
- 6) Education/training information
- 7) Authorization of a deduction or withholding of pay
- 8) Fringe benefit information
- 9) Leave records
- 10) Employment history with employer including salary information
- 11) Job title
- 12) Letters of appreciation, commendation, or discipline pursuant to the terms of the employee's applicable collective bargaining agreement

Personnel files shall not include:

- 1) Records of an employee relating to the investigation of a possible criminal offense;
- 2) Documents which are being developed or prepared for use in civil, criminal or grievance proceedings;
- 3) Medical records including drug and alcohol testing information.

b. Temporary documents (Personnel). Documents which have limited retention of three (3) calendar years or less unless otherwise provided pursuant to labor agreement. Examples include:

- 1) Administrative correspondence relating to leave/vacation requests.
- 2) All other administrative documents of limited informational life span.

3. Establishment of procedures for the release and accessibility of information and audit of the personnel files.

- a. The Borough Manager's Office considers all employee information confidential except when requested to verify information relating to job title, department, base salary, and dates of employment.
- b. Information contained in the personnel or civil service file (other than items listed in Section 3(a)) will not be released to the public without the express written permission of the employee. Certain situations may arise where the Borough as current or past employer has a duty to prospective employers concerning such employee's character or medical history, however, no pertinent information may be released to the prospective employer without the permission of the employee.
- c. Access to information contained in the personnel file will be limited to the Borough Manager, respective Department Directors, immediate supervisor and the individual employee (access by individual employees or designated agent is limited to four times a year). The Borough may require written authorization for an agent to inspect an employee's file. Files pertaining to employees who are bona fide candidates of interdepartmental transfer will be accessible by the prospective



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Administration of Personnel Records

gaining Department Director. Examination of personnel files by an individual elected official is not permitted. However, an examination of personnel files conducted by the entire Borough Council is allowed.

- d. An employee does not have the right to copy any of the documents or records contained in the personnel file. However, he does retain the right to take notes concerning any of the documents or records in the file.
- 4. This policy will be periodically reviewed to ensure compatibility with current accepted personnel procedures.
- 5. These records are maintained during the tenure of the employee and for twenty-five (25) years after the employee should leave Borough employment.

EFFECTIVE: Immediately
 DATE: 8/4/2020
 LAST REVISED: _____

APPROVAL: 
 Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Personal Information and Personnel Records

Personal Information and Personnel Records

Purpose.

To identify what types of information may be released from an employee’s personnel file, and to establish general guidelines for an employee to review the contents of their file.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Employee personnel records are confidential. Although Tarentum Borough is required to comply with valid court orders and other government requests directing us to provide information from employee personnel records, generally speaking, without specific written authorization from the employee, only the employee’s job title, salary, and verification of employment dates will be released.

When an employee moves, changes his telephone number, or has other changes in his personal information, the employee is required to keep the administration office informed of such changes so records can be maintained accurately and up to date. It is the employee’s responsibility to insure that the Borough has his address and other information so that the Borough may communicate with the employee as needed.

Any employee may review his personnel records at any mutually convenient time. If an employee wishes to do so, the employee shall notify his supervisor so that a specific time may be scheduled when a Borough representative will be available to answer the employee’s questions. Any concerns regarding the completeness or accuracy of the information contained in the employee’s files should be taken up with his immediate supervisor and other levels of management, if necessary. If an employee does not feel the information contained in his file is accurate or relevant, the employee may place his own statement in the file. Examination of personnel files will generally be limited to normal business hours, four (4) times per year.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Union Rights

Union Rights

Purpose.

To establish a policy for union rights and procedures for union activities.

Applicability.

This policy applies to all employees of the Borough covered by collective bargaining agreements.

Statement of Policy.

Tarentum Borough recognizes the following unions as the exclusive bargaining representative for the designated employees of the following bargaining units:

1. Tarentum Borough Police Wage and Policy Committee
2. American Federation of State, County, and Municipal Employees (AFL-CIO) Local Union #238

All full-time and applicable part-time Borough employees have a right to belong to an appropriate bargaining unit unless they are exempt as defined by law, job description/classification, or exclusion by union contracts. Additional conditions of membership are described in each labor contract.

Each bargaining unit separately negotiates contracts, for its employees, with the Borough. Wages, benefits and conditions of employment of union employees will be provided as specified in the respective labor agreement. Employees are not granted time off with pay to perform union activities unless specifically provided for in the labor agreement. Borough equipment and facilities are not to be used for union activity unless specifically provided for in the labor agreement, unless approved by the Borough Manager.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Requests for Legal Work

Requests for Legal Work

Purpose.

To establish uniform guidelines for requesting legal opinion, assistance, contracts, resolutions, ordinances, etc., from the Borough Solicitor.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. Also, this policy applies to elected and appointed officials of the Borough.

Statement of Policy.

It is the policy of the Borough that all requests for legal assistance which require a written response (opinion, resolution, ordinance, etc.) shall be processed through the Borough Manager’s office.

EXCEPTIONS:

1. These policies and procedures shall not apply to requests made by motion or decision of the Borough Council.
2. These policies and procedures shall not apply to routine matters that can be addressed over the telephone or in person without a formal written response.

PROCEDURES FOR WRITTEN REQUESTS:

1. All requests should include:
 - a. Name of attorney to whom request is made, or “Borough Solicitor.”
 - b. Name of employee requesting action.
 - c. Subject of request.
 - d. Response time or date needed.
 - e. Description of action requested.
 - f. Copies of any attachments, e.g., draft contract, resolution, ordinance, etc.
2. The requests must be approved by the Borough Manager, and initialed or verbally approved before legal work is undertaken.
3. The Borough Solicitor will return all written responses to the Borough Manager’s office. As soon as the response is noted, it will be disseminated to the staff person initiating the request.
4. The Borough Manager will review the status of pending items with the Borough Solicitor on a periodic basis as needed.

EFFECTIVE: Immediately
DATE: 8/4/2020
LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Visitors in the Workplace

Visitors in the Workplace

Purpose.

To establish policies and procedures regarding visitors to Borough offices and work sites.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

To provide for the safety and security of both visitors and employees and the facilities at the Borough, only authorized visitors are permitted inside the workplace. Restricting unauthorized visitors assists the Borough to maintain safety standards, protects against theft, assures security of equipment, helps secure confidential information, preserves employee welfare, and avoids potential disruptions and intrusions.

All visitors should enter any Borough premises at the main lobby of each respective facility. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on any Borough premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the lobby.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Open Records Policy

Open Records Policy

Purpose.

To establish policies and procedures regarding open records requests.

Applicability.

This policy applies to all employees of the Borough, including those employees designated as open records officers of the Borough.

Statement of Policy.

Tarentum Borough (“Agency”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 (“RTKL”). The Agency has made this policy available to the public at its administrative office(s) and on its public website along with the Agency Request form. See 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

1. Definitions

All of the definitions set forth in the RTKL are incorporated into this policy by reference. See 65 P.S. § 67.102.

AORO. The Agency Open Records Officer designated by the Agency pursuant to Section IV of this policy.

Business day. The regular business hours of the Agency are Monday through Friday from 8:00 am to 3:30 pm. Business days exclude Saturday and Sunday and a weekday on which the Agency is closed for business.

2. Agency Website

The Agency maintains a public website at www.tarentumboro.com. Many of the records most commonly requested from the Agency are available on the website. The following information is also posted on the Agency’s website: AORO contact information; contact information for the OOR and any another applicable appeals officer; a form which may be used to file a RTKL request; and a copy of this policy. See 65 P.S. § 67.504(b) (relating to agency posting requirements under the RTKL).

3. Submitting a RTKL Request to the Agency

- a. Open Records Officer. The Agency has designated an AORO and an Alternate AORO to respond to RTKL requests.

The contact information for the AORO is:
Michael L. Nestico, AORO
Alice Drisko, Alternate AORO

By Mail: 318 E 2nd Avenue, Tarentum, PA 15084
In Person: 318 E 2nd Avenue, Tarentum, PA 15084

Phone: 724.224.1818
Fax: 724.224.1821
Email: mnestico@tarentumboro.com



BOROUGH OF TARENTUM ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 1. GENERAL POLICIES

Subject: Open Records Policy

The contact information for the AORO and Alternate AORO is posted on the Agency website.

- b. Request. Requests must be submitted in writing using the Agency Request Form or the RTKL Uniform Request Form available on the Agency website and must be addressed to the AORO. If a requester chooses not to use the Agency Request Form or the RTKL Uniform Request Form, the request will be considered an informal request, not subject to the RTKL. This means that the requester cannot pursue the relief and remedies provided for in the RTKL. To allow the Agency to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify, as precisely as possible, the records sought. See 65 P.S. § 67.703. Requesters should clearly indicate the preferred method of access – paper copies, electronic copies or by inspection. A requester should retain a copy of the request, as a copy of the request is necessary should a requester appeal the Agency response.
- c. Receipt of the request. For the purpose of calculating the response deadline, the Agency is deemed to have received the request on the business day that the AORO receives the request. See 65 P.S. § 67.901. Any request that is received by the Agency after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Agency employee other than the AORO, the request will be forwarded to AORO as soon as practical.
- d. Verbal requests. The Agency will respond to verbal requests for records at its discretion. Requesters submitting verbal requests for records should be aware that they may not pursue the remedies available to a requester under the RTKL.
- e. Anonymous requests. The Agency will not respond to anonymous requests for records.
- f. Response period generally. The Agency has 5 business days to respond to a request for records under the RTKL. If an Agency does not respond, the request is considered “deemed denied,” and a requester’s appeal rights commence.

4. Agency Response

- a. Extension of time for response. The Agency is permitted to take an additional 30 calendar days to respond to any request for the reasons set forth in Section 902 of the RTKL. See 65 P.S. § 67.902. If the Agency invokes an extension, the Agency will inform the requester in writing, in accordance with the requirements set forth in Section 902(b)(2) of the RTKL.
- b. Requester’s agreement to extend the response period. The requester may agree, in writing, to extend the Agency response period. See 65 P.S. § 67.902(b)(2). The requester must agree to the extension during the initial 5 business-day response period or the extended 30 calendar day response period, if the Agency has invoked one.
- c. Trade secrets. If a request involves records provided to the Agency by a third party and the third party previously provided the Agency with a written statement that the record contains a trade secret or confidential proprietary information, the Agency shall provide notice to the third party. See 65 P.S. § 67.707(b).



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Chapter 1. GENERAL POLICIES

Subject: Open Records Policy

- d. Final response. The Agency may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Agency will be in writing. Should the Agency fail to issue a response within the applicable response period, the request is deemed denied. See 65 P.S. § 67.901.
- i. Granting access to records. The Agency may grant a request for records by issuing a response: (1) granting access to inspect Agency records during the Agency’s regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on the Agency website or other publicly accessible electronic means. See 65 P.S. §§ 67.701(a), 704.
- ii. Denying or partially denying access to records. Should the Agency deny or partially deny a request for records through redaction or otherwise, the Agency will inform the requester of the denial or partial denial in writing. The response will describe the requested records, inform the requester that the Agency does not possess the responsive records or, if the records are exempt from public access, provide a citation to the relevant legal basis for withholding the requested records. See 65 P.S. § 67.903. Additionally, the response will provide the name, signature, title, business address and telephone number of the Open Records Officer who denied the request, as well as the date of the response and the procedure to appeal the denial. See 65 P.S. § 67.903.
- e. Fees. The Agency will charge fees consistent with the RTKL Fee Structure, available at <http://www.openrecords.pa.gov/RTKL/FeeStructure.cfm>. The Agency may, in its discretion, choose to waive some or all of the fees owed on a case-by-case basis.

5. RTKL Appeals

- a. Generally. To challenge the denial, partial denial, or deemed denial of a request for Agency records, an appeal may be filed using the OOR appeal form, available at <http://www.openrecords.pa.gov/Appeals/AppealForm.cfm>, or by contacting:

Executive Director
Office of Open Records
Commonwealth of Pennsylvania
333 Market St., 16th Floor
Harrisburg, PA 17101-2234
openrecords@pa.gov

Criminal investigative records. To challenge the denial of a request or portion of a request on the basis that records were withheld because they are related to criminal investigative records, an appeal should be filed by contacting:

Kevin McCarthy
Allegheny County District Attorney’s RTKL Chapter 11 Appeals Officer
KMccarthy@alleghenycountyda.us

- b. Requirements of an appeal. All appeals must be filed within 15 business days of the mailing date of the Agency’s denial, partial denial, or deemed denial of the request. All appeals must be in writing; must state the grounds upon which the requester asserts that the requested records are public records; must address any grounds stated by the Agency for denying the request; and must include a copy of the request and the Agency’s response, if any. See 65 P.S. § 67.1101(a)(1).



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Chapter 1. GENERAL POLICIES

Subject: Open Records Policy

6. Agency Notification of Third Parties on Appeal

Agency must notify third parties. If records affect a legal or security interest of an employee of the agency; contain confidential, proprietary or trademarked records of a person or business entity; or are held by a contractor or vendor, the Agency must notify such parties of the appeal immediately and provide proof of that notice to the OOR within 7 business days from the date of the OOR's Official Notice of Appeal. Such notice must be made by (1) providing a copy of all documents included with the appeal to the OOR; and (2) advising that interested persons may request to participate in the appeal. See 65 P.S. § 67.1101(c).

7. Mediation

The RTKL requires the OOR to establish an informal mediation process to resolve disputes under the RTKL. 65 P.S. § 67.1310(a)(6). This is a voluntary process to help parties reach a mutually agreeable settlement on records disputes before the OOR. Mediation, a facilitated conversation between the parties that can serve as a fair and efficient tool to resolve conflict, can save time and expense. When appropriate, the Agency is open to resolving RTKL disputes through the OOR's mediation process.

8. Record Retention

The Agency's record retention policy is available at 318 Second Avenue, Tarentum, PA 15084.

Notwithstanding any other existing record retention policy, once a RTKL request is received, the Agency shall maintain, preserve, retain, protect, and not destroy any and all records, both electronic and hard copy, that are potentially responsive to the request until such time as the request is fulfilled and all associated appeals are resolved.

9. Additional Information about the RTKL

Additional information about the RTKL, the request process, and the appeal process is available on the OOR website at <https://www.openrecords.pa.gov>.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Equal Employment Opportunity

**2. EMPLOYMENT
Equal Employment Opportunity**

Purpose.

To establish a policy to ensure equal employment opportunity with the Borough of Tarentum and to outline procedures for action in case of violation.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Equal Employment Opportunity Policy. It is the policy of the Borough to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens, employees and Borough representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, sexual orientation, age, or any other characteristic protected by law, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.

The goals and objectives of the Equal Employment Opportunity Policy are to:

1. Ensure fair treatment and non-discrimination in Borough hiring, Borough employment, and in appointments to and service on Borough boards and commissions.
2. Provide compliance with State and Federal Equal Opportunity requirements and regulations, as required.
3. Provide a basis for encouraging those who do business with the Borough to practice Equal Employment Opportunity.

Program Responsibility.

The Borough Manager shall serve as the Equal Opportunity Officer to carry out the Equal Employment Opportunity Policy and Program. The Officer shall be the focal point for the Borough's equal opportunity efforts and shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity Policy, and be responsible for the successful execution of the program. The Borough Manager will have responsibility to examine existing internal policies or procedures which may serve as barriers to implementing the Equal Employment Opportunity Program.

Equal Employment Opportunity Practices.

The Equal Opportunity Officer (Manager) shall undertake the following actions to assure Equal Employment Opportunities in the Borough:

1. Periodically review all position qualifications and job descriptions to insure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.



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Chapter 2. EMPLOYMENT

Subject: Equal Employment Opportunity

2. Assure that pay and fringe benefits are based upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
3. Inform and provide guidance to staff and management personnel who make hiring decisions so that all applications for selections, promotion and termination, including those of minorities and women are considered without discrimination and all applicants be given equal opportunity regardless of race, creed, color, national origin, sex, sexual orientation, age, or any other characteristic protected by law, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties and functions required by the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.
4. Create a large pool of qualified candidates to encourage diversity and ensure equal employment opportunity in hiring. The following practices for listing full-time, non-civil service, jobs will be followed under the Borough Manager's direction:
 - a. Regular full-time jobs must be open for a minimum of ten (10) work days.
 - b. Jobs must be advertised in the Borough's paper of record.
5. This policy shall be made known to all employees through distribution of the Equal Opportunity Policy. Applications for employment will include an equal opportunity clause.

Appointed Borough Representatives.

Though employees represent a very important part of Borough government, there are other areas where non-discrimination is essential. One of these areas is in the appointment of boards, commissions and ad hoc committees. Therefore, in order to enhance the appearance of fairness and non-discrimination in the Borough, the administration will strive to achieve a balanced representation of persons on Borough boards, commissions and ad hoc committees.

Employee Development.

The following actions shall be undertaken to achieve employee job satisfaction and fair treatment:

1. Assure that there shall be no discrimination with regard to training and educational opportunities, upgrading, promotions, transfer and demotion, layoffs and termination of employees. Any actions which might adversely affect employees will be brought to the attention of the Borough Manager.
2. Actively encourage employees to increase their skills and job potential through training and educational opportunities.

Coordination with State and Federal Laws.

The Borough recognizes its responsibilities to comply with and assure that equal opportunity and non-discrimination policies of State or Federal agencies with which it conducts business are carried out. Specifically, the Borough shall:

1. Be responsible for reporting to the appropriate agencies any complaints received from any employee of, or an applicant for employment with any Borough contractor or subcontractor, subject to Federal Executive Order No. 11246, as amended, which requires



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Subject: Equal Employment Opportunity

- affirmative action programs of certain government contractors and subcontractors.
- 2. Cooperate in special compliance reviews or in investigations as requested.
- 3. Carry out minority reporting functions of contractors or subcontractors as required by State or Federal laws.
- 4. Furnish information as required, maintaining an affirmative action file detailing its efforts, with dates, to meet its commitments under Federal Executive Order No. 11246, as amended.
- 5. Standard Borough contracts will include a non-discrimination clause.

The Borough's Equal Employment Opportunity Program shall be made available to any Federal or State agency upon request.

EEO Grievance Process.

In as much as the success of the Equal Employment Opportunity depends largely upon the attitude of the community as well as of the employees, opinion as to what constitutes fair and equal opportunity and treatment may vary widely and grievances may result. The following steps shall be taken for any grievance arising from the implementation of this program so as to maintain the best possible employee/supervisor and Borough/community relationships:

- 1. A complaint may be filed either in writing or verbally. It shall consist of the name and address of the person filing it, or on whose behalf it is filed, and a brief description of the alleged violation. A complaint shall be filed within the statutory time frame after the complainant becomes aware of the alleged violation.
- 2. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation shall be commenced by the Borough Manager, within ten (10) calendar days following the filing of a complaint. The investigation will be thorough, affording all interested persons and their representatives, if any, an opportunity to submit information relevant to such investigation.

If an employee wishes to file a harassment grievance concerning a situation that involves the Borough Manager, that employee may file the complaint with the Council President, who will then proceed with the investigation.

- 3. A written determination as to the validity of the complaint and a resolution of the complaint, if any, shall be issued by the Borough Manager and a written copy mailed to the complainant within thirty (30) calendar days following the filing of the complaint unless the nature of the complaint or investigation requires additional time for the Borough to arrive at a determination.
- 4. The complainant may request a reconsideration of the case determination of the Manager in instances where he is dissatisfied with the decision of the Manager. The request for reconsideration shall be made within ten (10) calendar days following the date the complainant receives the determination of the Manager. The request for reconsideration shall be made to the Borough Council. The Borough Council shall review the records of said complaint and may conduct a further investigation when necessary to obtain additional relevant information and shall issue its decision thereon within thirty (30) calendar days of the filing of the request for reconsideration. A copy of said decision shall be mailed to the complainant. The decision of the Borough Council is final.
- 5. The complainant's right to prompt and equitable resolution of the complaint must not be



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Chapter 2. EMPLOYMENT

Subject: Equal Employment Opportunity

impaired by his pursuit of other remedies, such as the filing of a complaint with the U.S. Department of Justice or any other appropriate federal agency. Furthermore, the filing of a lawsuit in state or federal district court can occur at any time.

Definitions.

1. Equal Employment Opportunity Policy. It is the policy of the Borough to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens, employees and Borough representatives, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, creed, color, national origin, age, sex, sexual orientation or any other characteristic protected by law, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties required by the position and which are bonafide occupational qualifications and which cannot be accommodated without undue hardship pursuant to Title I of the Americans With Disabilities Act.
2. Equal Employment Opportunity Program. The written, results oriented program specifically set forth in this policy detailing the steps to be taken to ensure equal employment opportunity.
3. Manager. Responsible for meeting the obligations and responsibilities of the Equal Employment Opportunity Program.
4. Appointed Representatives. Members of Borough appointed boards, commissions and ad hoc committees.

Other.

Violations of this policy may be cause for the full range of disciplinary action.

EFFECTIVE: Immediately
 DATE: 8/4/2020
 LAST REVISED: _____

APPROVAL: 
 Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Diversity and Workplace Equity

Diversity and Workplace Equity

Purpose.

To state the Borough’s commitment to build a quality workforce representative of the community we serve.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough is committed to building a diverse workforce which reflects the face of the community we serve, honors and respects the beneficial and worthwhile differences and abilities of all our employees and residents, and provides employees with opportunities, tools, and support to achieve their maximum potential.

Equitably managing a diverse workforce is at the heart of equal opportunity. Valuing beneficial and worthwhile differences among cultures and races is the basis for a policy of inclusion.

Diversity recognizes and respects a multitude of differences which employees bring to the workplace. Diversity may complement organizational values that stress teamwork, leadership, responsibility, and quality service. Diversity means striving to maintain an environment in which managers value the worthwhile differences in their employees and take steps to ensure that employees know they are valued individuals.

To achieve workplace equity and inclusion, we observe the policies and practices outlined below:

1. We will ensure that we do not discriminate in employment on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability, creed, ancestry, medical condition, or any other characteristic protected by law.
2. Our recruiting efforts will ensure that applicant pools are both capable and reflective of the population we serve.
3. We will make employment decisions based on job related criteria and will provide opportunities for entry and promotion into nontraditional jobs where appropriate.
4. We will ensure a workplace free of all forms of harassment.
5. We will develop a procedure for prompt, thorough and impartial investigations of discrimination or harassment complaints and will take appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination, harassment or false accusations thereof.

By creating a workplace where everyone can work towards their maximum potential, the Borough will be better able to retain quality, productive employees who will provide excellent services to our residents.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____


Michael L. Nestico, Borough Manager



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Chapter 2. EMPLOYMENT

Subject: Non-Discrimination

Non-Discrimination

Purpose.

To establish guidelines for the promotion of fair practice and nondiscrimination in activities relating to employment and the treatment of all citizens.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough of Tarentum shall promote and afford equal treatment and service to all citizens and to assure that all applicants for employment are assured equal employment opportunity without regard to race, religion, creed, color, national origin, age, sex, sexual orientation, or any other characteristic protected by law, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties required by the position and which are bonafide occupational qualifications and which cannot be accommodated without undue hardship.

All activities relating to employment including recruitment, testing, selection, promotion, training and termination shall be conducted in a nondiscriminatory manner. The Borough will develop a procedure for prompt, thorough and impartial investigations of discrimination complaints and will take appropriate measures to provide remedy or relief to individuals who have been victims of illegal discrimination.

The Borough will cooperate fully with all organizations and commissions organized to promote fair practice and equal employment opportunity.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Hours of Work

Purpose.

To establish a policy setting uniform hours of work for employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, any Hours of Work provision that is included in any collective bargaining agreement shall supersede any provisions of this policy that is incompatible with the provisions of the collective bargaining agreement.

Statement of Policy.

Except as otherwise provided by labor agreement, the normal working hours for employees are eight (8) hours a day, from 8:00 AM to 4:00 PM. This does not include personnel engaged in shift work. Employees are expected to be at their work location and ready to begin work at the beginning of their work schedule. The lunch period will be scheduled to allow for continuous staffing of all offices with at least one person, if possible.

The Borough shall, in general, provide each employee with a unpaid half-hour for a meal between the third and fifth hour of each shift. All lunch breaks shall be arranged by the employee at the discretion of his supervisor.

The standardization of working hours is necessary to provide:

- A. Continuity in access by and service to the citizenry.
- B. Facilitation of teamwork.
- C. Facilitation of supervisory assistance.

Occasions may arise when the service to the citizen can be improved through the adjustment of an employee's work hours. The Department Director is authorized to adjust work hours in accordance with the provisions of this policy and any applicable provisions of any collective bargaining agreement.

Individual requests for adjustment of working hours for personal reasons must be evaluated in light of the effect on the criteria enumerated in items A C above.

Advance notice to the employee's supervisor (whenever possible) of anticipated tardiness is expected; notice of unavoidable tardiness is expected when possible. Failure to do so will be construed as an unexcused absence, and the day missed will not be paid (except for salaried employees who do not receive overtime). Tardiness must be made up during the pay period in which it occurs.

Notification by another employee, friend, or relative is not considered proper except in an emergency situation where the employee is physically unable to make the notification.

Daily attendance records will be maintained by each department, including date and time absent and reason for absence. Attendance shall be a consideration in determining promotions, transfers, satisfactory completion of probationary periods, and continued employment with the Borough. Frequent tardiness or other attendance irregularities shall be cause for disciplinary action. This may take the form of progressive discipline.



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Chapter 2. EMPLOYMENT

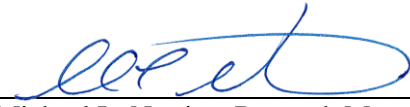
Subject: Hours of Work

Hours for part time and certain employees may vary from the normal office hours noted above due to the nature of their duties and will be determined by the appropriate Department Director.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



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Chapter 2. EMPLOYMENT

Subject: Minimum Age for Employment

Minimum Age for Employment

Purpose.

To establish a policy regarding the minimum age for Borough employment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.


Statement of Policy.

The Borough will not employ any persons under the age of eighteen (18). Prospective employees must be at least eighteen (18) years of age on the date of hire to be eligible for Borough employment.

If there is any Civil Service Commission regulation or policy that requires a minimum employment age greater than eighteen (18), that regulation or policy shall supersede this policy.

If this policy is ever amended by the Borough Council to permit employment of persons under the age of eighteen (18), the Borough shall develop a new policy that addresses all pertinent issues related to Federal and State laws and regulations that govern the employment of minors.

EFFECTIVE: Immediately
DATE: 8/4/2020
LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Nepotism

Nepotism

Purpose.

To establish a policy for the employment of immediate relatives in order to assure the reality and appearance of fairness in the best interest of the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

It is the Borough’s policy that immediate family will not be employed in regular full time or regular part time positions where:

1. One relative would have the authority to supervise, appoint, remove, discipline or evaluate the performance of the other.
2. One relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Borough’s interest and their own.

The above-stated policy shall not apply to the relationship between an elected official of the Borough Council and/or the Borough Manager and any Borough employee when the employee is employed by the Borough before the member of Borough Council is elected and/or the Borough Manager is hired. It shall be permissible for an employee of the Borough to have an immediate family relationship with a member of the Borough Council and/or the Borough Manager when the employee is employed by the Borough before the member of Borough Council is elected and/or the Borough Manager is hired.

Where business necessity requires the limitation of employment opportunity of spouses, the means chosen to meet the business necessity shall be those which have the least adverse impact on spouses or members of either sex. For example: The exclusion should be limited to the job, work crew, shop or unit where the reason for exclusion exists, and should not bar the person from the whole work force, unless the reason applies to the whole work force. When it is necessary to exclude a person because of what his or her spouse does, then the employees will be asked to determine which spouse shall keep the job. The Borough may require one spouse to quit sixty (60) days after marriage if they become in violation of this policy and a mutually agreeable solution cannot be reached between the Borough and the employees.

Definitions.

Immediate Family. Includes spouse, child, parent, brother, sister, grandparents, parent in law, daughter in law, son in law, or grandchildren. This policy shall also apply to persons related by blood or marriage residing in an employee’s home.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 2. EMPLOYMENT

Subject: Introductory Period

Introductory Period

Purpose.

To establish policy and procedure for the introductory period for new employees and current employees who transfer to a new position.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, any provision that is included in any collective bargaining agreement shall supersede any provisions of this policy that is incompatible with the provisions of the collective bargaining agreement. Furthermore, any Civil Service Commission rule or regulation that supersedes any provision of this policy shall control.

Statement of Policy.

All employees placed in new full time and permanent part time positions must serve an introductory period as prescribed in the applicable job description.

The introductory period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the established introductory period, the Borough reserves the right to terminate the introductory employee's service on the basis of unsatisfactory performance or on the basis of other reasons deemed sufficient by the Borough, provided, however, the employer shall not discharge or otherwise discipline an employee for protected union activity.

If an employee is unable to perform the work, the person must be terminated as early as possible. Early termination saves the Borough a time and dollar investment and saves the employee possible embarrassment and frustration. Rejected introductory period employees shall be notified of such action in writing by the Department Director at any time during the introductory period and a copy of said notification shall be retained in the personnel files.

At the end of the introductory period, the employee is formally evaluated and provided written documentation of progress. It is expected that informal evaluations will be conducted during the course of the introductory period to assess performance and to advise employees of expectations regarding performance. Significant job deficiencies shall be documented in the employee's personnel file. These evaluations provide the necessary justification for retention of the person as a regular employee.

Under unusual circumstances, the introductory period may be extended by the Borough Manager. This is only after an evaluation of the situation, the employee's abilities, and demonstrated potential. Introductory period extension is done only upon recommendation of the Supervisor or Department Director to the Borough Manager.

If the employee successfully completes the introductory period, he shall be informed that he is now a regular employee. This will be accomplished by following the procedures included on the applicable Job Description.

If an individual has been transferred or promoted, he or she remains eligible for all fringe benefits included with the previous position during the introductory period for the transfer or promotion. If the position to which an employee has been transferred or promoted carries benefits different from those of the previous position, the person becomes eligible for the benefits of the new position upon the satisfactory completion of the introductory period retroactive to the date of the transfer or



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Introductory Period

promotion.

If a transferred or promoted employee fails to achieve satisfactory performance in the new position, he or she will be given priority for the first position opening similar to the one previously held if the employee's performance in the previous position was satisfactory. If an employee had not performed satisfactorily in the previous position, termination from Borough employment will be considered.

If an emergency arises during an employee's introductory period which requires a leave of absence, such time off, if granted will not be considered as time worked.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Re-Employment

Re-Employment

Purpose.

To establish a policy for re-employment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Any former regular employee who resigned from the Borough in good standing is eligible for re-employment.

Persons interested in re employment should file a completed Borough application form with the Borough Manager’s office. The individual will then proceed through the regular hiring procedures with other applicants as described in the “HIRING PROCESS” Policy.

An individual re employed in his former position may be paid at the same pay step at the time he left the Borough, provided however, that the re-employment is within one (1) year of the previous resignation. Also, unless contrary provisions are part of a collective bargaining agreement, an individual re-employed may retain the level of seniority that he attained when he left employment with the Borough, if the re-employment is within one (1) year of the previous resignation.

The compensation of an employee re hired to a position other than the former position will be subject to provisions for new hires.

Reinstatement in the retirement system will be made in accordance with the rules and regulations as established by the respective retirement systems covering such employees.

Vacation eligibility will be based on previous Borough service if re-employment is within one (1) year of previous resignation.

The individual’s previous personnel file will be re activated once re employed by the Borough provided re employment is within seven (7) years after the original resignation.

All individuals re employed by the Borough must complete a new probationary period.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Special Employment Programs

Special Employment Programs

Purpose.

To establish a uniform policy and procedure for all special employment programs.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough Manager’s office is responsible for the coordination of all special employment programs funded by external agencies (i.e. Youth Training Program, AARP Senior Placement Program, University internships, Work Training Programs, etc.).

Procedure.

Department Directors will forward all requests for participation in special employment programs to the Borough Manager’s Office for coordination with the appropriate agency(s).

The Borough Manager’s Office will, in cooperation with the requesting department, develop a scope of work and qualifications statement to be used in the recruitment and selection of employees and in the definition of tasks to be performed during the period of employment.

Before any special employment program is begun, Borough Council shall approve such program via majority vote at a public meeting of Borough Council.

The provider agency will review scope of work, qualifications, training, level of supervision, and safety for appropriateness.

The Borough Manager’s Office will maintain records on program participants including the contractual agreement between the Borough and provider agency, scope of work and qualifications statement, and personal emergency data.

Department Directors/Supervisors shall provide the Borough Manager’s Office with regular performance evaluations on program participants and feedback on program strengths and weaknesses for overall evaluation by the Borough.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Employee In-Process and Orientation

Employee In-Process and Orientation

Purpose.

To establish a policy and procedure for processing new Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

All new regular full time and regular part time employees of the Borough will be scheduled to meet with the Borough Manager or designee on their first day of work for general orientation. If available, the appropriate Department Director shall also attend this meeting.

The Borough Manager will distribute and explain the various enrollment forms that must be filled out. Each new employee will be provided with information on Borough policies and operations. The Borough Manager’s Office will provide additional information to the new employee, including:

- A. Work standards and regulations
- B. Hours of work, timecards or reports, leave requests
- C. Duties of the position
- D. Safety rules and procedures, location of safety or protective equipment
- E. Tour of the work area, including location of equipment, supplies, etc.
- F. Introduction to co workers
- G. Schedule for lunch and breaks
- H. When and whom to report absence from work
- I. Who is responsible for performance planning and review
- J. Information concerning the Borough’s retirement program
- K. Information concerning the Borough’s fringe benefits and any optional benefits that are available to Borough employees
- L. Information concerning COBRA
- M. A copy of the Borough’s Personnel Manual
- N. Information concerning workplace injuries and the filing of workers compensation claims
- O. If an employee is covered by a collective bargaining agreement, the employee shall be given a copy of the respective collective bargaining agreement.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Types of Employment and Eligibility for Benefits

Types of Employment and Eligibility for Benefits

Purpose.

To establish guidelines and definitions for types of employment and for entitlement to benefits.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. The types of Borough employment are:
 - a. Probationary Employee: An employee on a trial status during the initial period of employment. Such probationary period is defined in collective bargaining agreements, Civil Service rules, and in this Manual.
 - b. Regular Full Time Employee: An employee who has successfully completed the probationary period, if required, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which will total no less than 1820 hours per year. Management staff may be exempt from probation depending on hiring.
 - c. Regular Part Time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of less than regularly thirty-five (35) hours, per week. However, on occasion, the employee may work more than thirty-five (35) hours per week.
 - d. Intermittent Employee: An employee qualified to work in one or more job assignments who is on call to work at irregular intervals in one or more Borough departments.
 - e. Student Intern Employee: An employee who is regularly enrolled as a student in a recognized educational institution and is assigned to a full or part time position which, in the case of post-secondary students, is related to the student's course of study, and which will continue for no longer than the then current semester or term at the student's school; provided, however, that subsequent work assignments may be made for the same student for periods which correspond to the student's subsequent semester or term.
2. Employee compensation shall be stated in terms of annual salary or hourly wage.
3. Entitlement to employee benefits shall be as provided in the section entitled "BENEFITS" or respective collective bargaining agreements, which provides:
 - a. Employees classified as regular full-time employees shall receive all employee benefits provided by the Borough, provided, however, that represented employees shall receive only those benefits provided for by the labor agreement. Probationary employees who, upon successful completion of their probationary periods will be



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Types of Employment and Eligibility for Benefits

regular full-time employees, shall be entitled to the same benefits as regular full time employees, subject to applicable eligibility provisions and time periods.

- b. Employees classified as other than full-time shall not be eligible for any benefits provided by the Borough; however, the Borough may develop programs that permit employees classified as other than full-time to participate in Borough sponsored benefits. If the Borough develops such programs, such benefit programs shall be voluntary for the employee and all costs of the benefits shall be paid by the employee.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Hiring Process

Purpose.

To establish a policy and procedure for all phases of the hiring process.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, this policy does not apply to hiring conducted, as required by law, by the Civil Service Commission.

Statement of Policy.

The Borough of Tarentum desires to hire the most qualified applicants to fill job openings that occur within the Borough's work force. The Borough believes that by hiring the most qualified applicants, the mission of the Borough will be completed in the most efficient manner possible, resulting in a benefit to the taxpayers of the Borough. In order to hire the most qualified applicants for Borough service, the following procedures shall be adhered to.

The Borough Manager will administer and coordinate the hiring process for all position vacancies (Note: The Civil Service Commission is responsible for the recruitment and certification of police officers to ensure compliance with contractual, legal, and equal opportunity requirements). All hiring efforts are conducted in the spirit of equal opportunity.

The following procedures will be adhered to by all departments in announcing position vacancies. These procedures do not apply in the staffing of Civil Service positions. In cases where these procedures contradict existing labor agreements, the applicable provisions of the labor agreements shall prevail.

Recruitment.

1. The Borough Manager will be notified immediately of all position vacancies by the respective Department Director.
2. The affected department may be asked to assist the Borough Manager, as necessary, in formulating the job announcement, ads, and in determining special applicant sources.
3. A determination will be made by the Borough Council, with recommendation from the Department Director, whether to accept in house candidate applications only or whether outside candidates will be considered for employment also. When making this determination, the Borough Council shall review any applicable collective bargaining agreement to determine if there are any contractual provisions that apply to departmental vacancies.
4. Ads for local newspapers, trade publications, and professional journals, as well as internet-based options, will be developed and placed by the Borough Manager's Office with assistance provided by the affected department.
5. The Borough Manager will screen active application files for possible candidates. These candidates will be contacted to determine current interest in Borough employment prior to the closing date listed on the employment notice.



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Hiring Process

6. The Borough does not, under normal circumstances, use the services of any private employment agency, either employer or employee paid.
7. Applications shall be submitted to the Borough Manager using the Borough's Employment Application form. When the position being recruited is of a professional nature, the Borough Council may allow a resume to substitute for the Borough application form provided all information required on the application form is obtained from those who are interviewed for the position. A formal application shall still be submitted by the applicant prior to completion of the hiring process. The application will be kept on file for one (1) year and may be used to consider an applicant for all positions for which he or she might be qualified. In house candidates interested in applying for another position within the Borough should follow procedures as outlined in the policies on "TRANSFERS," or "PROMOTIONS."
8. For every job opening in the Borough, the Borough shall comply with the following public notice requirements:
 - a. The summary of the job notice shall be advertised in the official newspaper of the Borough and/or a newspaper of general circulation on at least one (1) occasion. The publication of the job notice shall be at least ten (10) days from the date of final submission of applications.
 - b. The summary of the job notice shall be posted on the official bulletin board of the Borough. Such notice shall be posted at least ten (10) days from the date of final submission of applications.
 - c. The Borough, at its discretion, may advertise the job opening in other manners such as trade publications or the internet.

If there are not sufficient qualified candidates at the closing date, the position may be re-opened and re advertised. If a position is re-advertised, the procedures outlined in subsection 8 of this policy shall be followed.

No applications for a position will be accepted after the published closing and/or receipt date.
9. The Administration Committee in cooperation with the Borough Manager, or designee, will screen all applications received to determine qualification for the position to be filled.
10. Applicants may be disqualified for consideration for employment when any of the following facts exist:
 - a. They do not possess the qualifications for the job.
 - b. They have demonstrated an unsatisfactory employment record or personal record as evidenced by information contained on the application form or by the results of a reference check.
 - c. They have made false statements of any material facts or practiced deception in their application.



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Chapter 2. EMPLOYMENT

Subject: Hiring Process

- d. They are physically, mentally or otherwise unable to perform the duties of the position.
- e. The applicant is not within the legal age limits prescribed by law or Borough policy.

Testing.

1. If required by the Borough Council, examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. Testing procedures and material examinations must be validated. The Borough may purchase these materials and will require that the manufacturer can certify validity of the test.
2. The examination may consist of practical tests, written tests, in basket exercise or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills and abilities (KSA's) for the position.
3. The Borough Manager shall be responsible for certifying the reliability and validity of the examination given.
4. The testing process will be administered by the Borough Manager unless otherwise designated to the affected department.
5. The Borough Manager shall ensure that all testing is based on bona fide occupational qualifications.
6. The Borough Manager shall ensure that reasonable accommodations are made in test procedures to assure that persons with disabilities can be tested in an appropriate manner. The Borough Manager shall inquire in testing announcements whether the applicant requires an accommodation.

Interview Process.

The employment interview is integral to the selection process. The primary function of the interview is to obtain data or certain knowledge, skills, abilities of a candidate not available through review of resumes or other testing mechanisms. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEOC requirements. Reasonable accommodations shall be provided for disabled applicants to allow participation in the interview process.

1. The Borough Manager shall coordinate the interview process, including selection of interview panel members, scheduling candidates, development of interview questions, etc.
2. The interview panel will be confirmed by the Borough Council with input by the affected department. Careful selection will be made of panel members to ensure objectivity and job knowledge. Relatives or personal friends of the applicants will be excluded from serving on the panel. An ideal interview panel would consist of, at minimum, the Committee Chairs of the Administration/Human Resources Committee and the department for which the position vacancy exists.
3. The Borough Manager and the Department Director in which the position vacancy exists shall be responsible for the development of interview questions and standards for



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Subject: Hiring Process

measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates. The questions must be job-related and based on the analysis described in paragraph 1 above (Paragraph 1 of the Interview Process section). Questions will be designed to measure job knowledge, experience, and education or to solicit responses which reflect those personal traits which are job related. Questions which pertain to race, sex, sexual orientation, religion or other characteristic protected by law or other inquiries which tend to directly or indirectly disclose such information are prohibited. Any questions that would indirectly divulge an applicant's age, national origin, or other discriminatory factor shall be made in strict accordance with law.

4. Inquiries as to an applicant's ability to read, write or speak foreign languages are permitted when such inquiries are based on job requirements.
5. Inquiries about whether an applicant has certain specified sensory, mental, or physical disabilities which relate reasonably to fitness to perform the particular job, or whether an applicant has any disabilities or health problems which may affect work performance or which the employer should take into account in determining job placement are permitted. Other general inquiries which would tend to divulge disabilities or health conditions which do not reasonably relate to fitness to perform the job are not permitted.
6. The Department Director or Borough Manager will inform the interview panel of the responsibilities and requirements of the position to be staffed. Copies of the applications of final candidates will also be provided to the interview panel members prior to the interview, along with proposed interview questions. The Borough Manager, or designee thereof, may meet with panel members prior to the interview for an orientation on interview and assessment techniques needed to evaluate each candidate objectively.
7. Each interviewer scores the candidates independently.
8. Following the interview, the interview panel shall attempt to reach consensus and report the interview results and recommendations to the Borough Council. If consensus cannot be reached, the final candidates, including their strengths and weaknesses, will be reported to the hiring authority.

Reference Check.

1. Before any offer of employment is extended by the Borough, the Borough Manager conducts a reference check on the final candidate(s). The check includes verification of employment duties, dates of employment, attendance record, safety record, and other pertinent information. Parts of the reference check may be delegated to the affected department.
2. No reference check or background investigation will be conducted without first notifying the applicant of the investigation. Furthermore, the applicant shall be required to sign a written release authorizing the release of personal information requested as part of the reference check or background investigation.
3. Certain positions may be designated by the Borough Council to undergo a thorough background check by the Police Department or other designated individual/agency.
4. Results of the reference check and/or background check will help determine the applicant's



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fitness for the position.

5. A recommendation for hire will be forwarded to the appointing authority for final approval to extend an offer.
6. When applicable, reference checks will adhere to the provisions of the federal Fair Credit and Reporting Act.

Applicant Notification.

1. After references are verified and a final decision reached, the Borough Manager notifies the candidate of their selection, makes an employment offer, and requests that the offer be accepted or rejected within a set number of days.
2. If the first offer is rejected, it will be decided whether to hire another candidate or to re-open the position.
3. Once a candidate accepts the employment offer, all other candidates are notified by email that they were not selected for the position.

Appointment.

1. For all positions, an employment confirmation letter is forwarded to the final accepting candidate outlining the terms of employment. The letter is prepared and mailed by the Borough Manager in cooperation with the affected department. The employment confirmation letter shall include the following information:
 - a. Starting date and time
 - b. Compensation and method and schedule of pay
 - c. Where to report on the first date
 - d. If a non-union position, a statement that the position is an “at-will” position that can be terminated at any time by the Borough
2. Civil Service appointments are made by the appointing authority in accordance with applicable rules and regulations.
3. Appointments to the position of Borough Manager shall be made by majority vote of the Borough Council.
4. Department Director positions shall be made by majority vote of the Borough Council upon recommendation of the Borough Manager.
5. Police (full-time and part-time): Once approved by Civil Service Commission for full-time positions, will be approved by Borough Council majority vote.
6. Regular permanent full-time employees: Positions shall be made by majority vote of Borough Council upon recommendation by Department Director and Borough Manager.
7. Part-time (Permanent and Seasonal) employees: Upon recommendation of the Department Director, the Borough Manager shall inform the Borough Council, in writing, of all such appointments.



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Applicant Expenses.

1. Unless approved by the Borough Council, the Borough does not reimburse any applicant for travel costs in conjunction with the hiring process.
2. Relocation costs are paid in full by the employee unless otherwise approved by the Borough Council.
3. The applicant should be advised of items 1 and 2 above before reporting for the interview.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Employee Termination and Out-Process

Employee Termination and Out-Process

Purpose.

To establish procedure for employee termination with the Borough by service or disability retirement, resignation, discharge, probation period termination, or layoff. The procedures are designated to provide the least disruption and inconvenience to the employee and the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements and Civil Service rules and regulations. However, if any collective bargaining agreement provision or Civil Service rule or regulation is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement or Civil Service Commission rule or regulation shall govern.

Statement of Policy.

Service Retirement is voluntary termination after having satisfied the age and length of employment requirements of the applicable Borough Retirement System procedures for applying for retirement benefits as detailed in the Policy entitled “RETIREMENT SYSTEM.”

Disability Retirement is voluntary termination necessitated by an injury or illness which renders the employee incapable of performing their usual job. The termination is preceded by a memo/letter by the employee to his supervisor advising of the disability ruling, date of termination, supporting documentation, and a ruling by the appropriate authority verifying the disability and approving the retirement.

Employee Initiated Resignation is voluntary termination for any reason other than formal retirement. An employee desiring to leave the Borough in good standing shall provide a written resignation to his immediate supervisor at least fourteen (14) calendar days prior to the effective date of resignation. The resignation letter should include the reason for leaving as well as the proposed effective date. Two (2) weeks’ notice is understood to mean that the resigning employee will be available for work during this time so as to aid in the training of a replacement to fulfill other needs of the Borough. Failure to provide two (2) weeks advance notice may result in a forfeit of accumulated vacation or personal leave time. Exceptions to the time limit requirement may be granted by the affected Department Director.

Supervisor Initiated Resignation is termination requested by the supervisor which permits the employee to resign in lieu of being discharged. A termination of this type occurs only after the supervisor’s consultation with the appropriate Department Director, if applicable, the Borough Manager and the Borough Council. An evaluation of the circumstances is conducted, including reasons for the request, supporting documentation, and alternatives. Guidelines are similar to those for discharge.

Discharge is termination of an employee by the Borough. Refer to the policy on “DISCIPLINARY ACTION.”

Probationary Termination is discharge of an employee during the established probationary (introductory employment) period, usually for the inability to meet position/department requirements. A probationary termination occurs only after the supervisor’s consultation with the appropriate Department Director, the Borough Manager and the Borough Council.

Layoff is termination of an employee by the Borough for lack of work, lack of funds, or other



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Chapter 2. EMPLOYMENT

Subject: Employee Termination and Out-Process

changes that have taken place. A reduction in force is accomplished in accordance with labor contracts and Civil Service rules and regulations; however, work schedules should be planned to keep periodic or recurring layoffs to a minimum.

In layoff, recall and filling regular job vacancies, the Borough shall give equal consideration to an employee's ability and performance of the duties required in the job and consideration to an employee's length of continuous service with the Borough in the classification. In applying this provision, where qualifications, experience and performance are equal, seniority shall govern. Every effort will be made for transfers to other departments when a position is open for which the employee qualifies.

The Borough shall provide an employee with at least two (2) weeks advance notification prior to layoff, except in case of emergency. An employee on layoff must keep the Borough informed of the address and telephone number where he can be contacted.

If the Borough is unable to contact the employee within seven (7) calendar days, the Borough's obligation to recall the employee shall cease. The Borough shall have no obligation to recall an employee after he has been on continuous layoff for a period which exceeds one (1) year. Should an employee not return to work when recalled, the Borough shall have no further obligation to recall him.

Exit Interview. The Department Director schedules an exit interview for the employee with the Department Director prior to the last day of employment. The Department Director shall provide written notification to the Borough Manager of the employee's last day of work.

Special questions will be developed by the Department Director for the Exit Interview. Copies of the completed Exit Interview will be forwarded to the Borough Manager. The Department Director or employee's supervisor may respond to statements made in the Exit Interview via written memo.

The Payroll Clerk is notified of the employee's separation date via written memorandum from the Borough Manager.

Employees shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments.

Termination pay shall be reduced by any authorized legal deductions; authorized pension plan; credit union, tax sheltered annuity; United Way; union dues; and any other amounts specifically agreed upon orally or in writing by the employee and the Borough.

Before the final paycheck is issued to the employee, the employee shall be required to do the following:

- a. return any Borough-owned equipment, vehicle, etc. to the Borough Manager;
- b. remove all personal items from the premises of the Borough;
- c. return any identification badge to the Borough Manager; and
- d. return any work keys to the Borough Manager.

Failure by the terminating employee to abide by the above-stated conditions may result in delay of receipt of the final paycheck.

The official date of termination will be the last full day the employee reports for work unless otherwise agreed upon.

Benefits continue through the time actually worked by the employee including any days "worked" from accumulated vacation and compensatory time. Upon termination of employment, health care,



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Chapter 2. EMPLOYMENT

Subject: Employee Termination and Out-Process

dental and life insurance benefits will continue through the last day of the month.

For those employees who are not retiring, monies accumulated in the employee’s retirement account are refundable in accordance with the rules and regulations of the applicable Borough-sponsored pension plan. Forms required to request this refund are available in the Borough Manager’s Office.

All claims for unemployment compensation as filed by a terminating employee shall be processed by the Borough Manager. Requests for information about unemployment compensation should be forwarded to the Borough Manager immediately to avoid unauthorized charges against the Borough’s account.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Conflict of Interest/Outside Employment

Conflict of Interest/Outside Employment

Purpose.

To establish guidelines to guard against conflicts of interest, and to assure an employee’s ability to render full service to the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Employees should avoid situations that might cause their interests to conflict with the Borough or might compromise the Borough’s integrity and reputation. A conflict, or the appearance of one, occurs when an employee or an immediate family member uses the employee’s position at the Borough for personal benefit through an investment, association, or business relationship that interferes with the employee’s ability to exercise independent judgment on behalf of the Borough. An example would be having a financial interest in, or moonlighting with, any company that is a customer or supplier of the Borough or in any way could be subject to any proposal or permit arising from the employee’s official duties.

Full time employees are discouraged from accepting second jobs, whether self-employment or otherwise. Outside employment will not be considered an excuse for poor performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work over time or different hours. If outside work activity does cause or contribute to job-related problems, such employment must be discontinued; and if necessary, normal disciplinary procedures will be followed to deal with the specific problem.

All employees are prohibited from engaging in any activity that compromises the Borough’s image. This prohibition includes the unauthorized use of any Borough tools, equipment, or resources. In addition, employees are not to conduct any outside business during paid working time.

All employees holding or considering second jobs must obtain permission from their respective Department Director in order to ensure that the job will not create a conflict of interest or interfere with the proper performance of their duties. If any Department Director authorizes a second job for any employee, such approval shall be in writing and the Department Director shall forward a copy of the written approval to the Borough Manager. If the Department Director does not authorize a second job for an employee, the employee shall not be permitted to work such second job. In the case of a second job considered by a Department Director, the approval shall be by the Borough Manager. In the case of a second job considered by the Borough Manager, the approval shall be by the Borough Council.

Employees are strongly discouraged from accepting meals or any other type of solicitation from salespeople, vendors, or suppliers.

EFFECTIVE: Immediately

DATE: 8/4/2020

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 2. EMPLOYMENT

Subject: Modified Duty

Modified Duty

Purpose.

To provide for a uniform response and handling of a Borough wide modified duty/return to work program for employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

These policies and procedures apply to any situation where an employee is being treated for an injury or illness and is determined fit by a Borough-approved physician or practitioner to return to work on a temporary basis with modified duties.

Modified duty assignments are based on the availability of work. This policy does not guarantee that an injured employee will be assigned to a modified duty position.

Definitions.

Employee: any person who renders service to the Borough for pay, excluding persons who work under a professional service contract. Employee includes persons in probationary, regular, casual or temporary status.

Modified Duty: work restrictions (modifications of work duties or tasks) determined and recommended by a Borough-approved physician or practitioner who has been rendering treatment to the employee or who is qualified to render an opinion on the employee's physical abilities.

Statement of Policy.

It is the policy of the Borough, with the cooperation of all departments, to locate and assign modified duty, when feasible, to employees who are temporarily disabled from their regular job. All such modified duty assignments are to be within the limitations as recommended by a Borough-approved physician or practitioner.

This policy shall only be applicable to employees who are temporarily disabled. Temporary disabilities are those disabilities that apparently will last for less than six months. If an employee is projected to be disabled for a period of more than six months, the Borough shall not be required to follow this policy.

The Borough shall not be required to create a new position to implement this policy. If the Borough determines that there is temporary work available for a temporarily disabled employee, the Borough may utilize this policy. Also, if a temporarily disabled employee is working on a temporary job and such job ends, the Borough may re-assign the temporarily disabled worker to another temporary job or if no job is available, the employee may return to disabled status and may collect unemployment compensation benefits.

1. The Borough-approved physician/practitioner shall be encouraged to release temporarily disabled employees to modified duty work status and to describe the employee's physical limitations in sufficient detail to enable the Borough to identify a suitable work assignment or to modify the tasks of the regular assignment which may be eliminated or adjusted.
2. The Department in which the employee works shall attempt to locate a work assignment or modify the work duties of the regular assignment within the limitations recommended by the physician or practitioner.



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Chapter 2. EMPLOYMENT

Subject: Modified Duty

3. If no suitable assignment is available within the Department, the Borough administration shall be contacted immediately in order to consider other alternatives. The Borough administration will attempt to coordinate, where feasible, a temporary reassignment of the employee on an inter department basis. The Department to which the employee is regularly assigned will continue to be charged for the employee's wages and benefits.
4. The employee will be responsible for reporting to his immediate supervisor following each medical appointment; providing that person with the appropriate medical status slip from the authorized treating physician/practitioner. The employee shall cooperate to the fullest extent possible by performing the tasks and duties within the modified assignment to the best of his ability.
5. Employees will be advised of the Borough's policy of mandatory modified duty in accordance with the employees work restrictions. Employees refusing to accept an appropriate modified duty assignment provided by the attending physician/practitioner and offered by the Borough shall forfeit their workers compensation benefits and any available supplemental salary benefits. Also, such refusal to accept an appropriate modified duty assignment may result in other discipline, up to and including discharge.
6. The immediate supervisor will be responsible for monitoring the employee's performance during the period of modified duty.
7. Employees shall be entitled to earn their usual base salary while on modified duty. It is the Borough's policy that no overtime will be authorized unless the employee is expressly given permission by the Department Director. All overtime assignments must be approved in advance by the Borough Manager and/or Department Director, and must be in accordance with the work restrictions set forth by the attending physician/practitioner.
8. Upon release to regular work without restrictions, the employee shall be returned to his regular work unit in the usual work assignment.

Procedures.

1. Each Department shall be responsible for implementation of this policy within their unit. Department Directors shall instruct their employees on the Borough's modified duty policy.
2. The Department Director shall inform the treating physician or practitioner and employee of the Borough's policy on modified duty.
3. Supervisors shall contact the Department Director and the Borough Manager to confirm the employees return to work on modified duty.
4. The employee's timecard shall be maintained by the Department Director to whom the employee is temporarily assigned.
5. In the event a work unit cannot reasonably accommodate a modified work assignment due to operational difficulties or the employees work restrictions, the Borough Manager is to be notified within 24 hours or by the next business day. This shall apply to either the initial request or during the period following provision of modified duty.



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Chapter 2. EMPLOYMENT

Subject: Modified Duty

- 6. The Borough Manager will coordinate alternative assignments on an inter-department basis for employees whose home Departments cannot accommodate them. In the event the Borough Manager cannot locate an assignment, the employee will remain off work and will be provided compensation in accordance with applicable state law and in conformance with any labor agreement.
- 7. The Borough Manager is authorized and directed to develop and implement any forms to be used in this modified duty program.
- 8. For further information about the modified duty program, contact the Borough Manager.

EFFECTIVE: Immediately
 DATE: 8/4/2020
 LAST REVISED: _____

APPROVAL: 
 Michael L. Nestico, Borough Manager



3. CONDUCT

Employee Conduct

Purpose.

To outline specific areas which may result in employee discipline.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

It shall be the duty of employees to maintain high standards of cooperation, efficiency, and integrity in their work with the Borough. If an employee's conduct falls below standard, he may be subject to disciplinary action.

Some general conduct for which an employee may be disciplined include, but are not limited to:

1. Reporting to work under the influence of intoxicants, nonprescription and or illegal drugs, or using such substances while on Borough property.
2. Failure to follow the orders of one's supervisor(s).
3. Being absent from work without permission or failure to report to the supervisor or Department Director when one is absent.
4. Being habitually absent or tardy for any reason.
5. Failure to perform assigned work in an efficient or effective manner.
6. Being wasteful of material, property or working time.
7. Inability to get along with fellow employees so that the work being done is hindered and not up to required levels.
8. Failure to observe property security procedures.
9. Conduct on the job which violates the common decency or morality of the community.
10. Commission of a felony or serious misdemeanor.
11. Violating safety rules and regulations.
12. Speaking critically or making derogatory or false accusations so as to discredit other employees or supervisors.



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Subject: Employee Conduct

- 13. Removal of Borough money, merchandise, or property, including property in custody of the Borough without permission.
- 14. Lying to supervisors in connection with your job.
- 15. Dishonesty, including intentionally giving false information, intentionally falsifying records or making false statements when applying for employment.
- 16. Being on Borough premises during non-working hours without permission.
- 17. Divulging or misusing confidential information, including removal from Borough premises, without proper authorization, any employee lists, records, designs, drawings, or confidential information of any kind.
- 18. Accepting fees, gifts, or other valuable items in the performance of the employee’s official duties for the Borough.
- 19. Inability or unwillingness to perform the assigned job.
- 20. Falsification of time records for payroll.
- 21. Abuse of sick leave privileges by reporting sick when not sick or obtaining sick leave pay falsely or under false pretenses.
- 22. The use of profanity or abusive language towards a fellow employee or member of the public while performing official duties as a Borough employee.
- 23. Fighting, harassing, and threatening.

The above-specified violations of conduct shall not be considered an all-inclusive list of possible employee infractions. Rather, the above-stated violations shall be a guide to indicate potential violations of conduct that are a concern of the Borough. The Borough may also discipline for infractions not specified above.

Refer to the Section on “DISCIPLINARY ACTION” for additional information on procedures for and types of disciplinary action.

EFFECTIVE: Immediately
DATE: 4/12/2022
LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Violence in the Workplace

Violence in the Workplace

Purpose.

To provide management and employees with guidance should they encounter a situation they believe may result in violence, and to provide information and training to management and employees to minimize risk of injury or harm resulting from violence in the workplace environment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Definitions.

“Workplace Violence” means any verbal or physical action that is communicated or perceived as a threat, harassment, abuse, intimidation, or personal contact, that produces fear, causes bodily harm or damage to property. Workplace violence may involve family, friends, strangers, coworkers, or customers.

Statement of Policy.

The Borough will not tolerate any acts of violence to persons or property. All acts of violence are treated seriously. Each act of violence will be dealt with promptly and appropriately utilizing administrative, managerial, legal, and disciplinary actions to minimize risk to employees, customers, and property.

Preventing Violence in the Workplace.

The Borough recognizes that most serious incidents of workplace violence represent a personal crisis that the individual is unable or unwilling to solve alone. Intervention at an early stage provides the individual with the necessary assistance to resolve these issues, prevent escalation, and allow continued productive employment.

Employees and supervisors have access to confidential and discretionary professional assistance through the Employee Assistance Program, if such a program is provided by the Borough. The program provides advice, assessments, and case review to help management develop intervention strategies and make decisions that will prevent violent incidents from occurring. The program can refer to outside professional agencies which can provide evaluations, diagnoses, and treatment plans.

Responsibilities. All employees are responsible for refraining from participating in violent actions and reporting any threatening or dangerous situations to management occurring within the workplace or those that affect their work requirements.

Management is responsible for responding to potential or violent situations, depending on the seriousness and nature of the incident. They will conduct interviews and investigations, prepare documentation, and notify appropriate assistance agencies.

Departments are responsible for developing crisis procedures and creating simple action plans to



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follow in the event of a violent action occurring in the workplace.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Disciplinary Action

Disciplinary Action

Purpose.

To establish policies and procedures related to disciplinary action for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

It shall be the policy of the Borough to administer discipline fairly, reasonably, and impartially. Employees and the Borough are best served when discipline is administered to correct actions rather than to punish.

The Borough may skip over disciplinary steps when, at the sole discretion of the Borough, the offense so warrants. Accordingly, the Borough may proceed with discharge proceedings when it deems the offense justifies such a response.

All disciplinary actions involving termination require concurrence of the Borough Council prior to discipline being administered.

Procedure.

The tenure of Borough employees shall be based on reasonable standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including oral or written reprimand, suspensions, demotions, and dismissal.

Disciplinary action is not primarily intended to be punitive, but rather to maintain the efficiency and integrity of Borough service. The nature and severity of the offense and the employee's prior record shall be considered.

In any major disciplinary action, the pertinent information shall be reviewed with the employee specifying the following: the cause for discipline, the specific reasons supporting the cause, the discipline to be imposed, the effective date, and the right of the employee to be heard.

Employees may be disciplined for areas of concern detailed in the Policy on "EMPLOYEE CONDUCT".

The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with any applicable labor contract, civil service rules and regulations, and Borough policies and procedures as well as local, state or federal laws and regulations.

It is the responsibility of each supervisor and Department Director to evaluate thoroughly the circumstances and facts as objectively as possible and then apply the most suitable form of discipline.



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Chapter 3. CONDUCT

Subject: Disciplinary Action

Types of disciplinary action may include:

Step 1: Oral Warning This type of discipline should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The oral warning should be given in private. Supervisors should inform the employee that the supervisor is issuing an oral warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the person will be subject to more severe disciplinary action.

A notation that an oral warning was given should be made in the employee's personnel file.

Step 2: Written Warning/Reprimand This notice will be issued in the event the employee continues to disregard an oral warning or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written warning/reprimand notices should be issued within 15 days after the occurrence of the violation claimed by the supervisor.

The warning/reprimand shall state the nature of the infraction in detail and what corrective action must be taken by the employee to avoid further discipline as outlined in Steps 3, 4, and 5.

A copy of the written warning/reprimand is to be handed to the employee at the time of the discussion of the discipline. The employee shall sign the written warning to acknowledge receipt. A copy, signed by the employee, will be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, then the supervisor and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it.

Step 3: Suspension This form of discipline is administered as a result of a severe infraction of policies or for repeated violation. For minor infractions, a suspension is often given after the employee has received a written warning.

Suspension Without Pay An employee will be suspended without pay when the offense is of a serious enough nature usually sufficient for discharge but when circumstances related to an employee's overall performance would not warrant immediate discharge. The length of suspensions should not normally exceed fifteen (15) workdays. Exempt employees should not be suspended without pay for less than a one-week period except for major safety violations.

Investigatory suspensions may be used in cases where it is necessary to investigate a situation to determine what further disciplinary action may be justified.

This suspension gives the supervisor the opportunity to discuss the problem with his superior to determine an appropriate course of action when the situation is serious enough for the employee to be removed from the work environment.

If after investigation, it is determined that the employee was not guilty of any violation, he will normally be returned to his position, paid for any lost time, and a letter exonerating the employee will be placed in his official personnel file. If, however, the employee is found in violation, then the appropriate disciplinary action will take effect on the date that the investigatory suspension began.

Suspension with Pay At the discretion of the Borough Council or designee, an employee of the Borough may be suspended with pay and benefits pending investigation of allegations of misconduct, when the nature of the allegation compromises the ability of the employee to perform his duties, and when a substantial period of time will be required to complete an investigation or legal action. Such suspension is not a disciplinary action and may not be appealed. If the charges



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are substantiated, disciplinary action will be taken in accordance with the nature of the offense and may include recovery of salary and benefits paid during the suspension. If the charges are unfounded, the employee will be restored to duty and a letter of exoneration will be placed in the employee's official personnel file.

Step 4: Demotion. Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal when dismissal is warranted.

Step 5: Discharge. Immediate removal of an employee from the job site pending review for discharge may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the Borough Manager. In such an instance, the Borough Manager shall immediately notify the Borough Council of his actions and the Borough Council shall review the matter to determine if such action is warranted. An employee may also be discharged after repeated offenses of a less serious nature if the offenses have been documented by the supervisor and appropriate behavioral changes have not resulted from previous progressive disciplinary action.

Probationary employees may be terminated at any time without just cause and without the right of appeal. Notification of dismissal in writing shall be provided to the probationary employee and a copy filed in his personnel file. Dismissal of probationary employees requires approval of the Borough Council.

The original copy of the disciplinary action is to be signed by the employee and placed in the employee's personnel file with a copy given to the employee.

Appeals. Warnings, reprimands, and suspensions without pay may be appealed. To appeal a disciplinary action taken by a supervisor, the employee must present a written appeal to their immediate supervisor within ten (10) working days of the disciplinary action.

If a resolution cannot be reached at this level, a copy of all relevant information should be presented to the Department Director who shall attempt to resolve the matter within five (5) working days after it is presented to him. If the Department Director is unable to resolve the situation, a final appeal can be made to the Borough Manager. The Borough Manager shall attempt to resolve the appeal within 15 working days after it has been presented to him. The decision of the Borough Manager shall be final. However, where the Borough Manager is the immediate supervisor administering the discipline, the affected employee shall be permitted to appeal the decision of the Borough Manager to the Borough Council in accordance with the procedures outlined in this paragraph.

In those instances where employees are covered by a collective bargaining agreement or by Civil Service rules and regulations, the provisions of the collective bargaining agreement and/or Civil Service rules shall govern disciplinary action. In all other cases, this policy and procedure shall apply.

Pre-Disciplinary Hearing Standards/Notice of Discipline. The Borough Manager shall provide and arrange for a pre-disciplinary hearing prior to the demotion, suspension, or discharge of any employee.

- a. An employee shall be provided, in writing, with a notice of the charge and an explanation



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of the department's evidence. The employee shall be given an opportunity to respond to the charges, orally or in writing, as to why the proposed action should not be taken.

- b. The employee may have union representation, if applicable, or a fellow employee present at a pre-disciplinary hearing but may not have legal counsel.
- c. The Borough's explanation of the evidence at the pre-disciplinary hearing shall be sufficient to apprise the employee of the basis for the proposed action. This shall not limit the Borough at subsequent hearings from presenting a more detailed and complete case, including presentation of witnesses and documents not available at the pre-disciplinary hearing.
- d. Should the Borough determine to discipline following the pre-disciplinary hearing, written notice of discipline shall be given to the employee. Such notice shall include the charges against the employee and a general statement of the findings of the hearing.
- e. There is no legal appeal from a determination following a pre-disciplinary hearing, except as provided to employees covered by Civil Service rules and regulations.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Grievance Process

Purpose.

To establish standardized grievance procedures for non-represented employees.

Applicability.

This policy applies to all employees of the Borough except those covered by collective bargaining agreements.

Statement of Policy.

A “grievance” shall mean a claim or dispute by an employee with respect to the interpretation, meaning or application of the provisions of the Borough’s policies and procedures.

It is the policy of the Borough Council to afford all employees a means of obtaining further consideration of problems when they remain unresolved at the supervisory level, and to establish policies and procedures that provide for timely resolution of grievances.

Strict adherence to the procedures outlined below is mandatory for all concerned, except that time limits may be extended for good cause shown unless other procedures are provided by Federal or State law and regulations.

Every attempt will be made to resolve the grievance to the mutual satisfaction of the employee and the Borough.

Procedure.

Step 1. An employee must present a grievance other than those that concern harassment within ten (10) working days of its alleged occurrence to the employee’s immediate supervisor and Department Director, who shall attempt to resolve it within five (5) working days after it is presented to them.

Step 2. If the employee is not satisfied with the resolution by the Department Director, the employee must submit the grievance, in writing, to the Borough Manager within twenty (20) working days of the alleged occurrence. This written notice shall include the following:

- a) Statement of the grievance and relevant facts;
- b) Remedy sought; and,
- c) Reasons for dissatisfaction with the Department Director’s resolution.

The Borough Manager shall attempt to resolve the grievance within 20 working days after it has been presented to them. The Borough Manager is the final authority within the Borough on grievances presented by non-represented employees. However, if the Borough Manager is the direct supervisor of the employee desiring to file a grievance, the Borough Council shall be the final authority. In these instances, the procedures described in this policy shall be utilized.

Questions or requests for additional guidance concerning procedural or substantial matters relating to the grievance should be directed to the Borough Manager.



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Subject: Grievance Process

No punitive action or retaliation shall be carried out against the employee for utilizing the grievance procedure outlined above.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: 
Michael L. Nestico, Borough Manager



Sexual Harassment

Purpose.

1. To establish policy prohibiting all forms of sexual harassment.
2. To define procedure for reporting harassment.
3. To establish guidelines for administration of discipline.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Harassment, whether committed by supervisory or non-supervisory personnel, is specifically prohibited as unlawful and against the stated policy of Tarentum Borough.

All employees have a duty to report sexual harassment whether they feel they may be victims of harassment or whether they believe they may have observed conduct which violates this policy.

It is the policy of the Borough to maintain a working environment for employees free from sexual harassment of all kinds. Thus, sexual harassment in any form or manner is strictly prohibited. All reported or suspected occurrences of sexual harassment will be promptly and thoroughly investigated. If sexual harassment in violation of this policy has occurred, the Borough will take appropriate corrective action, including potential disciplinary action or discharge of the offending employee.

Sexual Harassment Defined

Unlawful sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

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

Sexual harassment includes verbal comments as well as written comments in e-mails, posters, pictures, memoranda, or other documents. Furthermore, harassment can be created by supervisors, coworkers, or non-employees, such as customers.

Procedure.

1. In any case in which the supervisor is witness to or confronted with a situation of sexual harassment, the supervisor shall immediately notify the offending party that sexual harassment is not appropriate and will not be tolerated. Ultimate disciplinary action will await completion of the reporting procedure.
2. An employee subjected to any form of sexual harassment or is witness to any form of sexual harassment shall report such activity to his non-involved supervisor or directly to



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the Borough Manager. In the event that an employee believes the Borough Manager has engaged in sexual harassment, a report shall be submitted to the President of Council, who will then proceed with the investigation.

3. A supervisor is required to report sexual harassment cases to his Department Director, who, in turn, is required to report the matter to the Borough Manager. Such reports to superiors and to the Borough Manager are to be made regardless of how knowledge of the case was acquired.
4. The Borough Manager shall investigate and prepare a report setting forth the facts of the case and a recommendation for action. Final action in all cases shall be taken by the Borough Council.
5. The results of the investigation and the nature of the disciplinary action will be communicated by the Borough Manager to both the complainant and the offender as well as the affected Department Director. Either party may appeal the decision through the normal grievance procedure if it is felt the findings were incorrect or the disciplinary action inappropriate.
6. To the extent practicable, all complaints of sexual harassment will remain confidential. It may be necessary, however, to disclose the nature or the origin of the complaint in order to investigate it properly or to take corrective action. The Borough will take all necessary steps to ensure that a person who makes a good faith complaint, or any witness who comes forward in an investigation, will not be retaliated against in any way, even if it is determined that the complaint is not well-founded.

Disciplinary Action.

An employee who sexually harasses another employee or member of the public may be subject to the full range of disciplinary action, including discharge. The severity of the discipline shall be based upon, at a minimum, the severity of the harassment as well as the applicable employment history of the employee in question.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Harassment

Harassment

Purpose.

1. To establish policy prohibiting all forms of harassment, except sexual harassment which is covered by a separate policy.
2. To define procedure for reporting harassment.
3. To establish guidelines for administration of discipline.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

It is the policy of the Borough that harassment will not be tolerated. All employees are prohibited from engaging in the harassment of any other employee or other person in the course of or in connection with employment. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences.

Harassment Defined

Harassment is unwarranted and unwanted verbal or nonverbal conduct which threatens, intimidates, annoys, or insults another person, or their ethnic background, race, or religion, where such conduct has the purpose or effect of creating an offensive, intimidating, degrading, or hostile environment, or interferes with or adversely affects a person's work performance.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance.

Procedure.

1. In any case in which the supervisor is witness to or confronted with a situation of harassment, the supervisor shall immediately notify the offending party that harassment is not appropriate and will not be tolerated. Ultimate disciplinary action will await completion of the reporting procedure.
2. An employee subjected to any form of harassment or is witness to any form of harassment shall report such activity to his noninvolved supervisor or directly to the Borough Manager. In the event that an employee believes the Borough Manager has engaged in harassment, a report shall be submitted to the Council President who will then proceed with the investigation.
3. A supervisor is required to report harassment cases to his Department Director, who, in turn, is required to report the matter to the Borough Manager. Such reports to superiors and to the Borough Manager are to be made regardless of how knowledge of the case was acquired.
4. The Borough Manager shall investigate and prepare a report setting forth the facts of the case and a recommendation for action. Final action in all cases shall be taken by the Borough Council.



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Subject: Harassment

- 5. The results of the investigation and the nature of the disciplinary action will be communicated by the Borough Manager to both the complainant and the offender as well as the affected Department Director. Either party may appeal the decision through the normal grievance procedure if it is felt the findings were incorrect or the disciplinary action inappropriate.
- 6. To the extent practicable, all complaints of harassment will remain confidential. It may be necessary, however, to disclose the nature or the origin of the complaint in order to investigate it properly or to take corrective action. The Borough will take all necessary steps to ensure that a person who makes a good faith complaint, or any witness who comes forward in an investigation, will not be retaliated against in any way, even if it is determined that the complaint is not well-founded.

Disciplinary Action.

An employee who harasses another employee or member of the public may be subject to the full range of disciplinary action, including discharge. The severity of the discipline shall be based upon, at a minimum, the severity of the harassment as well as the applicable employment history of the employee in question.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Lobbying Before Government Entities

Lobbying Before Government Entities

Purpose.

To assure that the official policies of the Borough or the legislative and administrative branches of the Borough are properly expressed before legislative bodies or other governmental agencies.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Definitions.

“Lobby” or “lobbying” each mean attempting to influence the passage or defeat of any legislation or the adoption or rejection of any rule, standard, rate, or other legislative enactment that will or could have any impact on the Borough.

Statement of Policy.

In order to assure that the official policies of the Borough are expressed during appearances before legislative bodies or other governmental agencies, the following policies will apply:

1. All testimony or statements, written or oral, given by an employee of the Borough before any governmental legislative body or other governmental agency shall strictly comply with the policies set forth by the Borough Council through action by either a motion, resolution or ordinance.
2. When there is a lack of formal action by the Borough Council, authorization must be obtained from the Borough Council prior to any activity by any employee of the Borough.
3. The policies expressed in Items 1 and 2 above shall also apply to any correspondence written on Borough or departmental stationery and to any verbal conversation when the speaker represents himself as an employee of the Borough.
4. Items 1, 2 and 3 apply to all employees during normal working hours except that any written statement on Borough or departmental stationery applies at all times. Any employee who appears before any governmental legislative body or any agency during hours other than working hours will not represent themselves as employees of the Borough unless all information given is in compliance with this policy. If during the course of an appearance or verbal interchange, the fact emerges that the person is an employee of the Borough, then a disclaimer will be issued that the information or testimony given represents the views of the employee and not that of the Borough. If information or testimony is given that is contrary to official policies of the Borough, then a statement to that effect will be given if the person has been identified as an employee of the Borough.

A violation of this policy procedure could result in disciplinary action.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Personal Appearance

Personal Appearance

Purpose.

To establish general guidelines related to personal appearance of Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

It shall be the responsibility of all employees to represent the Borough to the public in a manner which shall be courteous, efficient, and helpful.

Borough employees should always be well groomed and dressed in a manner suitable for the public service environment and to reflect favorably the Borough’s image. Department Directors may establish more detailed guidelines concerning personal appearance and proper dress for various positions.

The employee’s supervisor will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the Borough.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Casual Dress

Purpose.

The purpose of this casual dress day policy is to serve as a guide to help define appropriate casual business wear for all administrative, supervisor, technical and professional employees during designated casual days. A primary purpose is to have employees project a professional image while taking advantage of more casual and relaxed fashions.

Definitions.

“Casual business wear” means clean, neat, clothing that contributes to an appropriate and generally accepted image of the respective job classification. Slacks, corduroys, khakis, golf attire, dressy jeans, sweaters, shirts with collars, polished leather shoes and quality accessories are acceptable. For women, all the same items plus dress-denim skirts, mid-length skirts, flat shoes and loose-fitting stirrup pants accompanied by a long top or jacket are acceptable. Anything you would normally wear to a gym, beach, trendy bar or to clean the garage would generally not fall under the definition of business wear. Regardless of the item, any attire that is excessively worn, frayed, or wrinkled does not fall under the definition of acceptable casual business wear.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

STATEMENTS OF POLICY:

1. It is the policy of the Borough to allow employees to wear casual business wear on Friday and other designated days as determined by the department supervisor. However, when an employee is engaged in certain business, such as meeting with citizens’ groups, etc., proper business attire is expected.
2. On occasion, management may announce dress down days where looser clothing including sweatshirts, colored T-shirts (without messages) and athletic shoes can be worn in order to allow you to enjoy a special occasion, spring or fall office “cleanup days”, etc. Please ask your manager ahead of time about choices that may be questionable.
3. Listed below is a general overview of acceptable casual wear as well as a listing of some of the more common items that are not appropriate for the office. Obviously, neither group is intended to be all inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed. A good rule of thumb is that if you are not sure if something is acceptable, choose something else or inquire of your supervisor ahead of time.

Slacks. Jeans and cotton slacks are acceptable provided they are clean, not faded, and wrinkle free. Inappropriate items include sweatpants, bib overalls, spandex or other items that are excessively worn or faded.

Shirts. Casual shirts with collars, golf shirts, sweaters and turtlenecks are acceptable. Avoid T-



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Chapter 3. CONDUCT

Subject: Casual Dress

shirts, sweatshirts, tank tops, halter tops, shirts with large lettering or logos and any tops with bare shoulders unless worn under another blouse or jacket. Items with Tarentum Borough emblems or insignia may be acceptable if not excessively worn or faded.

Dresses and skirts, casual dresses and skirts, jean skirts and mid-length split skirts are acceptable. Mini-skirts and spaghetti-strap dresses are not acceptable.

Footwear. Loafers, boots, flats, dress sandals and leather deck shoes are acceptable. Casual leather or suede sneakers with a clean appearance, minimal stitching and minimal designs are acceptable. Athletic shoes, colorful sneakers, flip flops, slides, and slippers are not acceptable. Casual socks or even no socks or stockings are acceptable if it is appropriate for the rest of the outfit.

Jewelry. Jewelry, if worn, should be simple and classic.

Other. Belts and socks in complementary, muted colors are necessary for completing a professional look.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Political Activities

Purpose.

To foster governmental efficiency and to ensure that employees can perform their jobs without being pressured to support specific locally elected officials or other political candidates or to interpret regulations favorably for supporters of such candidates;

To allow employee performance and advancement to be judged without regard to prior political activity; and

To promote public confidence in the integrity of Borough government to the end that the Borough Manager and members of the Borough Council will not be perceived as making decisions based on political loyalties.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Section 1. Prohibited Activities during Working Hours. An employee shall be subject to discipline up to and including immediate dismissal for violation of these provisions:

1. No officer or employee shall, while on duty during an assigned work shift as an employee of the Borough:
 - a. Request or solicit contributions or anything of value for any political candidate or cause.
 - b. Participate in any political campaign by:
 - i. Speaking in favor of any candidate or cause; or,
 - ii. Distributing literature.
 - c. Picketing or demonstrating on behalf of or in opposition to any political candidate or cause.
 - d. Organize, plan or in any other way participate in the administration of any political campaign.
2. No officer, employee or Borough volunteer shall, while on duty and/or in the uniform of the Borough, or while in or operating any Borough vehicle, display any badge, button, sign or sticker promoting or opposing any political cause or candidate.
3. No officer or employee of the Borough shall use public funds, property, or any other instrumentality or thing of value belonging to the Borough to promote or oppose any political cause or candidate.
4. Nothing in this policy shall be interpreted to prohibit an employee:
 - a. From stating any opinion regarding any political issue in ordinary conversation during working hours providing that such a conversation does not interfere with the employee's assigned job duties.
 - b. From wearing a pin or button promoting or opposing any cause or candidate when employee does not have direct citizen contact.

Section 2. Coercion and Intimidation of Public Employees. No officer or employee of the Borough shall use his public office or employment for the purpose, or with the effect of:



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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Political Activities

1. Coercing or intimidating any Borough employee or employees with respect to contributing to, opposing, or promoting, or refraining from contributing to, opposing or promoting any political cause or candidate.
2. Obtaining a benefit as a result of any political activity by:
 - a. Intentionally committing an unauthorized act under color of law.
 - b. Intentionally refraining from performing a duty imposed upon him by law.

Section 3. Illegal Political Activities. No officer or employee of the Borough shall engage in any political activity which is prohibited under State or Federal law. Any person engaging in such an activity shall be subject to disciplinary action, including immediate dismissal.

Section 4. Federally Funded Programs. In addition to this policy, an officer or employee whose position is funded totally or primarily with federal funds shall be governed by the rules established by the United States Civil Service Commission and/or the Office of Personnel Management. Any person who administers federal funds under a contract which limits the political activities of the administrator or which incorporates United States Civil Service rules shall comply with those provisions. Failure of any officer or employee to comply with applicable restrictions imposed by such a grant or contract shall be subject to disciplinary action, including immediate dismissal.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Smoking Policy

Purpose.

To respond to the increasing evidence that tobacco smoke creates a danger to the health of persons who are present in a smoke filled environment and to establish Borough policy to regulate the use of smoking materials by Borough employees while on duty. Every attempt will be made to obtain to the greatest extent possible, freedom for the nonsmoker from the harmful effects of smoking materials, while preserving a reasonable degree of freedom for those who choose to smoke.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

“Smoke” or “smoking” as used in this policy shall mean and include the smoking or carrying of any kind of lighted pipe, cigar, cigarette, vaporizer, or e-cigarettes.

Smoking may be restricted to designated areas as established by the Borough Council. The following areas have been so designated provided that the resulting smoke does not affect nonsmoking employees or the public:

NONE

Vehicles: No smoking is permitted in Borough vehicles.

Smoking shall further be prohibited in the Borough Municipal Building, including all counter areas frequented by the general public, in all meeting rooms used by Borough staff, in all stairways and restrooms, and in all work areas where nonsmokers and/or sensitive equipment may be subject to the effects of smoke.

Areas designated for smoking may change from time to time to meet the needs of the Borough and desires of its employees and the public. In the event there is a conflict about the establishment of a smoking area, the right of the nonsmokers to breathe clean air free from harmful smoke shall supersede the right to smoke.

Signs prohibiting smoking shall be conspicuously posted in every facility and major work area where smoking is prohibited. Ashtrays will not be kept in nonsmoking areas. Ashtrays will be made available in the designated smoking areas and are to remain in the designated areas at all times.

Smoke breaks are to be confined to the affected employees lunch period or rest break.

Procedure.

The effectiveness of this policy shall depend largely on the understanding and willingness of all employees to abide by its provisions and to request others to do so. Smokers must consider the health concerns and comforts of their nonsmoking coworkers and nonsmokers must consider the freedom of choice of the smoker. It shall be the responsibility of each employee to abide by the rules and regulations contained in this policy, and it shall be the responsibility of the affected Department Director to see that the policy is applied in an equitable manner and adhered to by all employees.

Complaints of violation of the policy should be directed to the Department Director responsible for the work area or facility involved in the complaint. The Department Director shall be responsible for notifying the violator of the pertinent portions of this policy. Failure to comply with the policy



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Chapter 3. CONDUCT

Subject: Smoking Policy

after proper notification shall initiate the Borough's progressive discipline procedures.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Solicitations

Solicitations

Purpose.

To establish a uniform policy for solicitations by sales representatives or agents in order to alleviate disruption of Borough employees during normal working hours.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Except for Borough approved activities, peddling, or soliciting for sale or donation of any kind on Borough premises during normal working hours is not allowed.

Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Contributions and Honorariums

Contributions and Honorariums

Purpose.

To establish a policy and procedure for reporting contributions and honorariums.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Speeches and presentations which are related to Borough services delivered by Borough employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the Borough, not to the individual employee.

An honorarium or contribution for a speech or other presentation made by a Borough employee to a group outside the Borough, either during working time or for which the Borough provided travel expenses, will also be made to the Borough.

Such contributions and honorariums shall be turned over to the Borough Manager for disposition.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Employee Ethics

Employee Ethics

Purpose.

The purpose of this policy is to establish guidelines for ethical standards of conduct, which shall govern Borough employees in the performance of Borough business and the duties of their respective jobs. This policy is intended to provide positive direction to Borough employees to prevent potential conflicts of interest.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

This policy is not all encompassing in its definition of conflict of interest. The “prudent person” theory can and will be applied. Action deemed inappropriate by a reasonable person, whether specifically cited in this policy or not, will be subject to inquiry.

1. Conflicts of Interest. No Borough employee shall engage in any act which is in conflict or creates an appearance of unfairness or conflict with the performance of official duties. An employee shall be deemed to have a conflict if the employee:
 - a. Has any financial interest in any sale to the Borough of any goods or services when such financial interest was received with prior knowledge that the Borough intended to purchase the property, goods, or services.
 - b. Solicits, accepts, or seeks a gift, gratuity, or favor from any person, firm, or corporation involved in a contract or transaction which is or may be the subject of official action by the Borough.
 - i. Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the Borough, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee’s ability to influence, directly or indirectly, any matter before the Borough.
 - ii. The employee will be guided in interpretation of this section by the distinction between a gift, gratuity, or favor given or received which has significant monetary value and is offered or accepted in expectation of preferential treatment, and an expression of courtesy. Examples of acceptable courtesies include: a meal or social event; exchanges of floral offerings or gifts of food to commemorate events such as illness, death, birth, holidays, promotions; a sample or promotional gift of nominal value (\$25 or less).
 - c. Participates in his capacity as a Borough employee in the issuing of a purchase order or contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to such contract some function requiring the exercise of discretion on behalf of the Borough.



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- d. Engages in, accepts employment from, or renders services for private interests for any compensation or consideration having monetary value when such employment or service is incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in performance of official duties, or give the appearance of the above. An employee should not make a unilateral decision, if there is any doubt about his private employment. The Borough Manager should be consulted.
 - e. Except for courtesies as provided in item “b” above, no employee shall, directly or indirectly, give or receive, or agree to give or receive any compensation, gift, reward, commission or gratuity to or from any source except the Borough for any matter directly connected with or related to his official services as such employee with the Borough.
 - f. Discloses or uses without authorization confidential information concerning property or affairs of the Borough to advance a private interest with respect to any contract or transaction which is or may be the subject of official action of the Borough.
 - g. Have a financial interest or personal interest in any legislation coming before the Borough Council and participates in discussion with or gives an official opinion to the Borough Council unless the employee discloses on the record of the Borough Council the nature and extent of such interest.
2. Use of Public Property. No employee of the Borough shall request, use, or permit the use of Borough owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment. Use of such Borough property is to be restricted to such services as are available to the Borough generally and for the conduct of official Borough business.

Authorized personal uses include taking an assigned Borough vehicle to lunch on workdays as needed, use of a Borough copy machine at cost, and other nominal personal uses as permitted by the Borough Manager on a case by case basis.

3. Political Activities:
- a. No Borough employee may use Borough time or property in any manner to promote any political issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election.
- With the approval of the Borough Council, an exception shall be allowed when the subject of an election has received the endorsement and support of the Borough Council (e.g. bond issue).
- b. No Borough employee shall be eligible for appointment or election to any public office when the holding of such office would be incompatible or would substantially interfere with the discharge of official duties.
4. Discipline. Any employee who is found to be in violation of this policy may be subject to disciplinary action up to and including termination from employment. Depending upon the



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Chapter 3. CONDUCT

Subject: Employee Ethics

seriousness of the action, other appropriate civil or criminal sanctions may also be pursued.

Definitions.

Employee. An employee is defined as any person holding a regularly compensated position for Tarentum Borough, including regular full time, part time, temporary, seasonal or any other classification which is regularly compensated, including the Borough Manager. Exclusions include Borough Council members.

Interest. Interest is any direct or indirect monetary or material benefit accruing to a Borough employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the Borough (except for such transactions which would confer similar benefits to all other persons and/or property similarly situated).

Interests include: (a) interests in an employee’s family, (b) any business entity in which stock or legal beneficial ownership is in excess of one percent (1%) of the total stock, or legal ownership is controlled or owned directly or indirectly by the employee, (c) interest in any business entity in which the Borough employee is an officer, director, or employee, (d) interest in any person or business entity with whom a contractual relationship exists with the employee; provided that a contractual obligation of less than \$500 or a commercially reasonable loan or purchase made in the course of ordinary business shall not be deemed to create a conflict of interest.

Immediate Family. Family includes spouse, child, parent, parent in law, brother, sister, grandparent, son in law, daughter in law, and grandchildren. Family also includes other persons residing in the employee’s residence or who are financially dependent upon the employee.

Contract. Contract shall include any contract or agreement, sale, lease, purchase, or purchase order.

Procedure.

1. Interpretation. Interpretations of this policy shall be referred to the Borough Manager and the Borough Council.
2. Investigation. The Borough Manager and the Borough Council shall investigate, or cause to be investigated, all suspicions, allegations, and written complaints of unethical conduct.
3. Complaints or allegations which may be criminal in nature may be referred to an appropriate outside agency for investigation.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Workplace Safety from Substance Abuse

Workplace Safety from Substance Abuse

Purpose.

This policy is instituted to assure that the workplace be free of employees whose job performance may be impaired by the abuse of drugs and/or alcohol.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Employees and the Borough have a mutual obligation to ensure a safe and healthy work environment. The Borough recognizes that drug and alcohol abuse may be considered treatable illnesses and to the extent possible the response to these illnesses may be treatment and rehabilitation. It is recognized that the consumption of alcohol or drugs to the point that employees are unable to perform their jobs safely and effectively cannot be tolerated.

It is recognized that when employees have placed themselves in a situation where their ability to perform their jobs is impaired by drugs or alcohol that it is the responsibility of the parties to remove such employees from the work environment to prevent the endangerment of the employee, fellow employees and/or the public.

The Borough recognizes employee concerns of personal privacy and that drug or alcohol testing shall be used only in cases where questions of impaired job performance are involved. Adverse action against an employee for off duty conduct shall not be taken unless such conduct directly impairs the employees' on the job performance.

Prohibited Substances.

1. Drugs shall be defined as those substances whose dissemination is regulated by law, including but not limited to narcotics, depressants, stimulants, hallucinogens, cannabis, and alcohol. This definition shall include over the counter drugs and/or drugs that require a prescription or other written approval from a licensed physician or dentist for their use. The drugs that are included in these categories are as follows:
 - a. alcohol
 - b. cannabinoids/marijuana
 - c. cocaine
 - d. heroin
 - e. opium or opiates
 - f. phencyclidine (PCP)
 - g. lysergic acid diethylamide (LSD)
 - h. amphetamines or methamphetamines
 - i. other controlled substances as defined by the Commonwealth of Pennsylvania.
 - j. a prescription drug for which the employee does have or does not have a current, valid, personal prescription and which is not authorized or approved for use while operating a motor vehicle or other equipment
 - k. any over the counter drug which may impair job performance and safety.

2. The presence of trace amounts of alcohol and/or over the counter drugs as evidenced by a drug or alcohol test, shall not be grounds for disciplinary action to the extent that job



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Chapter 3. CONDUCT

Subject: Workplace Safety from Substance Abuse

performance and/or the ability to perform safely is not lessened to any appreciable degree; except where the presence of these substances is in violation of an agreed upon treatment and/or return to work agreement.

Procedure.

1. In the event there is reasonable cause to believe that an employee's job performance may be impaired by drugs or alcohol, the employee's supervisor shall question the employee regarding the behavior. The supervisor shall directly observe the employee's behavior and document the behavior. Indications of impaired behavior include but are not limited to the following: staggering or irregular gait, the odor of alcohol on the breath, slurred speech, dilated or constricted pupils, inattentiveness, listlessness, hyperactivity, performance problems, illogical speech and thought processes, poor judgment, or unusual or abnormal behavior.
2. When possible, a second managerial employee shall also observe the employee to verify that there is reasonable cause to believe that drug or alcohol consumption may be involved. A determination shall be made as to whether the employee's behavior is impaired to the point of being unable to perform his duties effectively and safely. The employee shall be relieved of his duties and placed on a suspension with pay status until a clear determination can be made as to the abuse or non-abuse of drugs or alcohol.
3. If it is concluded that there is reasonable cause to believe that drug or alcohol consumption is involved, the supervisor or appropriate manager shall have a drug or alcohol test administered. Failure of an employee to take the test(s) may be cause for disciplinary action. The Borough may also have the employee undergo a physical examination at Borough expense at the time that the drug or alcohol test is administered. The test(s) must be conducted within a reasonable time period after the observation of the problem behavior.
4. If the test is negative, the employee shall be counseled by the physician and returned to work if appropriate to the medical diagnosis. There shall be no loss of pay or benefits. Where appropriate a signed physician's release may be required by the Borough before the employee is returned to work. Time lost due to an illness will be charged to sick leave. If the behavior that led to the initial investigation is not due to substance abuse but continues to hinder job performance, the Borough may require the employee to undergo further medical evaluation.
5. If an employee refuses to undergo a drug test, the refusal shall be treated as a positive test result.
6. If the test is positive, the results will be reviewed by a medical review officer (MRO) who will verify whether the employee lawfully used the substance(s) identified in the positive report. If the MRO determines that the use was lawful, the test shall be treated as a negative and the retained documentation will not disclose the circumstances of that lawful reason. If the MRO is unable to establish lawful use of the substance(s) identified in the report, the test shall be treated as positive and the employee may be terminated depending upon the circumstances of the situation. Circumstances that would warrant an immediate termination would include incidents where the employee's impairment resulted in loss of life, serious injury to self or others, the serious loss or damage of property or an incident of parallel magnitude.



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Chapter 3. CONDUCT

Subject: Workplace Safety from Substance Abuse

- 7. In cases where immediate termination is not warranted, the employee will be placed in an unpaid rehabilitation leave status. The employee shall be evaluated, and a recommended appropriate treatment shall then be arranged. Where appropriate the employee shall be referred to a treatment program agreed upon by the employee (and union if applicable) and the Borough. Once the inpatient part of the program has been completed, the employee may be re-employed but only with a written release from a physician. Where it is prescribed by a physician and/or a treatment program, drug testing may be included as a part of that treatment program. An employee who is returned to work as provided for under this procedure who fails to comply with any of the terms of an agreed upon treatment and/or return to work agreement may be subject to the full range of disciplinary action, including termination.
- 8. An employee who is the subject of an investigation related to substance abuse may have a union representative or another employee present during the investigative procedures outlined above.
- 9. The Borough may utilize both urine and blood tests for verification. The Borough shall pay for the costs of all tests and medical examinations carried out under this procedure. The Borough shall maintain confidentiality of test results to the extent possible.
- 10. The Borough, the employee, and the union, where applicable, shall work cooperatively to facilitate the resolution of problems that arise under the administration of this policy. When appropriate, the employee and the Borough shall enter into joint agreements that establish the form of treatment and the conditions that will be imposed for the return of an employee to the workplace.

EFFECTIVE: Immediately
 DATE: 4/12/2022
 LAST REVISED: _____

APPROVAL: 
 Michael L. Nestico, Borough Manager



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ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Drug and Alcohol Testing for CDL Holders

Drug and Alcohol Testing for CDL Holders

Purpose.

The purpose of this policy is to establish compliance with the Federal Highway Administration regulations requiring drug and alcohol testing for Commercial Driver’s License (CDL) holders. Regulations issued by the United States Department of Transportation mandate urine drug and evidential breath alcohol testing for employees in safety sensitive positions, including those who are required to hold a Commercial Driver’s License. This policy sets forth the alcohol and drug testing program and the testing and reporting requirements as required by those regulations.

Applicability.

This policy applies to all employees of the Borough who are required to have and maintain a Commercial Driver’s License in order to perform the duties of the job. Contractors, performing functions for the Borough involving the use of a vehicle requiring a Commercial Driver’s License, will be subject to specific alcohol and drug testing as required by federal regulations. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Definitions.

“Accident” – Means an occurrence involving a commercial vehicle on a public road which results in (1) a fatality; (2) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or (3) one or more motor vehicles incurring disabling damage requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

“Driver” – This term includes all employees whose positions may involve driving a commercial vehicle and that require the possession of a Commercial Driver’s License.

“Commercial Vehicle” – A commercial vehicle is one that either: 1) has a gross vehicle weight of over 26,000 pounds (including combined weight if towed unit weighs over 10,000 pounds); 2) is designed to transport 16 or more persons, including the driver; or 3) is used to transport hazardous materials.

“Drugs” – For the purposes of this policy, in accordance with the applicable federal regulations, drugs shall be defined as those substances whose dissemination is regulated by law, including but not limited to narcotics, depressants, stimulants, hallucinogens, cannabis, and alcohol.

“Medical Review Officer (MRO)” – The Medical Review Officer is the licensed physician responsible for receiving and interpreting laboratory results from the urine drug tests.

“Safety Sensitive Position” – For purposes of this policy, these are positions associated with the driving of commercial vehicles.

“Substance Abuse Professional (SAP)” – A Substance Abuse Professional is a licensed physician, or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug related disorders. The SAP is responsible for evaluating employees with positive test results.



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ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 3. CONDUCT

Subject: Drug and Alcohol Testing for CDL Holders

Statement of Policy.

1. **GENERAL.** The Borough has a significant interest in the health and safety of its employees and the citizens of the community. In furtherance of that interest, it is the policy of the Borough to take those steps necessary to ensure that its employees perform their duties and responsibilities free of the influence of drugs and alcohol. Employees are encouraged to seek confidential counseling on problems associated with alcohol and drug abuse through the Employee Assistance Program, if such program is available. There will be mandatory drug and alcohol testing for employees and job applicants under the circumstances outlined in this policy.

2. **PROHIBITED CONDUCT.**

The following conduct regarding alcohol and drug use or abuse is prohibited:

A. ALCOHOL CONCENTRATION

An employee may not report for or remain on duty requiring the performance of duties covered under this policy while having an alcohol concentration of 0.04 or greater.

B. ALCOHOL POSSESSION AND ON DUTY USE OF ALCOHOL

An employee may not possess or use alcohol while on duty or while operating a commercial vehicle.

C. PRE-DUTY USE OF ALCOHOL

An employee may not operate a commercial vehicle within four hours after using alcohol. An on-call employee who consumes alcohol within four hours of being called in must acknowledge the use of alcohol and may not report for duty.

D. ALCOHOL USE FOLLOWING AN ACCIDENT

An employee required to take a post-accident alcohol test may not use alcohol for eight hours following the accident, or until a post-accident alcohol test is given, whichever comes first.

E. USE OF DRUGS

An employee may not report for duty or remain on duty which requires driving a commercial vehicle when the employee has used a drug or drugs, except when the use is pursuant to instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial vehicle. Employees who are taking a prescription or over the counter medication that may impair their ability to perform their duties safely and effectively should provide written notice from their physician or pharmacist with respect to the effects of such substances.

F. REFUSAL TO SUBMIT TO A REQUIRED TEST

An employee may not refuse to submit to a post-accident, random, reasonable



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Chapter 3. CONDUCT

Subject: Drug and Alcohol Testing for CDL Holders

suspicion, or follow up alcohol or drug test as directed by this policy.

G. POSITIVE DRUG TEST

An employee may not report for duty or remain on duty requiring the performance of duties covered under this policy if the employee tests positive for drugs or alcohol.

H. TAMPERING WITH A REQUIRED TEST

An employee may not tamper with, adulterate, alter, substitute, or otherwise obstruct any testing process required under this policy.

I. POSSESSION, TRANSFER OR SALE

No employee may possess, transfer, or sell drugs or alcohol while in any position covered by this policy.

3. TESTING.

- A. Pre employment Drug Testing. All individuals who are covered by this policy must pass a drug test as a post offer condition of employment.
- B. Reasonable Suspicion Testing. Employees subject to this policy shall submit to a drug and/or alcohol test when the Borough reasonably suspects that this policy (except the prohibitions against possession, transfer, or sale of alcohol) may have been or is presently being violated. A referral for testing will be based on contemporaneous, articulable observations. Such referrals will be made by supervisory personnel who have received training concerning the signs and symptoms of drug and alcohol use.
- C. Alcohol testing for reasonable suspicion may only be conducted just before, during or after an employee operates a commercial vehicle. If removed from duty based on reasonable suspicion of alcohol use and an alcohol test is not administered within eight hours, the employee will not be allowed to perform or continue to perform covered functions until:
 - 1) an alcohol test is administered and the driver’s breath alcohol concentration measures less than 0.02; or
 - 2) 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated this policy concerning the use of alcohol.
- D. Post Accident Testing. Following an accident (as defined above) involving a commercial vehicle, the driver is required to submit to alcohol and drug tests when the driver receives a citation under state or local law for a moving traffic violation, or where a fatality occurs as a result of the accident. Testing should occur as soon as possible, but may not exceed eight hours after the accident for alcohol testing and 32 hours after the accident for drug testing.

A driver who is subject to post accident testing must remain readily available for such testing and may not take any action to interfere with testing or the results of testing.



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Subject: Drug and Alcohol Testing for CDL Holders

Drivers who do not comply with post accident testing requirements will be considered to have refused to submit to testing and will be subject to sanctions for refusal to test as provided in this policy.

- E. Random Testing. Employees covered by this policy will be subject to random, unannounced alcohol and drug testing.
- F. Return to Duty Testing. Employees who have violated this policy, including those who have tested positive on a drug or alcohol test, and who under the discipline policy are allowed to return to work, must test negative prior to being released for duty. A return to duty test following alcohol misuse may not exceed an alcohol concentration of 0.02.
- G. Follow up Testing. An employee who is referred for assistance related to alcohol misuse and/or use of drugs is subject to unannounced follow up testing for a period not to exceed 60 months as directed by a Substance Abuse Professional and the Borough. The number and frequency of follow up testing will be determined by the Substance Abuse Professional and the Borough, but will not be less than six tests in the first 12 months following the employee's return to duty.
- H. Retests. Employees who test positive for drugs may request a second test of the remaining portion of the split sample within 72 hours of notification of a positive test result by the Medical Review Officer.

4. **REFUSAL TO TAKE AN ALCOHOL OR DRUG TEST.** No employee shall refuse to submit to an alcohol or drug test as directed under this policy. A refusal to submit shall include, but is not limited to:

- A. Failure to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the procedures manual;
- B. Failure to provide adequate urine for drug testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the procedures manual;
- C. Engaging in conduct that obstructs the testing process.

Refusal to submit to a test shall be considered the same as a positive test result.

5. **SECURING INFORMATION FROM PREVIOUS EMPLOYERS.** If a person is to be hired into a position subject to this policy and during the previous two years has worked as a driver of a commercial vehicle, that person must authorize a request of all employers of the driver within the past two years to release information on the following:

- A. Positive alcohol or drug tests
- B. Refusal to be tested

Note: The Borough is required to obtain the information listed above in items A and B by Federal law.



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Chapter 3. CONDUCT

Subject: Drug and Alcohol Testing for CDL Holders

This information must be obtained before the person is employed by the Borough. However, if the information has not arrived by the anticipated start date, and if the person has passed the pre employment drug test, the person may be hired and the requested information must be obtained from the previous employers within 14 calendar days of the date of hire. If the information has not been received within the 14 calendar days, the person will not be permitted to drive commercial vehicles until the information has arrived. If the information obtained from previous employers indicates either a positive test or that a refusal to be tested occurred within the past two years, that person will not be permitted to drive commercial vehicles unless subsequent information indicates that an evaluation by a Substance Abuse Professional was made and return to duty testing was administered.

6. **CONFIDENTIALITY AND RECORD RETENTION.** All records related to drug and alcohol testing will be maintained in a secure location with controlled access. These records will be kept separate from records pertaining to all other employees.

The Borough shall maintain all records related to drug and alcohol testing for each driver in a secure location with controlled access. Keep all documents sent by the laboratory or the collection site.

The following records shall be maintained for a minimum of five years:

- A. Records of alcohol test results indicating an alcohol concentration of .02 or greater.
- B. Records of verified positive drug test results.
- C. Documentation of refusal to take required alcohol and/or drug tests.
- D. Evaluations and referrals.
- E. Copy of annual report.

Records related to alcohol and drug collection process and training shall be maintained for a minimum of two years.

Records of negative and canceled drug test results and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year. No records containing driver information required by this policy will be released except as provided as follows:

- 1) Upon written request of the employee.
- 2) Upon written authorization of the employee, records will be disclosed to a subsequent employer subject to use as specified by the employee.
- 3) Upon specific, written authorization by the employee, records will be released to an identified person, for use only as specified by the employee.
- 4) Records may be disclosed to a decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, including, but not limited to, a worker's compensation, unemployment compensation or other proceeding relating to a benefit sought by the driver.



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Subject: Drug and Alcohol Testing for CDL Holders

7. CONSEQUENCES OF ENGAGING IN PROHIBITED CONDUCT OR POSITIVE DRUG OR ALCOHOL TESTS.

A. Discipline

Any employee engaging in prohibited conduct, receiving a positive drug test, or receiving a blood alcohol test greater than 0.02 shall be subject to the full range of disciplinary action, including termination, depending on the seriousness of the prohibited conduct.

All employees, regardless of disciplinary action taken, will be advised of resources available to the employee in evaluating or resolving problems associated with drug use or alcohol misuse.

The following provisions apply to those employees who are not terminated for policy violations:

B. Positive Test Result and/or Engaging in Prohibited Conduct. If an employee tests positive for drugs or has an alcohol test that indicates a blood alcohol level of .04 or greater from a random, reasonable suspicion or post accident test, or engages in prohibited conduct as outlined in Section V, the employee will be immediately removed from duties requiring the driving of a commercial vehicle. The employee will not be permitted to return to work unless he:

- 1) Has been evaluated by a qualified Substance Abuse Professional; and,
- 2) If recommended by a Substance Abuse Professional, has properly followed any rehabilitation prescribed; and,
- 3) Has a verified negative result on a return to duty alcohol (<0.02) and/or drug test.

Upon completion of a recommended rehabilitation program and successful return to work, an employee will be subject to follow up random testing for up to sixty (60) months as recommended by the Substance Abuse Professional and the Borough with a minimum of six such unscheduled tests within the first twelve months of returning to duty.

C. Alcohol Concentration of 0.02 but less than 0.04. Employees having a breath alcohol concentration of at least 0.02 but less than 0.04, shall be removed from duty requiring the driving of a commercial vehicle for at least 24 hours.

8. EMPLOYEE ASSISTANCE PROGRAM/VOLUNTARY REFERRAL.

The Borough supports employees who volunteer for treatment of alcohol or drug abuse. Employees are encouraged to seek treatment voluntarily and to utilize the Employee Assistance Program, if available. Any employee who comes forth and notifies the Borough of alcohol or drug abuse problems will be given the assistance extended to employees with any other illness. Any such program, however, may not interfere with the tests required by these rules. For example, a driver may not identify himself/herself as unfit to drive after having been notified of a random or reasonable suspicion test and expect to avoid the consequences for a positive test or a refusal to test. In addition, voluntarily seeking



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assistance does not excuse any failure to comply with all of the provisions of this policy or other policies of the Borough.

Sick leave, vacation leave or leave of absence without pay may be granted for treatment and rehabilitation as in other illnesses. Insurance coverage for treatment will be provided to the extent of individual coverage. Confidentiality of information will be maintained as much as possible at all times.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Subject: Drug Free Workplace

Drug Free Workplace

Purpose.

Borough government provides a variety of public services. The employees of the Borough are its most valuable resource, since it is through their work that services are provided. When delivering services, the health and safety of the public and the health and safety of employees are of paramount importance.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Drug and alcohol abuse is a problem of serious concern and one which affects all segments of the community, including the workplace. Such behavior poses risks to members of the public and to Borough employees. Employees have the right to work in an alcohol and drug free environment. Members of the public have the right to be free from the harmful effects of alcohol and drug abuse in the provision of public services.

The policy of the Borough is to provide a safe work environment and to protect the public by ensuring a drug free workplace.

This policy also implements the 1995 Federal Highway Administration (FHWA) requirements for drug and alcohol testing for Commercial Drivers License holders and Federal Transit Administration (FTA) rules for employees performing safety sensitive work on transit vehicles.

The Borough is committed to a drug free workplace, to educating employees regarding the dangers of substance abuse, and to providing support for employees undergoing treatment and rehabilitation for chemical dependency. The Borough also is committed to the accountability of employees for violations of this policy through appropriate discipline, up to and including termination.

Treatment and Rehabilitation. The Borough may provide an Employee Assistance Program for employees needing treatment or rehabilitation as well as medical plan coverage for both inpatient and outpatient treatment. Accrued leaves may be used for treatment and rehabilitation purposes.

Prohibitions. Employees who think they may have an alcohol or drug usage problem are urged to voluntarily seek confidential assistance from the Employee Assistance Program, if available. This policy prohibits the following:

1. The unauthorized use, possession, manufacture, distribution or sale of an illegal drug, controlled substance or drug paraphernalia on Borough property or while on Borough business, in Borough supplied vehicles or during working hours.
2. The unauthorized use, possession, manufacture, distribution, or sale of alcohol on Borough premises or while on Borough business, in Borough supplied vehicles or during working hours.
3. Storing any illegal drug, drug paraphernalia, or any controlled substance whose use is unauthorized, or any container of alcohol, in or on Borough property (including vehicles). Unopened containers of alcohol in a private vehicle parked on Borough property shall not



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be a violation of this policy.

4. Reporting to work, or working, while under the influence of illegal drugs or alcohol, whether on Borough premises or on Borough business, or in Borough supplied vehicles.
5. Failing to notify the employee’s supervisor, before beginning work, that the employee is taking medications or drugs which may interfere with the safe and effective performance of duties.
6. Refusing to immediately submit to an alcohol and drug test when requested by a supervisor, in accordance with this policy.
7. Failing to provide, by the next workday following a request, a valid prescription for any drug or medication identified when the results of a drug test are positive. If the employee is taking prescription drugs, the prescription must be in the employee’s name.
8. Refusing to submit to an inspection as described in the Enforcement section when requested by a supervisor, in accordance with this policy.
9. Failing to adhere to the requirements of any drug or alcohol treatment program in which the employee is enrolled: (a) as a condition of continued employment; or, (b) pursuant to a written agreement between the Borough and the employee.
10. Violating any criminal drug or alcohol statute while working. Conviction under any criminal drug statute.
11. Failing to notify the Borough of any arrest or conviction under any criminal drug or alcohol statute by the next workday following the arrest or conviction.
12. Managerial Responsibility for Enforcement. Managers and supervisors shall be responsible for enforcement of this policy. The Borough will provide training to all managers authorized to act under this policy in evaluating and working with substance abuse issues in the workplace.

Enforcement. When there is a reasonable suspicion to believe that an employee’s job performance may be impaired by drugs or alcohol, the supervisor may: (a) direct the employee to submit to a drug/alcohol test; or, (b) search, with or without employee consent, all areas and property in which the Borough maintains control or joint control with the employee.

Pre-Employment Testing. All new Borough employees, including temporary and extra help employees, are required to pass a pre-employment drug and alcohol test prior to hire. The test will be administered after a conditional offer of employment has been made and prior to any tentative start date. In some cases, additional testing for CDL holders may be delayed until they are ready to begin driving a CDL vehicle or performing a safety-sensitive function on the job.

A positive test will exclude an applicant from being hired.

Reasonable Suspicion. “Reasonable Suspicion” is a belief based on objective facts sufficient to lead a reasonable person to suspect that an employee is under the influence of drugs or alcohol so that the employee’s ability to perform the functions of the job is impaired or that the employee’s ability to perform their job safely is reduced. For example, any of the following, alone or in



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combination, may constitute reasonable suspicion:

1. Slurred speech;
2. Irregular or unusual speech patterns;
3. Impaired judgment;
4. Alcohol odor on breath;
5. Uncoordinated walking or movement;
6. Unusual or irregular behavior such as inattentiveness, listlessness, hyperactivity, hostility or aggressiveness; and/or
7. Possession of alcohol or drugs.

Impairment. The supervisor shall directly observe the employee’s behavior and document in writing the facts constituting reasonable suspicion. When circumstances permit, a second person shall also observe the employee to verify that there is a reasonable basis to believe that drug or alcohol impairment may be present. If possible, the supervisor shall question the employee with regard to the situation. When a determination is made that an employee may be impaired because of drug or alcohol use, the employee shall be relieved of his duties and placed on paid leave status.

The supervisor shall immediately notify the Department Director, or in his absence, the designee. In the event that this person is not available, the supervisor shall immediately contact the Borough Manager for review. Upon review, the Department Director or designee, or in his absence the Borough Manager or designee, may authorize the supervisor to require a drug test.

Drug and Alcohol Testing. A drug test under this policy is a urinalysis (for drugs) and an evidential breathalyzer test (for alcohol) administered under approved conditions and procedures conducted for the sole purpose of detecting drugs and alcohol. Other methods to detect the presence of alcohol may be added at a later date if approved by the FHWA, including blood/alcohol and saliva tests. The test will be conducted by a Borough-appointed medical laboratory and paid for by the Borough. Following authorization for reasonable suspicion or post accident drug testing, the supervisor or other authorized person will transport the employee to the designated laboratory. In the case of an applicant for employment or follow up testing the individual shall appear at the designated laboratory at the time instructed by the Borough Manager.

The subject (employee or applicant) will be interviewed by laboratory personnel prior to the sample collection to determine whether the subject is currently using drugs under medical supervision and/or taking over-the-counter medications, which might reasonably impact the test.

The room where the sample is obtained must be private and secure. Documentation shall be maintained that the area has been searched and is free of any foreign substance. For all general employees, CDL holders, and individuals tested under the reasonable suspicion standard, no observer shall be present when the sample is collected. Procedural actions shall be taken in all tests to ensure the sample is from the subject and was actually passed at the time noted on the record.

Processing Urine Samples. Each step in the collection and processing of the urine specimen shall be documented to establish procedural integrity and the chain of custody. When requested for CDL and Transit Administration, testing shall be under SAMHSA (Substance Abuse and Mental Health Services Administration [formally NIDA standards]) testing procedures and approved laboratories.

Specimen samples shall be sealed and labeled. Samples shall be stored in a secure and refrigerated atmosphere. A large enough sample will be taken to allow for a second, follow-up test.

Any sample, which has been adulterated or is shown to be a substance other than urine shall be reported as such. Any applicant or employee providing false information about a urine or breath specimen or who attempts to contaminate such sample shall be subject to removal from



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consideration for hiring or termination. Drugs Tested. The laboratory shall test for the following drugs at levels that meet or exceed the limits hereafter set forth:

Drug	Screening Level	Confirmation Level*
Amphetamines	1000 ng/ml	500+ ng/mL
Cocaine Metab.	300 ng/ml	150+ ng/mL
Opiates	300/ng/ml	300+ ng/mL
PCP (Phencyclidine)	25mg/ml	25+ ng/mL
THC (Marijuana)	100 ng/ml	15+ ng/mL
Alcohol	-----	0.02**

* SAMHSA specified threshold.

** Tested through an evidential breathalyzer instrument at a level of .02 alcohol/breath concentration or greater, expressed in terms of grams per 210 liters of breath.

Results of Drug Testing. The laboratory will review the results of the test and determine if the sample contains any illegal drug or legal drug or alcohol at levels that would cause impairment or reveal its use in an illegal manner. The lab director will also review the medical history made available by the subject when a confirmed positive test could have resulted from a legally prescribed medication.

For all CDL holders, mechanics, and Borough employees, the results shall be forwarded immediately to the Borough designated Medical Review Officer (MRO) for further review.

Evaluation of Legal Drug Use. In the case of prescriptive drug use that may affect an employee's ability to perform his job safely, the laboratory director or, in the case of employees and all CDL testing, the Borough's designated Medical Review Officer, will require the subject to provide by the next scheduled work day a verification of a valid current prescription for the drug identified. The applicant shall be dropped from eligibility or the employee will be subject to disciplinary action when:

1. Verification of a valid prescription is not provided, and the employee has not previously notified his supervisor;
2. The prescription provided is not in the subject's name; or,
3. Alcohol Level is at .02. When there is a confirmed presence of any illegal drug, or legal drug or alcohol (equal to or greater than .02) or in the case of legal drugs, for which in the opinion of the Lab Director or Borough designated Medical Review Officer (MRO), no reasonable explanation or proof is provided, the subject shall be deemed to have failed the test. When there is a confirmed presence of alcohol at the .02 level, the employee is deemed to be unable to safely operate a motor vehicle, operate machinery or perform safety-sensitive work. If these tasks are part of an employee's job (in the opinion of the supervisor), he will be considered unable to work and will be sent home for the remainder of his work shift. The individual would be required to take leave without pay. The employee would not be permitted to take sick leave, vacation, or compensatory time. The employee would return to work after a period of 24 hours or at the beginning of their next workday or shift (which ever period of time is greater) or after another test shows a breath alcohol level of below .02. Under this policy a breathalyzer test of between .02 and .39 would be considered a positive test but would not result in disciplinary action other than taking leave without pay for the remainder of his workday(s) or shift.



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Job Applicants. In the case of job applicants, the lab director or Borough MRO shall notify the applicant. An opportunity to have the original urine sample re-tested at the applicant's expense shall be afforded. The applicant must request a re-test within 72 hours. If there is a confirmed positive test, the Borough Manager shall notify the department and the applicant shall be removed from eligibility for hire.

Employees. The employee shall be advised of the positive test result by the Borough Medical Review Officer. The employee shall be afforded the opportunity to have the original urine sample re-tested. Re-tests must be requested within a period of 72 hours after notification of an initial positive test by the MRO.

A re-test will be done by the original lab (at the Borough's expense) unless the employee wishes to pay for a re-test at a different laboratory. The second test must be done under SAMHSA procedures, or for CDL holders by a SAMSHA certified lab. If the subject declines a re-test, or, the re-test confirms the results of the initial test, the Borough Manager shall be notified. The Borough Manager shall notify the Department Director of the results and a determination of appropriate action made.

Discipline. As with any issue of employee misconduct, an appropriate investigation and assessment of circumstances needs to be made with guidance from the Borough Manager. Advice from medical professionals may be sought. A decision to refer for substance abuse evaluation, treatment and/or discipline may be made depending on the nature and severity of misconduct, the employee's work history, and other pertinent facts and circumstances. In certain situations, follow-up drug testing may be recommended and conducted to ensure the employee remains drug and alcohol free.

A referral for evaluation by a substance abuse professional is mandatory for CDL holders when there is a positive test.

Any disciplinary action will be carried out in accordance with applicable Borough policies, Civil Service rules and applicable collective bargaining agreements.

Negative Test Results. Employees who have been tested for drugs and alcohol (except for random testing), where no substance abuse was found, shall receive notice of such findings from the Borough Manager. A copy of this notice will not be placed in their personnel file, unless requested by the employee. A record of the negative results shall be placed in a confidential folder in a separate, secured file maintained by the Borough Manager.

In the case of job applicants, the Borough Council shall be notified by the Borough Manager that the applicant is clear for hire.

Confidentiality. Laboratory reports of positive test results shall not appear in an employee's general personnel folder. Information of this nature will be placed in a separate confidential medical folder that will be maintained by the Borough Manager.

The positive reports or test results shall be disclosed to the Department Director only on a need-to-know basis. Disclosures without patient consent may also occur when: (1) the information is compelled by law or by judicial or administrative process; (2) the information has been placed at issue in a formal dispute between the Borough and the employee; (3) the information is to be used in administering an employee benefit plan such as for drug or alcohol treatment; (4) the information is needed by medical personnel for the diagnosis or treatment of the patient (employee) who is unable to authorize disclosure.

Record Retention Requirements. The Borough shall maintain all records related to drug and alcohol testing for each driver in a secure location with controlled access. Keep all documents sent



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by the laboratory or the collection site. The following records shall be maintained for a minimum of five years:

- a. Records of alcohol test results indicating an alcohol concentration of .02 or greater.
- b. Records of verified positive drug test results.
- c. Documentation of refusal to take required alcohol and/or drug tests.
- d. Evaluations and referrals.
- e. Copy of annual report.

Records related to alcohol and drug collection process and training shall be maintained for a minimum of two years.

Records of negative and canceled drug test results and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year. No records containing driver information required by this policy will be released except as provided as follows:

- 1. Upon written request of the employee.
 - 2. Upon written authorization of the employee, records will be disclosed to a subsequent employer subject to use as specified by the employee.
 - 3. Upon specific, written authorization by the employee, records will be released to an identified person, for use only as specified by the employee.
- f. Records may be disclosed to a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee, including, but not limited to, a worker's compensation, unemployment compensation or other proceeding relating to a benefit sought by the driver.

Drug and Alcohol Testing for Commercial Driver's License (CDL) Holders. All employees of the Borough who are required to have a Commercial Driver's License (CDL) as part of their jobs are subject to drug and alcohol testing as required by the U. S. Department of Transportation through the Federal Highway Administration. The following procedures apply to CDL holders.

Pre-Employment Testing. All new employees who must have a CDL as a job requirement must pass a pre-employment drug and alcohol test prior to hire. The test will be administered after a conditional offer of employment has been made and prior to any tentative start date or before driving a CDL vehicle. This test will be conducted under the SAMHSA standards and protocols. See earlier sections of this policy for a list of drugs and confirmation levels. The test will involve an unobserved urine sample collection for drug testing and an evidential breathalyzer test administered by a Breath Alcohol Technician (BAT) for alcohol. The procedures and protocols are identical to those for all Borough employees covered above unless specifically noted. All urine drug testing will be conducted by a SAMHSA certified laboratory.

Pre-Duty Use of Alcohol. Employees are prohibited from consuming alcohol for 4 hours before going on duty or before operating a commercial motor vehicle.

This regulation from the FHWA applies to scheduled shifts and all call-in situations. If an employee cannot meet this requirement, it is their responsibility to tell their supervisor, or person initiating the fallout, that they cannot report to work.



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Reasonable Suspicion Testing. The definitions and protocols for reasonable suspicion drug and alcohol testing for CDL holders are the same as noted above for all Borough employees.

Random Testing. During the calendar year, 25% of CDL holders, in the testing pool, will be tested on a random basis for the presence of drugs and alcohol. Approximately quarterly, although testing could occur anytime during the year, names of CDL holders will be drawn randomly to select individuals for drug and alcohol testing. These individuals will be scheduled for testing. All individuals will be required to go to a collection site for drug and alcohol testing. No advance warning will be given to employees regarding the date and time of the random test.

The urine sample collection will be the same as noted above in the policy. Urine sample collection will be in an unobserved setting with collection and chain of custody protocols as required under SAMHSA regulations.

Individuals who are scheduled to drive a CDL vehicle or perform a safety-sensitive function (such as a mechanic working on a Borough vehicle, etc.) on the day of the random test shall also take a breathalyzer test for alcohol. Test results and the handling of any positive tests are the same as noted above for all employees.

Any accident involving a CDL vehicle must be reported as soon as possible by the employee to their supervisor. The supervisor should investigate the circumstances of the accident and determine if there is reasonable suspicion to require a drug and alcohol test. Testing is mandated in the following circumstances:

- a. An accident that has resulted in the loss of human life.
- b. An accident in which the driver receives a citation and there is an injury requiring medical attention away from the scene of the accident.
- c. An accident in which the driver receives a citation and any vehicle in the accident must be towed from the scene.

A post-accident drug and alcohol test should be completed as soon as possible. Drug testing must occur no later than 32 hours after the accident. Alcohol testing must occur no later than 8 hours after the accident. If more than 2 hours elapse before an alcohol test is administered, the Borough is required to prepare and maintain on file an explanation of why a test was not properly administered for the FHWA. A driver is prohibited from consuming alcohol for 8 hours after an accident, or until the individual has taken a drug and alcohol test.

Note: A police officer investigating an accident has legal authority under certain circumstances to order a blood sample to be taken for drug and alcohol testing.

Return to Work Testing. When an employee has tested positive for drugs or alcohol during a random or post-accident test the same provisions apply as for all employees in the section above on Discipline and/or Treatment/Rehabilitation. In addition, the following specific rules apply:

1. Employees will be referred to the EAP program or to other substance abuse counseling as part of their return to work requirements.
2. The employee must comply with any recommended rehabilitation.
3. The employee must have a negative retest before being permitted to return to work.



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- 4. Unannounced follow-up tests will be conducted at least 6 times within the first 12 months after an employee returns to work.
- 5. Testing may be extended for a period of up to 60 months after return to work.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Subject: Whistleblower Policy

Whistleblower Policy

Purpose.

The purpose of this policy is to encourage reporting by Borough employees of improper governmental action taken by Borough officers or employees; protect Borough employees who have reported improper governmental actions in accordance with Borough policies and procedures; act as a safeguard for legitimate employer interests; and, provide for speedy dispute resolution.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state and local law. Accordingly, employees are encouraged to bring to the attention of the Borough any improper actions of Borough officials and employees. The Borough will not retaliate against any employee who makes such a disclosure in good faith and in accordance with the procedures set forth in this policy.

Improper actions are actions undertaken by an officer or employee in the performance of his or her official duties which (a) are in violation of any federal, state or local law, (b) constitute an abuse of authority, (c) create a substantial and specific danger to public health or safety, or (d) grossly waste public funds. Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing and other discipline, or alleged violations of labor (collective bargaining) agreements, employment contracts or policies or procedures set forth in the Borough's policy manual.

Procedures.

1. Misconduct can often be corrected most expeditiously if handled internally. Accordingly, an employee who has a good faith concern that improper action has occurred or is about to occur, must first raise that concern with the Borough. Specifically, the employee must submit his concerns and related information ("complaint") in writing to the Borough Manager. In the event that the complaint concerns the Borough Manager, the complaint shall be submitted to the Borough Council. The identity of a reporting employee will be kept confidential to the fullest extent possible under law, unless the reporting employee provides written authorization for disclosure. The employee may report under this policy through a union business representative or attorney.
2. The Borough shall have 20 working days to address the complaint raised by the reporting employee and provide the reporting employee with a written response which identifies the alleged improper action at issue, describes the scope and findings of the investigation, states what, if any, action will be taken against the offending officer(s) and/or employee(s), and explains why such action is appropriate.
3. If a reporting employee is still dissatisfied with the Borough's investigation or response, the reporting employee may disclose the complaint to an outside agency or organization for further review. Reporting employees may disclose complaints to outside agencies only after fully exhausting the reporting and reconsideration procedures set forth in this policy. All reporting employees must strictly follow this policy. Employees who comply with the policy shall not be subject to discipline or discharge for reporting, disclosure, or other activities subject to the policy.



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Subject: Whistleblower Policy

4. Deviation from the reporting and reconsideration policy is permitted only in those rare cases where the reporting employee can show that persons or property will be damaged if the alleged improper conduct is not immediately addressed.
5. Reporting employees who, after exhausting the internal reporting and reconsideration procedures, choose to continue to pursue their complaints should consider contacting one or more of the governing State or Federal agencies.
6. All Borough personnel are prohibited from taking any adverse employment action against an employee who registers a complaint with a public body in accordance with this policy. If an employee believes there has been retaliation for reporting improper actions in accordance with this policy, the employee may seek redress as follows.
 - a. The employee must provide written notice of the charge of retaliatory action to the Borough Manager or designee (if the action involves the Borough Manager, the employee must provide notice to the Borough Council) within thirty (30) days of the date the alleged retaliatory action occurred. The notice must describe the alleged retaliatory action and the persons allegedly involved, and identify the relief requested.
 - b. The Borough Manager or designee must respond to the charge in writing within thirty (30) days of its submission. The response must: Identify the alleged retaliatory action and persons involved; identify the relief requested; describe the investigation conducted; state and explain the disposition of the charge; and identify the relief, if any, that is being granted and explain why the relief is appropriate.
 - c. The charging party is entitled to a hearing if he or she so chooses. However, the hearing must be requested in writing within fifteen (15) days of delivery of the Borough's written response to the charge or, if the Borough fails to respond within the allotted thirty (30) day period, within fifteen (15) days of the last day upon which the Borough could have responded.
 - d. Within 20 working days of receipt of a timely request for hearing, the Borough shall schedule an administrative hearing to hear the case. The hearing may be either public or private, at the determination of the affected employee.
 - e. The Borough Council shall issue a final decision no later than 45 days after the date the timely request for hearing was delivered to the Borough. The decision of Borough Council is subject to court review.

EFFECTIVE: Immediately
 DATE: 4/12/2022
 LAST REVISED: _____

APPROVAL: 
 Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Personal Use of Communication Devices and Mail

Personal Use of Communication Devices and Mail

Purpose.

To provide for control of incoming and outgoing personal telephone calls, messages, emails, digital communications and mail.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Communication devices, telephones, cellphones, tablets, computers, facsimile machines, and other similar forms of communication are to be used for Borough business and may be used for local personal business on a very limited basis only.

The use of Borough-paid postage for personal correspondence is not permitted.

Procedure.

To assure effective digital and telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner.

Telephone calls and messages received during business hours must be held to both a minimum number and time limit and must not interfere with the employee’s work. Department directors may limit, at their discretion, personal telephone calls if the department director believes that such personal telephone calls are disruptive to the work environment.

When a personal toll call must be placed, the call is to be billed to the employee’s home number or collect.

It is the employee’s responsibility to ensure that no cost to the Borough results from personal telephone or facsimile calls.

Violation of this policy will minimally result in cost reimbursement to the Borough and may subject the employee to disciplinary action.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Phone, Internet and Electronic Communications

Phone, Internet and Electronic Communications

Purpose.

To establish the Borough’s policy with regard to access to, review of, and disclosure of mobile device communications and usage including telephone calls, messages, communication logs, data logs, web and app activity, device information, search and location information, and all other transmittals of information sent, received and/or stored by employees and authorized users of Borough mobile devices.

Applicability.

This policy applies to all employees of the Borough, including those covered by collective bargaining agreements.

Definitions.

1. Electronic Mail (E-Mail): electronic correspondence composed and/or sent using municipal electronic mail applications to recipients internal to the Borough of Tarentum or to outside recipients using the Borough of Tarentum gateways for delivery via the Internet. For purposes of this policy, “transmitting” an e-mail message includes sending, replying to, or forwarding any portion of an e-mail message created or received to another party via the Borough of Tarentum’s e-mail system.
2. Internet: a collection of computer networks that spans the globe, connecting government, military, educational, and commercial institutions, as well as private citizens to a wide range of computer services, resources, and information. A set of network conventions and common tools are employed to give the appearance of a single large network, even though the computers that are linked together use many different hardware and software platforms.
3. Intranet: a contained collection of computers and networks within the Borough of Tarentum connecting the members and/or employees of the Borough of Tarentum to a range of computer services, resources, and information.
4. Extranet: a collaborative network that uses Internet technology to link businesses, or other entities, with their suppliers, customers, or other businesses or entities that share common goals. An extranet can be viewed as part of an intranet that is made accessible to other entities or that is part of a collaborative effort with other entities.
5. Communication: the sending, receiving, storing or access of phone contact, phone calls, voice and data messaging, email, internet activity and other like electronic communications.
6. Mobile Device: a small computing device having an operating system capable of running mobile apps providing a diverse range of functions. Such devices can connect to the Internet and interconnect with other devices via Wi-Fi, Bluetooth or near field communication (NFC). Devices typically include integrated cameras, digital media players, mobile telephone capabilities, mobile phones, messaging systems and GPS capabilities.
7. Mobile Phone: a portable telephone that can make and receive calls over a radio frequency link while the user is moving within a telephone service area. Most modern mobile telephone services use a cellular network architecture, and, therefore, mobile telephones are often also called cellular telephones or cell phones. In addition to telephony, mobile phones



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support a variety of other services, such as text messaging, MMS, email, Internet access, short-range wireless communications (infrared, Bluetooth), business applications, gaming, and digital photography. Mobile phones which offer these and more general computing capabilities are referred to as smartphones.

- 8. Borough Mobile Device: a mobile device provided to the employee by the Borough of Tarentum for work related purposes.
- 9. Borough Mobile Phone: a mobile phone provided to the employee by the Borough of Tarentum for work related purposes.

Statement of Policy.

General Operation Policies for all Borough Employees.

A. E-Mail Systems

The e-mail system is provided at the expense of the Borough of Tarentum to assist in carrying out the business of the municipality. The e-mail system permits authorized users to communicate with each other internally and with selected outside individuals, businesses, or other service providers that the Borough of Tarentum, at its sole discretion, decides should be connected to the system.

The Borough of Tarentum considers the e-mail system to be for business use only. While it is possible that employees may decide to send or receive personal messages, the Borough of Tarentum assumes no responsibility for their content or for maintaining their privacy, and municipal employees have no expectation that such privacy will be maintained. In order to ensure that the system functions properly and that the Borough and/or its employees are not liable for improper use of the Internet and other connections, the Borough considers all messages sent, received, or stored as business messages, and thus, property of the Borough. Conducting business unrelated to the Borough, other than incidental personal traffic, is expressly prohibited.

Because of the Borough's intent to comply with applicable law, the Borough reserves the right to access, review, copy, or delete any and all e-mail messages for any purpose and to disclose them to any party (inside or outside of the Borough) as it deems appropriate. This includes the right to install software that monitors e-mail and Internet usage. The Borough, however, bears no responsibility for the content of messages sent or received by its employees. The Borough does not and will not preview, edit, or approve material on a routine basis in the e-mail system. All messages sent on the e-mail system are attributable solely to the individual users of the e-mail system, and the Borough is not a party to them. The Borough shall not be liable for, assume any legal responsibility for, or bear any costs arising out of e-mail communications flowing in or out of the Borough's computer system.

Should employees make incidental use of the e-mail system (including Internet e-mail) for the purpose of transmitting or receiving personal messages, such messages will be treated no differently than other messages (i.e. the Borough reserves the right to access, review, copy, delete, or disclose them for any purpose). Accordingly, authorized users should not use the e-mail system to send, receive, or store any messages they wish to keep private. (Incidental use of e-mail is defined as occasional, casual, minor, or insignificant use that does not impact upon an employee's duties or impede business-use operations).



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No e-mail message or information should be created, sent, or forwarded which may reasonably be deemed to be intimidating, hostile, or offensive in nature, or which is discriminatory on the basis of race, color, religion, sex, sexual orientation, national origin, disability, or any other basis that is unlawful under applicable state and federal law. Additionally, no obscene, profane, abusive, or offensive language shall be transmitted. Any violation of this policy is grounds for disciplinary action, up to and including discharge.

No e-mail or other electronic communication may be sent which hides the identity of the sender or represents the sender as someone else. All messages communicated on the Borough's e-mail system should contain the sending employee's name. The Borough bears no responsibility for any consequences resulting from the employee who uses the e-mail system for any fraudulent, or other illicit purpose, or contrary to the provisions of this policy.

B. Privileged Communications

Some of the messages sent, received, or stored in the e-mail system may be privileged communications between the Borough and its attorneys or other confidential matters. Upon receipt of such a message, do not forward it or its contents to others inside the Borough without the authorization of all parties. Never forward such messages or contents to any outsiders.

C. Viewing and Protecting E-Mail Messages

In order to further guard against dissemination and disclosure of proprietary information, employees should exercise caution when accessing their messages in the presence of others. E-mail windows should not be left open on the screen when the computer is unattended. Users should not allow any other person to use their name and password to gain access to an e-mail system. Passwords are required and should be changed regularly. The Borough reserves the right to impose guidelines requiring mandatory password changes and encryption measures to provide additional measures of security.

D. Storing and Deleting E-Mail Messages

The Borough strongly discourages the storage of large numbers of e-mail messages. Retention of messages consumes space on the network server and/or individual hard disks and can reduce their performance. Accordingly, employees should promptly delete any e-mail messages they send or receive that no longer require action or are not necessary to an ongoing project. Employees should audit stored e-mail messages regularly and should delete messages that are no longer needed. The Borough reserves the right to establish database management guidelines on memory storage limits for users and to establish guidelines which provide for the automatic purge of previously "read" messages.

E. Copyrighted Information

Use of the e-mail system to copy and/or transmit any documents, software, or other information protected by the copyright laws, without proper authorization by the copyright owner, is prohibited. Copyright protection applies to any document, photo, software, or information unless it is specifically marked as public, not copyrighted, or freeware. The



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Borough assumes no responsibility for reviewing, ascertaining or policing copyrighted material that may be transmitted to or from the e-mail system by employees.

F. E-Mail Etiquette

Please bear in mind that e-mail messages may be read by someone other than the addressee, and may even have to be disclosed to outside parties including courts in connection with litigation. Accordingly, please take care to insure that your messages are courteous, professional, businesslike, and tasteful.

G. Voice Mail, Facsimile, and EDI Systems

To the extent applicable, all of the above-stated policy provisions related to e-mail systems shall apply to any voice mail, facsimile, or EDI (electronic data interchange) systems owned or utilized by the Borough. Restrictions on access of those systems by others will only apply where password controlled access is established (i.e. it is permissible for someone to leave a message in your voice mailbox, but other persons should not be given password access to your voice mailbox). EDI is defined as any electronic exchange of data, including modem to modem transfers.

H. Internet, Intranet, and Extranet Guidelines

As with e-mail, the Borough provides Internet access solely to facilitate the conduct of Borough business as a public service provider. Access to the Internet may be limited at the Borough's sole discretion. This includes the use of filtering software to bar access to certain addresses. Employees are expected to use the Internet, Intranet, and Extranet at all times in a manner that benefits the Borough. The downloading and installation of software programs onto a Borough computer or onto a Borough network server without the prior approval of the Borough Manager is prohibited. The Borough accordingly will not allow its employees to (1) support the recreational use of the Internet, Intranet, and/or Extranet, (2) provide access to news groups or other Internet sources that are not clearly work-related, or (3) provide assistance to users attempting to do (1) or (2) on their own.

The following activities on the Internet, Intranet, and/or Extranet are specifically prohibited and may result in disciplinary action up to and including discharge:

- a. Using Internet, Intranet, or Extranet for personal gain or for commercial activity unrelated to the Borough;
- b. Sending privileged information or Borough restricted information;
- c. Sending material that is threatening, intimidating, hostile, offensive, or discriminatory on the basis of race, color, religion, sex, sexual orientation, national origin, disability, or any other basis prohibited by applicable state or federal law. In addition, the receipt of such material and/or showing such material to co-workers is strictly prohibited;
- d. Copying or otherwise converting protected electronic information;
- e. Violating copyright or trademark laws;
- f. Making any unauthorized attempt to break into another organization's computer system; and/or
- g. Using the Internet, Intranet, or Extranet for any activities not specified here that are in violation of federal, state, or local laws.



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I. Other Data Services

The Borough may establish accounts with other data services and will make these services available to individual employees as necessary. Such services may only be utilized by employees who have been granted authorized access to the system. Use of data services is limited to business use only; personal or entertainment use is prohibited.

J. Mobile Devices

Borough mobile devices are provided at the expense of the Borough of Tarentum to assist in carrying out the business of the municipality. The use of Borough mobile devices permits authorized users to communicate with each other internally and with selected outside individuals, businesses, or other service providers. Employees with Borough mobile devices are allowed to use them for short personal calls within reasonable limits. Sometimes we may check cell phone bills to make sure this policy is being followed. Personal mobile devices are not provided at the expense of the Borough.

K. Personal Devices

Use of personal mobile devices is discouraged, as it is disruptive to the workflow of the office. Use of personal cell phones should be limited while at work. If an employee should use a personal device for work related purposes, such device may be subject to inspection for purposes of litigation or open records requests.

L. While Driving

The Borough of Tarentum prohibits employees using cell phones while they are driving. If you are driving and need to use a cell phone, you should pull off the road and stop before you place a call or talk on the phone.

M. Use of Mobile Devices

The Borough of Tarentum considers the use of Borough mobile devices to be for business use only. While it is possible that employees may decide to send or receive personal communications, the Borough of Tarentum assumes no responsibility for the content or for maintaining privacy, and municipal employees have no expectation that such privacy will be maintained. In order to ensure proper use of Borough mobile devices, the Borough and/or its employees are not liable for improper use of Borough mobile devices. The Borough considers all communications sent, received, or stored as business messages, and thus, property of the Borough. The Borough considers all use of such mobile device as business related, and thus, subject to being monitored, inspected and reviewed as the Borough desires. Conducting business unrelated to the Borough, other than incidental personal traffic, is expressly prohibited.

N. Right to Privacy

Because of the Borough's intent to comply with applicable law, the Borough reserves the right to access, review, copy, or delete any and all communications for any purpose and to disclose them to any party (inside or outside of the Borough) as it deems appropriate. This



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includes the right to install software that monitors communication, device, messaging, data, application, software and internet usage. The Borough, however, bears no responsibility for the content of communications sent or received by its employees. All communications sent via mobile device are attributable solely to the individual users of the mobile device, and the Borough is not a party to them. The Borough shall not be liable for, assume any legal responsibility for, or bear any costs arising out of mobile communications flowing in or out of the Borough's mobile device.

Should employees make incidental use of a Borough mobile device for the purpose of transmitting or receiving personal communication, such communications will be treated no differently than other messages (i.e. the Borough reserves the right to access, review, copy, delete, or disclose them for any purpose). Accordingly, authorized users should not use their Borough mobile device to send, receive, or store any messages they wish to keep private. Additionally, the use of personal mobile devices for work related purposes could be subject to inspection for litigation or open records requests. Users of personal mobile devices for work related purposes should not send, receive or store any messages they wish to keep private. (Incidental use of a mobile device is defined as occasional, casual, minor, or insignificant use that does not impact upon an employee's duties or impede business-use operations).

No mobile communication or information should be created, sent, or forwarded which may reasonably be deemed to be intimidating, hostile, or offensive in nature, or which is discriminatory on the basis of race, color, religion, sex, sexual orientation, national origin, disability, or any other basis that is unlawful under applicable state and federal law. Additionally, no obscene, profane, abusive, or offensive language shall be transmitted. Any violation of this policy is grounds for disciplinary action, up to and including discharge.

No mobile communication or other electronic communication may be sent which hides the identity of the sender or represents the sender as someone else. All messages communicated on a Borough mobile device should contain the sending employee's name. The Borough bears no responsibility for any consequences resulting from the employee who uses a Borough mobile device for any fraudulent, or other illicit purpose, or contrary to the provisions of this policy.

O. Privileged Communications

Some of the communications sent, received, or stored on a Borough mobile device may be privileged communications between the Borough and its attorneys or other confidential matters. Never forward such communications or contents to any outsiders.

P. Viewing and Protecting Mobile Communications

In order to further guard against dissemination and disclosure of proprietary information, employees should exercise caution when accessing mobile communications in the presence of others. Users should not allow any other person to use any name and password to gain access to a mobile device. Passwords should be utilized and should be changed regularly. The Borough reserves the right to impose guidelines requiring mandatory password changes and encryption measures to provide additional measures of security on any Borough mobile device.



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Q. Copyrighted Information

Use of a Borough mobile device to copy and/or transmit any documents, software, or other information protected by the copyright laws, without proper authorization by the copyright owner, is prohibited. Copyright protection applies to any document, photo, software, or information unless it is specifically marked as public, not copyrighted, or freeware. The Borough assumes no responsibility for reviewing, ascertaining or policing copyrighted material that may be transmitted to or from a Borough mobile device by employees.

R. Mobile Communication Etiquette

Please bear in mind that mobile communications may be read by someone other than the addressee, and may even have to be disclosed to outside parties including courts in connection with litigation. Accordingly, please take care to ensure that your messages are courteous, professional, businesslike, and tasteful.

S. Annual Review of Mobile Device Assignments

The Office of the Borough Manager shall be responsible for reviewing all mobile device assignments to ensure each mobile device is being properly accessed and utilized by the employee and/or their department.

T. Review and Monitoring of Mobile Device Usage

- a. The Office of the Borough Manager shall be responsible for reviewing all monthly mobile device invoices, including the detailed billing records, for accuracy and to ensure each mobile device is billed on the correct service plan.
- b. The Office of the Borough Manager shall determine whether a particular department issued mobile device needs to be changed from one service plan to another service plan based on review of those detailed billing records. Members and their supervisor will be advised of any resulting changes in their service plan.
- c. The Office of the Borough Manager shall prescreen monthly billing records for any mobile devices with questionable charges.
- d. The Borough Manager may recommend:
 - i. Changing the plan
 - ii. Reimbursement
- e. The Office of Borough Manager shall review the monthly detailed billing records to determine whether a particular mobile device or devices reflect questionable charges to include, but not limited to, the following:
 - i. Telephone calls that are extremely excessive in length such as a single, uninterrupted call thirty (30) minutes in length.
 - ii. Excessive personal and/or unauthorized calls.
 - iii. The identification of telephone calls made to inappropriate entities such as 900 numbers, call-in sports or talk-radio programs, etc.



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- iv. The repeated use of directory assistance.

- f. The continued need for each department issued mobile device will be reviewed annually.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Subject: Police Department Phone, Internet and Electronic Communications

Police Department Phone, Internet and Electronic Communications

Purpose.

The purpose of this policy is to provide all Members of the Department with guidelines on the responsible and productive use of Department Information Technology and possible related activity including internet and social media use. Changes in technology, law and procedure may give rise to future modifications and updates. Any departure from this policy is only permitted with approval from the Chief of Police.

Applicability.

This policy applies to all employees of the Tarentum Borough Police Department, including those covered by collective bargaining agreements.

Statement of Policy.

The phone, internet and electronic communications policy described above applies to all departments, including the Tarentum Police Department. Furthermore, due to the unique nature of police department operations, the following policies also apply specifically to the Tarentum Police Department.

A. Police Department Owned Devices

- a. Borough mobile devices are authorized for official police business. Exceptions may be made for family situations or personal matters that require attention and where alternative forms of communication are not suitable or easily available.
- b. Borough mobile devices may be used in off-duty capacities only for the conduct of police-related business or during departmentally managed off duty law enforcement assignments.
- c. Borough mobile devices are an augmentation to the department’s communication system not a substitute for radio communication designated for transmission through the department’s emergency communication center, Mobile Data Terminals or office devices. Approved mobile device usage includes but is not limited to the following types of communications:
 - i. Conveyance of sensitive or restricted information
 - ii. Undercover operations
 - iii. Lengthy communication with supervisors or headquarters personnel
 - iv. Communication beyond normal radio range
 - v. Incidents in which direct contact with an officer and the public is critical
 - vi. Incidents in which use of a land line telephone would be appropriate but where one is not available.
- d. Unless specifically authorized by the Chief of Police or his designee, Borough and personal mobile devices that have a camera and/or video imaging capability are prohibited inside:
 - i. Any correctional facility
 - ii. Detective office
 - iii. Narcotics Office
 - iv. In proximity to or inside crime scenes.



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- e. The limitations as described above in no way preclude or inhibit personnel from using authorized like equipment in the performance of their duties. (For example, but not limited to: Crime Scene Technicians)
- f. Mobile phone numbers should not normally be provided to members of the public. Exceptions may be made when immediate future contact between an officer and a victim, witness, or other person may be critical.
- g. Personnel may not provide the mobile phone number of any member of this agency to a member of the public without the cell phone user's authorization.
- h. Officers should not use the department owned mobile phone for car-to-car communication when other means are available and appropriate.
- i. Police reports may not be taken using any mobile device. The mobile device may be used to contact the victim or complainant and arrange a meeting time and place but not to expedite service.
- j. Officers may not operate patrol vehicles while using any mobile device unless emergency circumstances exist and other means of communication are not available or suitable. When possible, officers should pull off the highway in a safe location when using any mobile device unless hands-free operational devices are authorized and available.
- k. Borough mobile device accessories and downloads require approval from the Chief of Police or his designee.
- l. Any financial charges incurred by Borough mobile device use should be limited and clearly linked to the necessity to use Borough mobile devices when other alternatives are not available or inappropriate.
- m. Random and periodic audits of both personal and departmentally issued mobile device use may be made at the Borough's discretion.
- n. All employees issued a mobile device by the Tarentum Police Department shall:
 - i. Ensure the device is charged.
 - ii. Keep the device on at all times except in those circumstances where it may be considered disruptive or distracting.
 - iii. Keep the device on their persons or close enough to their person to answer a call or other communication.
 - iv. Respond to all communications related to Borough operations within a reasonable length of time.
 - v. Be responsible for the accountability and proper care of the mobile device as well as the proper usage, and any accessories that the employee is issued associated with the mobile device.
- o. Mobile devices issued to department employees by other agencies, jurisdictions, or entities, shall for all intents and purposes be governed by the same policy and



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procedures as one issued from this department.

B. Personal Mobile Devices

- a. Use of personal mobile devices either in voice or data transmission while on duty should be restricted to essential communications and should be limited in length. Engagement in multiple or extended conversations unrelated to police business or similar use that interferes with the performance of duty is prohibited.
- b. Use of personal mobile devices is governed by the same safety restrictions as provided for departmentally owned cell devices.
- c. Personal or departmentally issued mobile devices should not be used if they may be disruptive to others. Photo messaging capabilities are prohibited unless they can be clearly linked to the conduct of official police business.
- d. Employees utilizing personal mobile devices while on duty are reminded that their personal mobile device is not an approved department communication device for law enforcement purposes.
- e. Personal calls should be limited and restricted to emergency calls only. Officers should tell their family and friends not to call unless it is an emergency. This includes text messaging.
- f. It is each supervisor's responsibility to ensure that communications utilized within their area of influence is conducted only on approved department communication devices. Supervisors as well as employees may be subject to disciplinary actions for violation of this policy.
- g. Unless specifically authorized by the Chief of Police or his designee, personal mobile devices that have a camera and/or video imaging capability are prohibited inside:
 - i. Any correctional facility
 - ii. Detective office
 - iii. Narcotics Office
 - iv. In proximity to or inside crime scenes.
- h. The limitations as described above in no way preclude or inhibit personnel from using authorized like equipment in the performance of their duties. (For example, but not limited to: Crime Scene Technicians)

C. Usage Guidelines for Conducting Department Business

- a. Department Officers, hereinafter "members," will use good judgment when using mobile devices for legitimate police business. Mobile devices should only be used when more conventional, cost effective means of communication are not readily available. Members will use standard telephone service (landline) in lieu of mobile device service, when available.



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- b. Members should strive to limit the duration of department business related mobile device calls to no longer than five (5) minutes per call. Members should attempt to use an alternative form of telecommunication if the call is anticipated to be longer than five (5) minutes. This does not apply to emergency situations or those instances when effective and efficient delivery of police services would be adversely affected by attempting to use an alternative method.
- c. Members will check for voice mail messages on a daily basis at a minimum, or as their work schedule dictates, to ensure that any outstanding messages are returned in a timely manner.
- d. Members shall not use the department issued mobile device for calls to directory assistance except when exigent circumstances dictate otherwise.
- e. Members shall not use the department issued mobile device for calls related to the member's private gain, profit or personal business enterprise.
- f. Members shall not use the department issued mobile device for calls that could be considered as prank calls, obscene, threatening, demeaning, harassing, annoying or otherwise offensive in nature.

D. Usage Guidelines for Conducting Personal Business

- a. Personal use of department issued mobile devices for both incoming and outgoing communications should be limited to infrequent, incidental and/or emergency use.
- b. Members are reminded that mobile device records are subject to public disclosure under Pennsylvania's Freedom of Information Act.
- c. Members should first seek alternatives for necessary personal device communications including land telephone lines or using a personal mobile device.
- d. Members shall not use the department issued mobile device for placing calls to 900 numbers, movie links, and call-in sports or talk radio shows, etc.
- e. Members of this department shall not utilize department issued mobile devices in any manner, on or off duty, which brings public criticism and causes management or supervisory personnel to conduct an investigation that confirms the violations did occur and the employee is culpable of the offense.
- f. Members of this department shall not utilize department issued mobile devices that are inconsistent, incompatible or in conflict with the values established by this agency negatively affect its reputation and that of its officers.

E. Review and Monitoring of Mobile Device Usage

- a. The Office of the Borough Manager shall be responsible for reviewing all monthly mobile device invoices, including the detailed billing records, for accuracy and to ensure each mobile device is billed on the correct service plan.



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- b. The Office of the Borough Manager shall determine whether a particular department issued mobile device needs to be changed from one service plan to another service plan based on review of those detailed billing records. Members and their supervisor/commander will be advised of any resulting changes in their service plan.
- c. The Office of the Borough Manager shall prescreen monthly billing records for any mobile devices with questionable charges and forward the detailed billing records for all devices to the Chief of Police for additional review.
- d. The Borough Manager may recommend:
 - i. Changing the plan
 - ii. Reimbursement
- e. The Office of Borough Manager shall review the monthly detailed billing records to determine whether a particular mobile device or devices reflect questionable charges to include, but not limited to, the following:
 - i. Telephone calls that are extremely excessive in length such as a single, uninterrupted call thirty (30) minutes in length.
 - ii. Excessive personal and/or unauthorized calls.
 - iii. The identification of telephone calls made to inappropriate entities such as 900 numbers, call-in sports or talk-radio programs, etc.
 - iv. The repeated use of directory assistance at a cost to the police department.
- f. Any billing record sent out from the Office of Borough Manager for review by the Chief of Police for questionable charges will require a memorandum outlining the reason for recommendations such as:
 - i. No further action
 - ii. Discipline action
 - iii. Training
- g. The memorandum from Chief of Police will be forwarded to the Office of Borough Manager for disposition. Any request for a change in the service plan will be forwarded to the Office of the Borough Manager for determination.

F. Responsibility

The Borough Manager is responsible for maintaining, approving, and disseminating this policy and approving all requests submitted as required by this policy.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Chapter 3. CONDUCT

Subject: Police Department Internet and Social Media Policy

Police Department Internet and Social Media Policy

Purpose.

The purpose of this policy is to provide all Members of the Department with guidelines on the responsible and productive use of Department Information Technology and possible related activity including internet and social media use. Changes in technology, law and procedure may give rise to future modifications and updates. Any departure from this policy is only permitted with approval from the Chief of Police.

Applicability.

This policy applies to all employees of the Tarentum Borough Police Department, including those covered by collective bargaining agreements.

Statement of Policy.

A. Definitions

- a. Social Media: a variety of online internet sources that allow people to communicate, share information, share photos, share videos, share audio and exchange text and other multimedia files with others via some form of online or cellular network platform.
- b. Social Networking: using or creating such Internet or mobile formats including but not limited to Facebook, Twitter, MySpace, LinkedIn, Foursquare, Usenet groups, Snapchat, online forums, message boards or bulletin boards, blogs and other similarly developed formats, to communicate with others using the same sites.
- c. Mobile Social Networking: social networking using a mobile phone or other cellular based device.
- d. Blog: a series of entries on an internet site, written by either one person or a group of people, in an online journal usually posted in chronological order, like a diary. Blogs can allow comments on entries or not.
- e. Blogging: to read, write or edit a shared online journal. Blogging can also encompass the act of commenting-and engaging with other commenters - on any blog, including one operated by a third party.
- f. Post: an item inserted to a blog or an entry to any type of computerized bulletin board or forum.
- g. Forum: an online discussion site.
- h. Comments: responses to a blog post, news article, social media entry or other social networking post.
- i. Commenting: the act of creating and posting a response to a blog post, news article, social media entry or other social networking post. Commenting can also entail the act of posting an original composition to an unrelated post or article.
- j. Avatar: a computer user's representation of himself/herself, or of an internet identity or alter ego.



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- k. Identity: an online identity, Internet identity or Internet persona that a social networking user establishes. This can be a real name, an alias, a pseudonym or a creative description.
- l. Handle: the name of one's online identity that is used most frequently.
- m. Username: the name provided by the participant during the registration process

B. Electronic Mail

- a. The electronic mail system @tarentumpolice.com is the property of the Department and intended for official use only.
- b. All messages composed, sent or received on the electronic mail system are and remain the property of the Department. They are not the private property of any employee. All users of the electronic mail system, by virtue of their use of the system, waive any right of or expectation to privacy to all electronic mail communications and attachments sent or received. The Department reserves the right to review, audit, intercept and access all messages created, received or sent over the electronic mail system for any purpose.
- c. Any communication by electronic mail should be drafted with the same care as a formal memorandum and should not contain insensitive or off-color remarks that might potentially be embarrassing to the sender, the receiver, the Department or the public.
- d. The electronic mail system shall not to be used to create any offensive or disruptive messages. Among those which are considered offensive are any messages which contain sexual implications, racial slurs, gender-specific comments or any other comment that offensively addresses someone's age, weight, sexual orientation, religious or political beliefs, national origin or disability.
- e. Pornography or any material (visual or sound) that could reasonably be deemed to be offensive under the Department Policy Prohibiting Unlawful Harassment shall not be stored or accessed via any portion of the Department Information Technology Systems. Access to web sites, newsgroups, chat rooms, and e-mail containing these materials is also prohibited.

Exception: Members involved in criminal investigations involving computer crimes that require access to such sites must notify the Chief.

- f. If an email containing material prohibited under this policy is received, the officer shall take several steps. If the sender is known, advise that sender to not send similar material again and report the email to the Chief. If the Sender is unknown, click on the Junk button and select BLOCK SENDER, then proceed to delete the email. If you should continue to receive inappropriate emails from the Sender, notify the Chief.
- g. The electronic mail system shall not be used to solicit for commercial ventures,



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Chapter 3. CONDUCT

Subject: Police Department Internet and Social Media Policy

religious or political causes or outside organizations.

- h. As noted above, the electronic mail system shall be used for official business purposes only. Occasional personal use of the department's computers may be permitted, but the department may, at any time, monitor or restrict such personal use. Employees shall not have any expectation of privacy with respect to personal information stored or accessed on Department computers or computer storage medium, such as hard drives, flash drives, discs, compact discs, etc. Employees taking advantage of this personal use of the Department's computers shall limit their time spent doing so, and shall not be derelict in their normal job responsibilities.
- i. The electronic mail system does not guarantee privacy or confidentiality. Electronic mail may be at risk of detection by third parties or subjected to Right To Know (RTK) requests. Employees should use discretion when transmitting confidential information via electronic mail.
- j. The confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality.
- k. All material generated by computer, voice mail, e-mail, and all inter Department communication should be treated as confidential by other employees and accessed only by the intended recipient.
- l. Unauthorized access or entry into any other employee's computer, email and files is strictly prohibited.

C. Internet Usage

- a. Internet access to global electronic information resources on the Internet is provided by the Department to assist employees in obtaining work-related data and technology. Users must remember that all activities from a Department internet account will be perceived as activities authorized by the Department.
- b. Internet access through Department equipment during working hours should be limited to official business purposes. Occasional access to the internet for personal use may be permitted but the Department may, at any time, monitor or restrict such personal use. Employees who choose to take advantage of this occasional personal use of the internet also waive any right of or expectation to privacy. Employees taking advantage of this occasional personal use of the internet shall limit their time spent doing so, and shall not be derelict in their normal job responsibilities.
- c. Internet access through official equipment, after working hours, is permitted but shall adhere to the Internet content guidelines of this policy.
- d. Internet use is prohibited for sites containing adult content, hate speech, criminal activity, violence, illegal drugs and hacking. Access to these sites for investigative purposes can be granted with approval from the Chief or D/Chief. Use on Internet access through Department equipment for any illegal purpose is prohibited. These



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prohibited categories may be modified at any time with notice from the Chief or D/Chief.

- e. Users shall not view, download, copy, send, post, or access information that is illegal or obscene.
- f. Employees must ensure that the use of the internet does not compromise the security and integrity of the Department network. Downloading unapproved files (ex. MP3's) and software is strictly prohibited without approval from the Chief or D/Chief.
- g. Employees shall not post any messages which contain abusive or objectionable language, defame, libel or infringe on the privacy rights of others.
- h. The Internet does not guarantee privacy or confidentiality. Information transmitted over the internet may be at risk of detection by third parties. Employees should use discretion when transmitting confidential information on the internet.
- i. The Department reserves the right to monitor internet usage, and inspect employee's computer systems for violation of this policy.
- j. An alternate internet connection on any Department system is expressly prohibited without prior approval from the Chief or D/Chief.
- k. This Department reserves the right to block an employee's internet usage due to violations of this policy.

D. Social Media

- a. Social media activity and speech as private citizens relating to matters of a public concern are First Amendment protected forms of speech. However, by virtue of the position, Members of the Department are held to a higher standard than general members of the public, and any online activities should reflect such professional expectations and standards. Members are free to express themselves as private citizens on social media sites to the degree that their speech and/or language does not impair working relationships of the Department, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public's trust and/or confidence in the Department. Members may be subject to disciplinary action for conduct unbecoming an officer, intemperance, or immorality for off-duty actions.
- b. Members should be cognizant of the fact that their social media activity, even on personal social media accounts, may be seen by the public as a statement on behalf of the Department. Any activity that can be linked to a member is a reflection of the Department as a whole.
- c. Members are accountable for their conduct, including the use of personal social media accounts. Members should be aware that statements made on social media sites are done so in an online domain where no reasonable expectation of privacy exists. Members creating or belonging to "private" or "limited access" accounts,



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with customized privacy settings must know that any statements, posts, videos, photographs, etc., that are shared via that account on the internet, may still be disseminated by third parties, even after the content has been edited or deleted by the user.

- d. Members must be aware that information, including digital images, released on social media, may endanger the safety of members and/or their family members.
- e. Members are cautioned that as public employees speech made pursuant to their official duties, whether on or off duty, is not protected under the First Amendment and may be subject to discipline if it is deemed detrimental to the Department. The on and off-duty conduct of members may reflect on the Department's reputation.
- f. Members are prohibited from using any social media or social networking platform accessed through Department Information Technology while on duty, unless permission is granted from the Chief or D/Chief for investigative or public information purposes. Members are prohibited from using any social media or social networking platform accessed through personal devices other than Department Information Technology while on duty, unless permission is granted from the Chief or D/Chief for investigative or public information purposes.
- g. Unless granted explicit permission from the Chief or D/Chief, Members are prohibited from posting either while on duty or off duty, any of the following on any social networking platform, either on their own sites, the sites of others known to them, the sites of others unknown to them, news media pages, or other information exchange forums:
 - i. Any text, photograph, audio, video, or any other multimedia file related to any investigation, both current and past, of this Department.
 - ii. Any text, photograph, audio, video, or any other multimedia file related to any past or current action of this Department, either in homage or critique.
 - iii. Logos, badges, seals, uniforms, vehicles, equipment or any item or symbol that is affiliated with this Department.
 - iv. Any item, symbol, number, or likeness or material that is identifiable to this Department.
 - v. Any text, photograph, audio, video, or any other multimedia file that is related to any investigation/prosecution by the Department.
- h. Members who choose to maintain or participate in social media or social networking platforms while off duty shall conduct themselves with professionalism and in such a manner that will not reflect negatively upon the Department or its' mission. In the course of operating or participating in such forums, the following rules shall apply:
 - i. Unless explicitly granted permission by the Chief, Members shall not identify themselves, in any way, directly or indirectly as an employee of



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Subject: Police Department Internet and Social Media Policy

this Department.

- ii. Members shall not use any reference to infer they are employees of this Department.
 - iii. Members will be held responsible for the content that appears on their maintained social media or social networking sites and will be obligated to remove any posting or material contributed by others that identifies the Member as an employee of the Department, or reflects negatively upon the Department or its mission.
 - iv. Sexually graphic or explicit material of any kind shall not be posted or shared by Members on any form of social media or social networking site. Any posting or material of such contributed by others shall be immediately removed from your site.
 - v. Any content involving discourteous or disrespectful remarks pertaining to issues of ethnicity, race, religion, gender, gender identity/expression, sexual orientation, and/or disability shall not be posted or shared by Members on any form of social media or social networking site. Any posting or material of such contributed by others shall be immediately removed from your site.
 - vi. Members shall not post, transmit, share, and/or disseminate any content advocating harassment or violence. Any posting or material of such contributed by others shall be immediately removed from your site.
 - vii. Weaponry, owned by this Department and/or owned personally or privately by Members shall not be displayed or referred to, in any social media forum if such displays or depictions promote or glorify violence.
 - viii. Members shall not post, transmit, share, and/or disseminate any content that is defamatory, pornographic, proprietary, harassing, or libelous. Any posting or material of such contributed by others shall be immediately removed from your site.
 - ix. Members shall not engage in any type of social media contact (friending, following, etc.) with an actor, suspect, witness, crime victim, or attorney, involved in the same case, if that Officer was either involved in the incident, or the Officer became acquainted with person during or because of the incident, and the matter is ongoing.
 - x. Members shall not engage in any type of social media contact (friending, following, etc.) with minors they interact with in the course of their employment with the Department.
 - xi. Any posting that detracts from the Department's mission will be considered a direct violation of this policy.
- i. Unless serving as an explicitly permitted tool of public information or community



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outreach, no Member shall use their rank and/or title in any social media or social networking activity, including inclusion of said rank and/or title into the Member’s online identity or avatar associated with a Web site that will be displayed publicly on the site.

Other.

EFFECTIVE: Immediately

DATE: 4/12/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Chapter 3. CONDUCT

Subject: Municipal Internet and Digital Communications Policy Agreement

Municipal Internet and Digital Communications Policy Agreement

I have received a copy of the Borough’s policy regarding the use of e-mail, internet, social media and other electronic communications. I recognize and understand that these systems are to be used for conducting Borough business only.

I have read the aforementioned documents and agree to follow all policies and procedures that are set forth therein. I further agree to abide by the standards set forth in the documents for the duration of my employment with the Borough.

I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment.

I understand that the Borough is able to monitor all communications and records of communications used in the capacity of my employment, including content, on the e-mail, Internet, Intranet, Extranet, voice mail, and other electronic communications systems, and that I have no expectation that communications on these systems will be kept private or confidential. I hereby consent to the monitoring of all such communications and records of such communications, including content, by the Borough.

I further understand that external communications may also cause an impact on my employment with the Borough and that I should always consider the impact of those communications as it relates to the nature of my position.

I hereby acknowledge that I have received a copy of the employee safety responsibilities form, and that my responsibilities were explained to me.

Employee Name (Please Print)

Employee Signature

Date

NOTE: PROVIDE A COPY OF THIS SIGNED POLICY TO THE EMPLOYEE AND FILE THE ORIGINAL IN THE EMPLOYEE’S PERSONNEL FILE.



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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Compensation of Employees

4. COMPENSATION
Compensation of Employees

Purpose.

To establish policy and procedures for compensating Borough employees.

Applicability.

This policy applies to all employees of the Borough, except those employees covered by a collective bargaining agreement. The compensation of employees covered by a collective bargaining agreement shall be in accordance with the provisions of the applicable collective bargaining agreement.

Statement of Policy.

It is the policy of the Borough and the purpose of this manual to establish a compensation system that will allow the Borough to effectively compete for qualified personnel and to ensure that salaries are equitable and commensurate with the duties performed by each employee.

A salary schedule shall be adopted by the Borough Council and shall apply to all employees not covered by a labor contract. Any salary schedule shall be adopted in conformance with the applicable provisions of the Borough Code, as amended. Employees covered by labor contract shall be compensated as referenced in the agreement. Copies will be made available for viewing in the Borough Manager’s Office.

New Employees: All new employees will ordinarily be paid the minimum rate to mid point rate in the appropriate salary range as approved by the Borough Council. When determining the pay rate for a new employee, the Borough Council shall consider the relevant experience, education, and knowledge of the new employee.

Provisions for promotions, demotions, transfers and other modifications to the employee position or work status should be detailed in a separate Tarentum Borough Administrative Policy which may be attached as an Appendix to this Policy Manual.

Reevaluation: In the event that the salary of any position reevaluated by the Borough results in an increased salary range for the position, the employee shall retain their current salary within the range or assume the entry level step of the new range, whichever is greater.

Classification Plan: Jobs with similar duties and responsibilities are assigned to the same salary level. The Borough Manager’s Office shall conduct periodic studies, as required, of various jobs when there is an indication the employee is working above or below the established responsibilities for that position. These studies are normally initiated at the request of the Department Director and are conducted in accordance with the provisions outlined in the Borough Administrative Policy.

Maintenance of the Salary Plan: The Borough Manager’s Office shall be responsible for the continuous maintenance and administration of the Borough’s Compensation Plan. The review will include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost of living factors, budgetary considerations, and other related factors. Based on this information, the Borough Manager’s Office shall recommend to the Borough Council changes to keep the plan current, uniform and equitable.

EFFECTIVE: Immediately

APPROVAL: _____

DATE: 5/10/2022

Michael L. Nestico, Borough Manager

LAST REVISED: _____



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Compensatory Time and Overtime

Compensatory Time and Overtime

Purpose.

To establish policy guidelines for the recording, utilization, and auditing of overtime and compensatory time performed by employees of the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

1. This policy shall not contravene the provisions of the Federal Fair Labor Standards Act (FLSA) pertaining to the minimum rate of compensation for employment in excess of an established work period, excluding exempted positions.
2. Under the provisions of the FLSA, compensatory time may be as agreed upon by the employer and the individual employee at the request of the employee, but may not be imposed by the employer in lieu of overtime pay upon any nonexempt employee who has not so requested such compensating time off.
3. Union employees receive overtime pay and/or compensatory time in accordance with their labor agreement.
4. The following nonunion positions are exempt from overtime and compensatory time pursuant to the Fair Labor Standards Act:
 - Borough Manager
 - Chief of Police
 - Code Enforcement Officer
 - Finance Coordinator
 - Public Works Supervisor
 - Water Plant Manager
5. The Borough's responsibility for payment of overtime and the granting of compensatory time is as follows:
 - a. The Borough is not obligated by statute to grant all employee requests for compensatory time off instead of overtime pay.
 - b. The Borough is required to compensate overtime at the rate of one and one half for hours worked in excess of the number of hours allowed per work week as designated under the Fair Labor Standards Act.
 - c. Upon request of the employee, the Borough may grant compensatory time off in lieu of overtime at its discretion at the rate of one and one-half hour for each hour of overtime worked.
 - d. Compensatory time off may be accumulated to a maximum of 40 hours to be used at a later time upon mutual agreement between the Department Director and employee.



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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Compensatory Time and Overtime

Responsibilities.

1. Department Directors:

- a. It shall be the responsibility of each Department Director to equitably administer the provisions of this policy within their respective departments.
- b. Department Directors are the authorized authority for the approval of overtime requests. It shall be the responsibility of the Department Director to determine whether overtime or compensatory time be granted to the employee when compensatory time is requested in lieu of overtime.
- c. Department Directors shall ensure that all overtime and compensatory time earned and used is recorded on the employee’s timecard as it occurs.
- d. Department Directors will exercise extreme discretion in the utilization of overtime within their departments. Temporary adjustments in working hours or realignment of duties within the department should be considered as alternatives to the use of overtime. Overtime shall be considered necessary only in emergency situations, wherein additional effort is needed to complete a task which is critical in nature.

2. Individual Employee:

- a. It is the responsibility of the individual employee to request compensatory time in lieu of overtime if so desired. Additionally, it is the responsibility of the employee to ensure that accrued compensatory time is used within the time limitation set forth by this policy.

3. Payroll

- a. The payroll clerk shall ensure that a permanent record of overtime and compensatory time accrued and used is kept on all employees based on information provided by Department Directors, and that the proper financial transactions are completed at the end of each pay period.
- b. Upon termination, the bookkeeper shall ensure that eligible employees are given credit for all overtime accrued and all unused compensatory time within the limitations established by this policy.
- c. The Payroll Clerk shall conduct a semiannual audit of the overtime/compensatory time record of each employee through a comparison of payroll office records and individual departmental records.

EFFECTIVE: Immediately
DATE: 5/10/2022
LAST REVISED: _____

APPROVAL: _____
Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Date of Hire/Anniversary Date

Date of Hire/Anniversary Date

Purpose.

To establish definitions and a policy for administering the date of hire and anniversary date for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Date of hire shall mean the effective date of the individual’s employment with the Borough of Tarentum.

Anniversary date shall mean the date the employee began their employment in the most recent position.

A regular employee returning from a leave of absence without pay will have their anniversary date extended by the same length of time the employee was on leave without pay.

There will be no change in an employee’s anniversary date in the following instances: Reallocation of an employee’s position to a new classification title when there have been no recent, abrupt and/or significant changes in assigned tasks and responsibilities.

An employee reinstated to the same position or a position in the same class following layoff from the Borough will have their anniversary period extended by the same length of time as the duration of the layoff.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Demotions

Demotions

Purpose.

To establish a policy for demotions for all Borough employees.

Applicability.

This policy applies to all employees of the Borough, except those employees covered by a collective bargaining agreement and/or Civil Service Commission rules and regulations. The demotion of employees covered by a collective bargaining agreement and/or Civil Service Commission rules and regulations shall be in accordance with the provisions of the applicable collective bargaining agreement and/or Civil Service Commission rules and regulations.

Statement of Policy.

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, for reasons of disability or incapacity, department reorganization, etc.) will receive a cut in pay commensurate with the nature of the demotion as recommended by the Department Director and approved by the Borough Council.

Demotions do not change the person’s date of hire.

No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

An employee being demoted shall be notified two weeks prior to demotion except in emergency situations.

Any demotion to prevent layoffs may be revised when the employee’s previous position is reopened.

Persons demoted to new positions will be subject to the standard probationary period for the new position, unless specifically waived by the Borough Council.

Employees in position classifications which are downgraded (or upgraded) in salary to reflect changes in market conditions will retain their existing anniversary date for future step increases.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Job Descriptions

Job Descriptions

Purpose.

To provide for job descriptions for all Borough positions.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Job descriptions shall be maintained by the Borough Manager’s Office for all regular full time and regular part time positions.

The position descriptions shall include, at a minimum: Title, Department, Division, FLSA Exempt/Non-Exempt Status, Effective Date, General Purpose, Supervision Received, Supervision Exercised, Examples of Duties, Minimum Qualifications, Special Requirements, Selection Guidelines, and Approval Signatures.

The job description does not constitute an employment agreement between the Borough and employee and is subject to change as the needs of the Borough and the requirements of the job change.

Examples of duties listed in the job description are intended only as illustrations of the various types of work performed. The omissions of specific statements of duties does not exclude them from the position if the work is similarly related or a logical assignment to the position.

Each employee’s job description is maintained as part of their personnel file. Additional copies of job descriptions may be requested through the Borough Manager’s Office.

For a job description to be official, it shall be adopted by the Borough Council through official action at a public meeting. Any changes, alterations, additions, or deletions to a job description shall also be adopted by the Borough Council through official action at a public meeting.

Updates or revisions to position descriptions will be handled in accordance with the provisions of the Borough Administrative Policy.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Promotions

Promotions

Purpose.

To establish a policy for application and appointment to vacant positions by current employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

In general, the Borough attempts to fill all vacant positions with qualified Borough employees before advertising to the general public, following a policy of upward mobility whenever possible.

Employees are encouraged to apply for any vacancy for which they may qualify in accordance with the provisions outlined in the Borough Administrative Policy.

Generally, employees are expected to serve in their current position for at least a year before being considered for a promotion or transfer.

Selection of an employee for a promotion (or lateral transfer) is based on past work record, education, knowledge of the job duties, as well as time in service. When considering the promotion (or lateral transfer) of Borough employees having the same or similar qualifications, the position will be filled after considering the factors listed above.

In cases where only one employee applies for a position and the person’s abilities and qualifications are known to the Borough Council, the formal selection process may be dispensed with upon concurrence of the Borough Council.

No offer of promotion may be made to any employee prior to completion of the recruitment and selection process. Temporary assignments may be made by the Department Director for a specified time or assignment as necessary. Such appointments are made on an “acting” basis and the employee returns to his or her regular position upon completion of the assignment. The actual salary for “acting” appointments is set by the Borough Council, pursuant to the Administrative Policy. Promotions do not change the person’s date of hire. However, the anniversary date for future pay increases will be revised to coincide with the promotion date.

Persons so promoted will be subject to the standard probationary period for the new position, unless specifically waived by the Borough Council. Those who fail the probationary period may re assume any prior appointment held prior to the promotion unless that position has been filled.

Employees in position classifications which are upgraded (or downgraded) in salary to reflect changes in market conditions will retain their existing anniversary date for future step increases.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Reclassification

Reclassification

Purpose.

To establish Borough policy and procedures for the request, consideration, and approval of position reclassification.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Revision of position descriptions and re allocations within the classification plan shall be made as often as is necessary to provide current information on positions and classes.

It shall be the duty of the Borough Council to examine the nature of all positions and to allocate them to existing or newly created classes, to make changes in the classification plan as are made necessary by changes in the duties and responsibilities of existing positions, and to periodically review the entire classification plan and recommend appropriate changes in the allocations or in the classification plan.

When a new position is requested by a Department Director or the duties of an old position are substantially changed, the Department Director shall submit a written recommendation to the Borough Council including justification for the reclassification, emphasizing changes in position responsibilities or requirements for qualifications (i.e. experience, education, certifications, etc.).

If approved by Borough Council, the Borough Manager’s Office will take the necessary steps to affect the reclassification. Any reclassification involving an upgrade of salary not requested and approved as part of the budget process will not be affected without the approval of the Borough Council.

If the Borough Council does not concur with the request, the Department Director will be informed. The Borough Council shall be the final decision maker for all reclassification requests. If the requested action is for a downgrading of a position, and the Borough Council concurs, the Borough Manager’s Office shall coordinate implementation steps.

Any employee who considers their position improperly classified shall first submit a request in writing for reclassification to their Department Director who shall review the request and transmit it with written recommendation to the Borough Council. Re-grade comes about as a result of reclassification, and due to an overall increase/decrease in the responsibilities of a position, resulting in an increase/decrease in the monetary compensation (salary range) established for the position.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Transfers

Transfers

Purpose.

To establish a policy for interdepartmental lateral transfers by Borough employees.

Applicability.

This policy applies to all employees of the Borough, except those employees covered by a collective bargaining agreement. The interdepartmental transfer of employees covered by a collective bargaining agreement shall be in accordance with the provisions of the applicable collective bargaining agreement.

Statement of Policy.

All openings for Borough positions will be posted for a minimum of seven calendar days at all Borough facilities where employees may be able to apply for a transfer.

Any current employee (regular part time or regular full time) interested in applying for a transfer must file a completed Borough application form with the Borough Manager’s Office in accordance with instructions listed on the application.

If the employee meets the stated requirements for the position, they will proceed through the regular hiring procedures with all other applicants as described in the Administrative Policy. Transfers are made only when the Borough’s service will benefit. Generally, employees are expected to serve in their current position for at least one year before being considered for promotions or transfers. All else being equal, current Borough employees will be given priority for open positions.

The personnel file of the transfer applicant will be made available to the Department Director responsible for filling the open position. If the current employee is selected, their Department Director will be advised prior to the offer being made to the employee.

If the employee accepts the position, it will be the responsibility of the two Department Directors, along with the employee, to reach agreement on a transfer date. In the event satisfactory agreement cannot be reached on this matter, it will be forwarded to the Borough Manager for a decision. Every effort should be made to accomplish the transfer within two weeks of the offer’s acceptance.

The salary offered to the employee must be consistent with the salary and requirements of the new position. Thus, an employee who meets only the minimum requirements for the position will be started at the bottom of the salary range regardless of the employee’s current salary. Employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee’s level of skills, experience, and knowledge.

Transfer employees will serve a probationary period in the new position. Transfer employees remain eligible for all fringe benefits, included with the previous position. If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply. Any exceptions must be stated in writing and be authorized by the Borough Council.

Transfers do not change a person’s date of hire. Transfers may also be initiated by the Borough in instances where the Borough’s best interests may be served.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Working Out of Classification Pay

Working Out of Classification Pay

Purpose.

To define and delineate circumstances when an employee will receive compensation for the performance of duties in a higher classification than he normally performs.

Applicability.

The provisions of this policy apply to all employees of the Borough unless covered by a collective bargaining agreement.

Statement of Policy.

1. Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.
2. The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. This shall not apply to temporary assignments which are made pursuant to prior mutual agreement between the employee and his or her immediate supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.
3. The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of three (3) workdays.
4. Working out of classification compensation shall be allowed only after written approval of the Department Director. If an employee will be working out of class for a period to exceed 10 consecutive workdays in accordance with a predetermined work schedule that will exceed 10 work days, even if not consecutive, the Borough Manager shall approve the request. Approval shall be accomplished prior to the assumption of higher classification responsibilities.
5. The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or five percent (5%), whichever is higher.
6. When the temporary assignment is completed, the employee's salary will be readjusted to its previous level. The employee's date of hire and anniversary date will remain unchanged throughout the temporary assignment.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Garnishment

Garnishment

Purpose.

To provide a procedure for handling garnishment of an employee’s wages.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Any notice of garnishment will be received by the Borough Manager and will be forwarded to the Payroll Clerk. Garnishment is defined as a legal stoppage of a specified sum from wages to satisfy a creditor.

Procedure.

The Borough Manager will forward a copy of the garnishment notice to the Payroll Clerk for immediate processing.

If there is any question concerning the legality of the garnishment notice, the Borough Manager shall request a legal opinion from the Borough Solicitor. If the Borough Solicitor determines that such garnishment notice is legal and proper, the garnishment shall be honored by the Borough. If the Borough Solicitor determines that the garnishment notice is illegal or improper, the Borough Solicitor shall notify the creditor, in writing, of his determination.

The payroll manager will make the necessary deductions from the employee’s wages and a check for the garnished amount will be written and forwarded to the creditor as directed.

The payroll manager will notify the employee, in writing, that the garnishment has been processed. Repeated garnishments may be considered cause for disciplinary action in accordance with state law.

The employee will be notified that the third garnishment for separate indebtedness within a twelve (12) month period may be cause for disciplinary action, up to and including termination.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Pay Advances

Pay Advances

Purpose.

To establish a uniform policy for Borough employees regarding pay advances.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Requests for paychecks in advance of the regular pay date cannot be granted. Accordingly, all pay will be deposited via direct deposit on regular pay dates. For any employee who is not utilizing direct deposit, and the employee is not at work on pay day, the employee will be provided his paycheck when he returns to work.

Payment for accrued benefits will be made only upon termination of employment or consistent with the applicable labor agreement.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Pay Periods

Pay Periods

Purpose.

To establish a uniform pay period schedule for all Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

All Borough employees are paid bi-weekly. There are normally 26 pay periods in the year. If a payday falls on a holiday, the day of pay shall be the last working day preceding the normal payday. Wages and salaries are calculated on an hourly basis. The following classifications of employees are paid in this manner:

Checks are distributed by the Payroll Clerk to each employee or Department Director by noon on the date which is payday unless other arrangements have been pre-approved by the Borough Manager. An employee's paycheck may be released to the employee's spouse, designated family member, or to another person only if authorized in writing by the employee. Employees are expected to cash their paychecks on their personal time.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Payroll Deductions

Payroll Deductions

Purpose.

To define required and voluntary payroll deductions for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The following deductions are required by law from each employee paycheck:

1. Federal and State Income Tax withholding;
2. Local income tax withholding for employees that reside within the limits of the Borough;
3. Social Security;
4. Retirement contributions (eligible employees only);
5. Unemployment compensation tax; and
6. Deductions authorized by law, such as garnishments.

Additional deductions which are optional and may be requested by the employee include:

1. Union dues (if provided in labor agreement);
2. Payment of health insurance premium (if applicable);
3. Payment of dental insurance premium (if applicable);
4. Payment of optical insurance premium (if applicable);
5. Payment of optional life insurance premiums (if applicable);
6. Payment toward specified bank deposits or Credit Unions.

With each paycheck, each Borough employee receives a statement of deductions and earnings which itemizes the various deductions made, as well as appropriate cumulative totals.

It is the employee’s responsibility to maintain current payroll deduction information with the Payroll Clerk.

Employees wishing to add or change their payroll deductions should contact the Payroll Clerk.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 4. COMPENSATION

Subject: Time Sheets/Preparation of Payroll

Time Sheets/Preparation of Payroll

Purpose.

To establish guidelines for preparation of employee time cards and Borough payrolls.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Time sheets or timecards are to be completed by all Borough employees. The time sheet shall include employee name; pay period; hours to be compensated broken down on a daily basis into hours worked; lunch period; holiday time, sick leave, compensatory time, vacation, leave without pay, etc.; employee signature; and signature of the Department Director or Borough Manager for employees he directly supervises.

The payroll manager shall compute earnings as well as deductions. Changes in rate, position, and status shall be supported by written documentation by the Borough Manager indicating the reason for the change in rate, position, and new rate of pay. Written documentation shall also be provided to support Working Out of Classification pay.

Payroll records shall be maintained by the Borough for a minimum of twenty (20) years.

Falsification of time records for payroll purposes is reason for discipline and additional consequences may be further outlined in the Borough Administrative Policy.

Employees may direct inquiries concerning payroll matters to the payroll administrator.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



5. BENEFITS

Group Dental Plan

Purpose.

To establish procedures for the administration and eligibility of the group dental plans.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern. This policy sets forth the benefit that was current at the time of publication and does not provide, unless mandated by a collective bargaining agreement, a future right to the benefit.

Statement of Policy.

The plan for all non-uniform employees is administered by the AFSCME Health and Welfare Fund. The plan for all uniformed employees is administered by Municipal Benefit Services.

Benefit plans for union members may be outlined in each respective collective bargaining agreement. Specific benefits of the plans are described in insurance brochures provided to each new employee by the Borough Manager’s office.

The Borough reserves the right to change insurance plans or companies for regular full-time non-union employees at any time. For employees covered by collective bargaining agreements, the Borough shall maintain group dental insurance in accordance with the provisions of the respective collective bargaining agreement. Unless prohibited by such collective bargaining agreement, the Borough reserves the right to change insurance plans or companies for regular full-time union employees; however, no change shall be instituted by the Borough until the Borough meets with members of the affected collective bargaining unit.

Procedures.

Enrollment forms should be completed in the following instances:

- 1. New employees beginning service with the Borough;
- 2. Employees wanting to add an eligible dependent; or
- 3. Employees who want to drop a dependent.

Enrollment cards are available in the Borough Manager’s Office. It is the employee’s responsibility to notify the Borough Manager’s Office of any change in dependent status by completing updated enrollment cards.

Enrollment is processed through the Borough Manager’s Office. Claims are generally sent directly to the provider by the participating dentists. Dental coverage may be continued during an appropriate leave of absence up to eighteen (18) months at the employee’s own expense under the COBRA Act. COBRA eligible employees may continue benefits as provided by law. Upon termination of employment, employees may contact the Borough Manager’s Office regarding individual dental plan coverage. Contact must be made before thirty (30) days after termination of employment.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Life and Disability Insurance

Life and Disability Insurance

Purpose.

To define procedures for the administration and eligibility for life and disability insurance.

Applicability.

This policy applies to all employees of the Borough including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern. This policy sets forth the benefit that was current at the time of publication and does not provide, unless mandated by a collective bargaining agreement, a future right to the benefit.

Statement of Policy.

1. For regular full-time non-union employees, the Borough may provide of group term life insurance and may provide accidental death and dismemberment insurance protection pursuant to an employment agreement. The Borough may provide group life term life insurance to each retired full-time non-union employee pursuant to an employment agreement.
2. For regular full-time non-union employees, the Borough may provide short-term disability insurance in accordance with an employment agreement.
3. For regular full-time non-union employees, the Borough may provide long-term disability insurance in accordance with an employment agreement.
4. For employees covered by the collective bargaining agreements, the types and amounts of life and disability insurance are indicated in such collective bargaining agreement.
5. During the term of disability (further described below) for any employee who is entitled to such a benefit, the Borough shall continue in full force and effect the following benefits and shall pay for the benefits in the same manner that benefits are paid for employees in that class (both union and non-union):
 - Medical;
 - Prescription drug;
 - Life;
 - Disability;
 - Vision; and
 - Dental.
6. Unless required by a collective bargaining agreement, the Borough shall only pay for the above-stated benefits for a period of six (6) months for an employee who is utilizing disability insurance. After this six-month period, if the employee is still on disability, the employee shall be entitled to maintain benefits prescribed in accordance with the COBRA policy included in this manual.
7. Unless required by a collective bargaining agreement, the Borough reserves the right to terminate any employee who is on disability in excess of a six (6) month period. The Borough shall review the status of the employee who is disabled and shall review the effect of the absence of this employee on Borough services. If the Borough deems it necessary to replace the disabled employee with a permanent employee, the Borough may terminate the



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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Life and Disability Insurance

disabled employee in accordance with the procedures outlined in this manual.

Procedures.

It is the employee’s individual responsibility to keep information on file related to this policy up-to-date as to name, address and beneficiary. To receive this benefit, all employees shall promptly reply to requests for information from the Borough Manager’s Office.

Specific benefits and terms of the policy are provided to each new employee by the Borough Manager’s Office.

To process a claim, all forms and certifications required by the insurance company shall be completed by the claimant.

Additional information concerning life insurance is available through the Borough Manager’s Office.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Group Medical Insurance

Group Medical Insurance

Purpose.

To establish procedures for the administration and eligibility of the employee medical benefits program.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern. This policy sets forth the benefit that was current at the time of publication and does not provide, unless mandated by a collective bargaining agreement, a future right to the benefit.

Statement of Policy.

The Borough offers to all regular full-time employees and their eligible dependents, as defined by the appropriate insurance plan, coverage for basic healthcare insurance by utilizing UPMC Health Plan.

The Borough reserves the right to change insurance plans or companies for regular full-time non-union employees at any time. For employees covered by collective bargaining agreements, the Borough shall maintain group medical insurance in accordance with the provisions of the respective collective bargaining agreement. Unless prohibited by such collective bargaining agreement, the Borough reserves the right to change insurance plans or companies for regular full-time union employees; however, no change shall be instituted by the Borough until the Borough meets with members of the affected collective bargaining unit.

All costs of providing group medical insurance to full-time staff members and their eligible dependents shall be paid by the Borough pursuant to an applicable collective bargaining agreement or an individual employment agreement. Additionally, any co-payments or deductibles for doctor’s visits, prescription drugs, etc., as defined by such medical provider shall be paid pursuant to an applicable collective bargaining agreement or individual employment agreement

Under the COBRA Act, medical coverage may be continued during an approved leave of absence up to three (3) months at the employee’s own expense. Extensions may be granted with approval by the Borough Manager’s Office and the appropriate insurance carrier.

Retiree Benefits

The provisions in this subsection entitled “Retiree Benefits” shall only apply to full-time non-union employees.

The Borough may pay premiums for retired full-time non-union employees subject to the employee’s individual employment agreement. Such coverage requires the retired employee to subscribe to Part B of Medicare. The Borough may cover a percentage of the healthcare benefit.

If the above-stated plans offered to full-time non-union staff retirees changes or is no longer available to the Borough, the Borough maintains the right to provide a different benefit to retirees. The Borough shall attempt to provide, if possible, the same level of benefit as the program that is no longer available.

Alternative Health Care Insurance

To encourage employees to opt for reduced healthcare coverage, where other employer-provided healthcare insurance is available to the employee’s dependents, the Borough shall have the option to consider payment to such employees entitled to family coverage but who opt for less



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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Group Medical Insurance

comprehensive coverage an amount equal to thirty percent (30%) of the savings realized by the Borough in its group health care insurance premium (i.e. thirty percent (30%) of the difference between the cost of the health care coverage available to the employee from the Borough and the reduced cost to provide health care coverage to the employee who opts to reduce or eliminate health care insurance provided by the Borough).

To qualify for this incentive, an employee must have a dependent(s) who would otherwise be entitled to Borough-provided health care insurance. To participate, an employee shall demonstrate to the satisfaction of the Borough that his covered dependent(s) will be covered by alternative health care insurance that is generally equivalent to that provided by the Borough.

An employee who elects to participate in this program shall notify the Borough Manager or designee in writing. An employee who elects to participate in this program may have his family coverage re-instituted by the Borough by notifying the Borough Manager or designee, in writing, of the desire to have the family coverage re-instituted, in accordance with any rules and restrictions of the health care provider.

The amount due to each employee who participates in this program shall be paid in December of each year. The payment shall be for savings attributed from January to December of the current year. The thirty percent (30%) savings paid to the employee shall be considered gross and the Borough shall withhold taxes and other deductions from this payment as required by applicable laws.

Procedures.

Enrollment forms should be completed in the following instances for all Borough employees:

1. New Employees beginning service with the Borough;
2. Employees wanting to add an eligible dependent; and
3. Employees who want to drop a dependent.

Enrollment forms are available in the Borough Manager’s Office. It is the employee’s responsibility to notify the Borough Manager’s Office of any change in dependent status by completing updated enrollment cards.

Specific benefits of plans for both Uniform and Non-Uniform employees are described in insurance brochures provided to each new employee by the Borough Manager’s Office.

Upon termination of employment with the Borough, the employee may elect to continue medical coverage under the Consolidated Omnibus Budget Reconciliation Act (R.L. 99-272) (COBRA). The Borough Manager’s Office provides eligible employees with information on COBRA.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Optical (Vision) Benefit Program

Optical (Vision) Benefit Program

Purpose.

To establish guidelines pertaining to the eligibility application and administration of the employee optical (vision) benefit program.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern. This policy sets forth the benefit that was current at the time of publication and does not provide, unless mandated by a collective bargaining agreement, a future right to the benefit.

Statement of Policy.

The Borough offers to all regular full-time employees and their eligible dependents, as defined by the appropriate insurance plan, coverage for vision insurance. Benefit plans for union members are outlined in each respective collective bargaining agreement.

The Borough reserves the right to change insurance plans or companies for regular full-time non-union employees at any time. For employees covered by collective bargaining agreements, the Borough shall maintain vision insurance in accordance with the provisions of the respective collective bargaining agreement. Unless prohibited by such collective bargaining agreement, the Borough reserves the right to change insurance plans or companies for regular full-time union employees; however, no change shall be instituted by the Borough until the Borough meets with members of the affected collective bargaining unit.

Procedures.

Enrollment forms should be completed in the following instances for all Borough employees:

1. New Employees beginning service with the Borough;
2. Employees wanting to add an eligible dependent; and
3. Employees who want to drop a dependent.

Enrollment forms are available in the Borough Manager’s Office. It is the employee’s responsibility to notify the Borough Manager’s Office of any change in dependent status by completing updated enrollment cards.

Specific benefits of plans for both Uniform and Non-Uniform employees are described in insurance brochures provided to each new employee by the Borough Manager’s Office.

Upon termination of employment with the Borough, the employee may elect to continue vision coverage under the Consolidated Omnibus Budget Reconciliation Act (R.L. 99-272) (COBRA). The Borough Manager’s Office provides eligible employees with information on COBRA.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Retirement System

Retirement System

Purpose.

To outline procedures for the administration and eligibility of the Retirement System.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. All regular full-time employees are required to join the Borough’s retirement system administered by the PA Municipal Retirement System. This policy sets forth the benefit that was current at the time of publication and does not provide, unless mandated by a collective bargaining agreement, a future right to the benefit.

Statement of Policy.

Retirement benefits accrue from both employee (when required) and employer contributions. Contributions to the retirement system are mandatory for eligible positions and are deducted from the member’s salary each payroll period.

The Retirement System provides for retirement benefits and disability protection when a member meets the plan requirements. NOTE: When the term retirement is utilized in this manual, the term shall have the same definition of retirement as prescribed by the PA Municipal Retirement System or the Borough of Tarentum Police Pension Plan, respectively. Please refer to the applicable retirement system handbook for all requirements regarding retirement benefits and disability protection. A copy is available in the Borough Manager’s Office.

Enrollment and benefits forms are available through the Borough Manager’s Office. It is the employee’s individual responsibility to keep information on file up to date related to their retirement account as to name, address and beneficiary(s). The employee must notify the Borough of any changes and request that the information be supplied to the administrator of the PA Municipal Retirement System, the Borough of Tarentum Police Pension Plan, or the Borough of Tarentum Firemen’s Pension Plan.

Employees who plan to retire from the Borough are encouraged to contact the administrator of the PA Municipal Retirement System or the Borough of Tarentum Police Pension Plan at least ninety (90) days in advance of the anticipated retirement date to secure estimate of benefits information and to finalize the retirement date. This action should also be coordinated with the Borough Manager’s Office.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Social Security (FICA)

Social Security (FICA)

Purpose.

To define participation by Borough employees in the Social Security System.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

All employees are automatically included as participants in the Social Security System (FICA) which provides workers with the following benefits: retirement insurance, survivor’s insurance, disability insurance, Medicare for the disabled and the aged, and supplemental security income. These benefits are in addition to any retirement system benefits for which the employee may be eligible to receive.

Financing of the program is accomplished by employee payroll deduction contributions and through a match paid by the Borough. Employee contributions stop each year once they have paid the required percentage as designated by the Federal government. The salary limit and percentage are subject to change at the beginning of each year according to Federal guidelines. If an employee has a question regarding Social Security, they should contact the Social Security Administration at 1-800-772-1213, or on-line at: www.ssa.gov.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Workers Compensation

Workers Compensation

Purpose.

To establish procedures for administration and eligibility for worker’s compensation.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Upon employment with the Borough of Tarentum, all employees are covered by State Worker’s Compensation, a program of industrial insurance to protect workers, their families, and dependents from loss due to an industrial accident or illness. The program provides for payment of medical bills, physical and vocational rehabilitation, financial compensation while the worker is disabled either temporarily or permanently and is unable to work. It also provides for lump sum payments for particularly serious injuries such as the loss of a finger, eye, foot, etc. and assures death benefits and compensation to the worker’s family or dependents in the event the injury is fatal.

Financing for this program is provided by the Borough as required by State law.

Any employee involved in an industrial injury or occupational illness as defined by the Pennsylvania State Worker’s Compensation law, must report the incident (including time, place, cause, witnesses, and all other pertinent information) to their immediate supervisor or Department Director within 24 hours or as soon thereafter as possible. The affected employee shall also file an application for Worker’s Compensation in accordance with applicable laws, rules, or regulations.

Hours lost due to the injury or illness should be reported on the employee timesheet as “disability” and such hours will be charged against the employee’s accrued sick leave, vacation leave, or other compensated leave time available until the Worker’s Compensation claim has been settled. Once the eligibility for payment under Worker’s Compensation has been approved by the Borough’s insurance carrier, the employee should endorse their benefit check to reimburse the Borough for wages paid during the employee’s initial absence prior to claim approval. At the same time, any leave used for the injury or illness will be reinstated to the employee’s record by the Borough. An employee shall not draw more than their base pay when collecting industrial insurance. No employee shall receive sick leave or use vacation time as a result of a job injury, illness or disease incurred while employed by another employer.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Continuance of Medical Coverage (COBRA)

Continuance of Medical Coverage (COBRA)

Purpose.

To comply with the requirements of the Federal Comprehensive Omnibus Budget Reconciliation Act (COBRA) in regards to the continuance of medical coverage.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. Employee and/or dependent medical coverage under the current plan may cease as a result of one of the following events:
 - a. Termination of employment;
 - b. Change to nonparticipating employment status;
 - c. Divorce or legal separation; or
 - d. Dependent child became ineligible.

2. Employees or dependents may elect to continue medical coverage beyond the date that it would otherwise terminate by doing one of the following:
 - a. Convert the group medical coverage to an individual policy provided directly by the insurance carrier. For additional information, contact the Borough Manager's Office.
 - b. Continue to participate in the group medical coverage plan under the criteria outlined below:
 - i. Rights of Employee. Employees presently covered by the insurance plan or health maintenance organization (HMO) may continue this coverage for up to 18 months from the date that employment terminates or status changed to a nonparticipating (non insured) employment status provided that the employee pay the full cost of premium and any administrative fee (up to a 2%) that may be imposed by the Borough approved by the Borough Manager.
 - ii. Rights of a Spouse of Employee. The spouse of an employee covered by the medical plan has the right to continue coverage if the employee was terminated or changed to nonparticipating employment status, or if a divorce or legal court decreed separation from the employee took place. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to a 2%) that may be imposed.
 - iii. Rights of Children. Dependent children of an employee covered by the medical plan has the right to continue coverage if group health coverage under the medical plan is lost because of termination of a parent's employment or change to nonparticipating employment status; parents' divorce or legal court decreed separation; the dependent ceases to be a "dependent child" under the medical plan. Coverage under these circumstances may continue for a period up to 36 months provided that the spouse pay the premium in full and any administrative fee (up to a 2%) that may be imposed.



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Continuance of Medical Coverage (COBRA)

3. Election.

- a. If an employee or eligible spouse or dependent does not elect to continue coverage, group health insurance will end as scheduled under the plan.
- b. If an employee elects to continue group medical coverage, the employee or eligible spouse or dependent is responsible for paying the entire cost (both employer and employee share). This cost will be subject to periodic rate changes. Employees are not required to show that they are insurable (by taking a medical exam) to continue the coverage.
- c. Continued coverage may be terminated earlier than the 18 or 36 month period if group medical plans for all other employees are terminated, or if the employee or eligible spouse or dependent:
 - i. fails to remit the required monthly payments within 31 days of the due date;
 - ii. becomes eligible under any other group medical plan;
 - iii. a covered spouse remarries and becomes eligible to be covered under a group medical plan; or
 - iv. becomes eligible for Medicare.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 5. BENEFITS

Subject: Employee Assistance Program (If Available)

Employee Assistance Program (If Available)

Purpose.

To describe the Employee Assistance Program that is available to Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough of Tarentum recognizes that an employee’s work performance might be affected by problems that are not job related. Such situations may include, but are not limited to family problems, emotional problems, legal problems, financial difficulties or the use of alcohol or drugs.

It is not within the Borough’s ability and is not the Borough of Tarentum’s policy to attempt to diagnose or treat any of these problems. Also the existence of such problems cannot be accepted as an excuse for unsatisfactory work performance or a reason not to take disciplinary action for misbehavior. However, if an employee indicates the need for help in dealing with such problems, the Borough shall attempt to put the employee in contact with an independent agency that can provide the necessary help.

Employees may make such requests to their supervisors or directly to the Borough Manager. Employees shall continue to be held accountable for the performance of their jobs, but no employees shall be disciplined nor have any involuntary changes made to their jobs solely because of a request for assistance. All such requests shall be absolutely confidential, unless the confidentiality would result in an illegal action. No records of such requests shall be made part of the employee’s employment record without the permission of the employee.

Any supervisory employee, who receives a request for such assistance and is unsure about where to refer the employee, should ask the employee’s permission to contact the Borough Manager.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Bereavement Leave

**6. LEAVES
Bereavement Leave**

Purpose.

To establish guidelines for the use of bereavement leave due to death in the employee’s immediate family.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

A non-union regular full time or regular part time employee who has a member of his immediate family taken by death shall receive up to five days (40 hours) off with pay as bereavement leave to arrange and/or attend funeral activities. The leave must be taken by the affected employee within seven (7) days of the death of the family member. For regular part-time employees, the amount of time paid for bereavement leave shall be the amount of time within the aforementioned seven (7) days that the employee was scheduled to work.

“Immediate family” shall be defined as spouse, mother, father, step-mother, step-father, mother in law, father in law, children, sister, brother, step-sister, step-brother, daughter in law, son in law, sister in law, brother in law, grandparents and grandchildren.

If additional time is necessary, it shall be taken as vacation or unpaid leave if vacation has been exhausted with advance authorization by the appropriate Department Director and/or Borough Manager’s office. Time for attendance at the funeral of others may be granted without pay or made up within the same pay period.

The employee must notify their immediate supervisor upon making determination to take time off from work. If required, the necessary Bereavement Request Form shall be completed and submitted by the employee.

Employees who fail to return to work on the date specified to the Department Director or Borough Manager without receiving an extension are subject to disciplinary action up to and including termination.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Holidays

Holidays

Purpose.

To provide a policy for uniform administration of standard Borough holidays.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

The Borough shall celebrate the following holidays off with pay for regular full time nonunion employees:

- NEW YEAR'S DAY
- GOOD FRIDAY (EASTER)
- MEMORIAL DAY
- INDEPENDENCE DAY
- LABOR DAY
- VETERANS DAY
- THANKSGIVING DAY
- DAY AFTER THANKSGIVING
- CHRISTMAS DAY
- DAY AFTER CHRISTMAS

In the event a holiday falls upon a Sunday, the following Monday shall be deemed to be the legal holiday. In the event the legal holiday falls on a Saturday, the preceding Friday shall be deemed to be the legal holiday.

When a holiday falls within a period of paid leave, the holiday shall not be counted as a leave day in computing the amount of leave debited.

Any employee who is absent without approved leave on the day immediately preceding or following a holiday shall lose the holiday as well as pay for that day. Additionally, no employee shall earn holiday pay if such employee is on leave without pay, FMLA leave, disability, or similar separation from actual work performed for the Borough.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Jury Duty/Court Leave

Jury Duty/Court Leave

Purpose.

To establish a policy for jury leave for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Any regular full time or part time employee who is required to serve on a jury, or as a result of official Borough of Tarentum duties is required to appear before a court, legislative committee or quasi-judicial body as a witness in response to a subpoena or other directive, shall be allowed authorized leave with pay less any amount received for such service. A probationary employee called will have his probationary period extended by the same amount of time as required for serving on jury duty. An employee who receives notice of jury duty or witness service must notify their supervisor immediately in order that arrangements may be made to cover the position. The Borough reserves the right to request that an employee who is called for jury duty be excused if their absence would create a hardship on the operational effectiveness of the department to which they are assigned.

The employee is responsible to turn over jury or witness fees to the Borough Manager’s Office, excluding mileage fees.

Time away will not affect vacation, sick leave, or personal leave accruals.

Employees who appear in court as or on behalf of the plaintiff or defendant in any action not related to their official duties shall not be paid for time away from work unless that time is accrued vacation or personal leave. Court payments for travel expenses are to be retained by the employee.

The employee may keep any court payment for services performed on the days of their regularly scheduled weekend or performed while on vacation or personal leave.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact their supervisor and to report to work as instructed.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Family or Medical Leave

Purpose.

To establish a policy and guidelines for the use of family or medical leave for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

General. As provided by the 1993 Family and Medical Leave Act (FMLA), all eligible employees shall be entitled to take up to 12 weeks of unpaid, job-protected leave during any 12-month period for specified family and medical reasons.

Covered Family and Medical Reasons. An eligible employee shall be entitled to 12 weeks of unpaid leave during a 12-month period for one or more of the following reasons:

1. The birth or placement of a child for adoption or foster care;
2. To care for an immediate family member (spouse, child, or parent) with a serious health condition; or,
3. To take medical leave when the employee is unable to work because of a serious health condition, which shall be defined as an illness of a serious and long-term nature resulting in recurring or lengthy absences. Treatment of such an illness would occur in an inpatient situation at a hospital, hospice, or residential medical care facility, or would consist of continuing care provided by a licensed health care provider.

An employee may take leave if a serious health condition makes the employee unable to perform the functions of their position. Employees with questions about whether specific illnesses are covered under this policy or under the Borough's sick leave policy are encouraged to meet with the Borough Manager.

Employee Eligibility. An employee shall be entitled to family leave when they meet the following criteria:

1. The employee has worked for at least twelve (12) months for the Borough. The twelve (12) months need not have been consecutive. (If the employee was on the payroll for part of a week, the Borough will count the entire week. The Borough considers fifty-two (52) weeks to be equal to twelve months.)
2. The employee must have worked for the Borough for at least 1,250 hours over the twelve (12) months before the leave would begin.
3. When both spouses are employed by the Borough, they are jointly entitled to a combined total of 12 work weeks of family leave for the birth or placement of a child for adoption or foster care, and to care for a parent who has a serious health condition.

Calculation of Leave. Eligible employees can use up to twelve (12) weeks of leave during any twelve (12) month period. The Borough will use a rolling twelve (12) month period measured backward from the date an employee uses any FMLA leave. Each time an employee uses leave, the



BOROUGH OF TARENTUM ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Family or Medical Leave

Borough computes the amount of leave the employee has taken under this policy, subtracts it from the twelve (12) weeks, and the balance remaining is the amount the employee is entitled to take at that time. For example, if an employee has taken five (5) weeks of leave in the past twelve (12) months, the employee could take an additional seven (7) weeks under this policy.

Maintenance of Benefits. An employee shall be entitled to maintain group health insurance coverage, dental insurance, vision insurance, life insurance, and applicable disability insurance on the same basis as if the employee had continued to work at the Borough. To maintain uninterrupted coverage, the employee will have to continue to pay their share of insurance premium payments. This payment shall be made either in person or by mail to the Borough Manager's Office by the first day of each month. If the employee's payment is more than thirty (30) days overdue than the coverage will be dropped by the Borough.

If employee informs the Borough that the employee does not intend to return to work at the end of the leave period, the Borough's obligation to provide the above-stated benefits ends. If employee chooses not to return to work for reasons other than a continued serious health condition, the Borough will require the employee to reimburse the Borough the amount the Borough contributed towards the employee's above-stated benefits during the leave period.

Other benefits such as the accrual of seniority will not continue during leave. However, the use of family or medical leave will not be considered a break in service when vesting or eligibility to participate in benefit programs is being determined.

Job Restoration. An employee who utilizes family or medical leave under this policy will be restored the same job or a job with equivalent status, pay, benefits and other employment terms.

The Borough may choose to exempt certain highly compensated, "key" employees from this job restoration requirement and not return them to the same or similar position at the completion of FMLA leave. Employees who may be exempted will be informed of this status when they request leave. If the Borough deems it necessary to deny job restoration for a key employee on FMLA leave, the Borough will inform the employee of its intention and will offer the employee the opportunity to return to work immediately.

Use of Paid and Unpaid Leave. If an employee has accrued paid leave of less than twelve (12) weeks, the employee will use paid leave first and take the remainder of the twelve (12) weeks as unpaid leave.

If an employee uses leave because of his own serious medical condition or the serious health condition of an immediate family member, the employee will first use all paid vacation, personal or sick leave, and then will be eligible for unpaid leave.

An employee using leave for the birth of a child will use paid sick leave for physical recovery after childbirth. The amount of sick leave utilized after this point will be decided on a case-by-case basis. The employee then may use all paid vacation, personal or family leave, and then will be eligible for unpaid leave for the remainder of the twelve (12) weeks.

An employee using leave for the adoption or foster care of a child will use all paid vacation, personal or family leave first, and then will be eligible for unpaid leave for the remainder of the twelve (12) weeks.

Intermittent Leave and Reduced Work Schedules. In certain cases, intermittent use of the twelve (12) weeks of family or medical leave or a part of a reduced work week may be allowed by the Borough. Employees wishing to use leave intermittently or to utilize a reduced work week for birth or adoption purposes will need to discuss and gain approval for such use from the employee's



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Subject: Family or Medical Leave

Department Director and the Borough Manager. The minimum amount of time that can be taken per day under this provision is in two (2) hour consecutive blocks.

Employees may also use family or medical leave intermittently or as part of a reduced work week whenever it is medically necessary. If the need to use leave is foreseeable and based on preplanned and prescheduled medical treatment, then the employee is responsible to schedule the treatment in a manner that does not unduly disrupt the Borough’s operations. This provision is subject to the approval of the health care provider.

In some cases, the Borough may temporarily transfer an employee using intermittent or a reduced work week to a different job with equivalent pay and benefits if another position would better accommodate the intermittent or reduced schedule.

Procedures.

Procedure For Requesting Leave. All employees requesting leave under this policy must complete a Family Medical Leave Form available from the Borough Manager’s Office.

When an employee plans to take leave under this policy, the employee must give the Borough thirty (30) days’ notice. If it is not possible to give thirty (30) days’ notice, the employee must give as much notice as is possible. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the Borough’s operations.

While on leave, employees are requested to report periodically to the Borough regarding the status of the medical condition, and their intent to return to work.

Procedure for Notice and Certification of Serious Health Condition. On occasion, the Borough may require the employee to provide notice of the need to utilize leave (where it is possible to know beforehand) and/or may require the employee to provide certification of an employee’s or immediate family member’s serious health condition by a qualified healthcare provider. The employee should try to respond to such a request within ten (10) days of the request or provide a reasonable explanation for the delay.

Qualified health care providers include: doctors of medicine or osteopathy, podiatrists, dentist, clinical psychologists, optometrists, and chiropractors, nurse practitioners and nurse-midwives authorized to practice under State law and performing within the scope of their practice under state law.

When seeking certification of a serious medical condition, an employee should ensure that the certification contains the following:

1. Date when the condition began; expected duration; diagnosis; and a brief statement of treatment.
2. If employee is seeking medical leave for their own medical condition, certification should also include a statement that the employee is unable to perform the essential functions of the employee’s position.
3. For a seriously ill family member, the certification should include a statement that the patient requires assistance, and that the employee’s presence would be beneficial or desirable.



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Chapter 6. LEAVES

Subject: Family or Medical Leave

- 4. If taking intermittent leave or working a reduced schedule, certification should include dates and duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

If deemed necessary, the Borough may ask for a second opinion. The Borough will pay for the employee to get a certification from a second doctor, which the Borough will select. If there is a conflict between the original certification and the second opinion, the Borough may require the opinion of a third doctor. The Borough and the employee will jointly select the third doctor, and the Borough will pay for the opinion. The third opinion will be considered final.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Leave of Absence Without Pay

Purpose.

To establish procedures by which an employee may request a leave of absence from employment with the Borough; to establish conditions of which approved requests for leave of absence are administered.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern. Leave time does not count as hours worked for the purposes of overtime compensation.

Statement of Policy.

Requests for leave of absence without pay shall be in writing and shall state specifically the reasons for the request, the date desired to begin the leave, and the date of return. The request shall normally be submitted by the employee to the affected Department Director. The Department Director shall recommend to the Borough Manager whether the request should be granted, modified, or denied. The Borough Manager shall then make a decision based upon the best interest of the Borough, giving due consideration to the reasons given by the employee, and the requirements of any applicable State and Federal laws.

The Borough Manager may grant a full-time regular employee a leave of absence without pay not to exceed 120 days for non-medical purposes. Non-medical leave is unpaid leave time for career advancement, personal or family situations. Such leaves may be granted after vacation accrual has been exhausted. Sick leave accruals may not be used for non-medical leaves. Requests for medical leave without pay shall be governed by the FLMA Policy outlined in this manual.

Leave requests governed by this policy will be routed to the respective Department Director for approval. Under no circumstances may an employee use a leave of absence to work for another employer or to pursue self-employment.

No sick leave, holiday, vacation benefits shall accrue while the employee is on leave of absence without pay. Additionally, an employee who is granted leave without pay shall have the following benefits terminated on the first day of the month following the beginning of the leave:

- a. Medical;
- b. Prescription;
- c. Dental;
- d. Vision;
- e. Life Insurance;
- f. Disability Insurance; and
- g. Other similar fringe benefits.

The employee may elect to continue any of the above-stated benefits, in accordance with the applicable provisions of each insurance policy, which shall be paid solely by the employee. If the employee elects to maintain any of the benefits, he shall reimburse the Borough the total cost of the benefit by the 1st of each month. If the employee fails to reimburse the Borough for the benefits, the Borough shall immediately cease the provision of the benefits.

The employee's anniversary date shall be adjusted to reflect the length of the absence for the purposes of computing longevity.

Upon expiration of the leave of absence, the employee shall be reinstated in the position held at the



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Chapter 6. LEAVES

Subject: Leave of Absence Without Pay

time the leave was granted or another equivalent position.

Upon extenuating circumstances, the Borough Council may grant an extension of a leave period upon written request by the employee. Such extension may not exceed three months and will be based on departmental as well as employee considerations.

Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Military Leave

Military Leave

Purpose.

To establish procedures for requesting and accounting for leaves of absence by employees of the Borough for participation in obligations with the United States Armed Forces.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

1. This policy applies to all Borough employees who are affiliated with the United States Armed Forces, National Guard or Coast Guard.
2. Employer's Responsibilities:
 - a. The Borough is obligated to release employees for service with the Armed Forces when the employee participates in:
 - i. Annual Training (Summer Camp)
 - ii. Active Duty Training (School)
 - iii. Inactive Duty Training Assemblies (Weekend drills)
 - iv. Extended leave of absence for voluntary active duty service (Enlistment)
 - v. Involuntary call up
 - b. Military leave of absence shall result in no loss of seniority status or benefits which would have normally accrued if the employee had not been absent for such purposes.
 - c. The Borough is obligated to grant Military Leave with pay to the employee for absences not exceeding fifteen (15) calendar days per year. The Borough will not require the employee to use normal annual leave (accrued vacation) for such purposes. The employee may, however, request use of vacation, compensatory time, or leave without pay to supplement absences exceeding those covered by the fifteen-day Military Leave allowance.
 - d. The Borough will make a reasonable effort to adjust work schedules and assignments to accommodate employees fulfilling military obligations.
 - e. An employee promoted or hired to fill a vacancy created by a person on military leave is appointed to the position subject to the return of the absent employee. Upon such return, a promoted employee is restored to his original position or an equivalent position subject to the provisions of State law. A replacement employee is subject to layoff if no other position is available.
3. Employee's Responsibilities:
 - a. The employee is responsible to provide to their Department Director copies of all military orders which will result in a leave of absence for active military duty.



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Chapter 6. LEAVES

Subject: Military Leave

Orders must specify the duties of absence, promulgation authority, letter order number and signature of issuing authority. Employees are required to notify their supervisors at the earliest possible date upon learning of scheduled military duty.

- b. Employees who fail to return to work on the date specified in the leave request without receiving an extension in advance are subject to disciplinary action up to and including termination.
- c. Inactive duty training dates (weekend drills) should be provided to the department director as soon as available if the dates conflict with scheduled employment with the Borough.
- d. Extended leave of absence (exceeding 15 calendar day allowance) will be pursuant to the policy on [LEAVE OF ABSENCE WITHOUT PAY](#). (NOTE: benefits to be paid for or continued in accordance with applicable State or Federal law).

4. Accounting Procedures:

- a. All military leaves will be indicated on the time sheets of the applicable department.
- b. Military Leave (15 calendar day military leave allowance) will be accounted for in increments of 24-hour periods (from 0001 hours to 2400 hours).
- c. It is the responsibility of the official verifying timecards in each department to annotate the use of military leave on the employee's monthly timecard. Military leave will be registered on the timecard by use of the letters ML.

EFFECTIVE: Immediately
DATE: 5/10/2022
LAST REVISED: _____

APPROVAL: _____
Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 6. LEAVES

Subject: Sick Leave

Sick Leave

Purpose.

To establish guidelines for the use of sick leave for personal illness and on the job injuries for Borough employees.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

All regular non-union full-time employees shall be entitled to sick leave as follows:

1. Employees entitled to sick leave may remain away from work with pay, where such absence is the result of personal illness or physical incapacity not job connected, sickness of an immediate family member, involuntary or enforced quarantine, or death in the immediate family of such employee. Sick leave granted because of death in the immediate family shall not exceed five days unless other arrangements have been approved by the Department Director.
2. Sick leave benefits shall apply to bona fide cases of sickness, accidents, doctor or dental appointments, maternity leave, and requests for the employee's presence by immediate family, doctor or clergy due to family illness or emergency.
3. A full-time employee who is on sick leave as above specified for a period of five (5) days or longer shall, prior to being entitled to any compensation, furnish without delay, a report from a qualified doctor which shall contain a diagnosis of the sickness, whenever possible.
4. While no specified amount of sick leave is specified for full-time non-union employees, excessive use of sick leave may result in disciplinary action, up to and including termination.

Sick leave shall not accrue during leaves of absence without pay.

When an employee goes on sick leave, he must notify his Department Director or designated supervisor immediately. Notification should be within 30 minutes after the beginning of the scheduled workday. Failure to do so may result in denial of such leave pay. The employee should also let the supervisor know when he expects to return to work.

An employee who is on sick leave shall keep his supervisor advised on a daily basis as to condition and expected date of return to duty. If requested, the employee shall file a doctor's certificate stating the cause of the absence and the nature of the illness before sick leave payment is authorized.

Sick leave shall be rounded off to the nearest hour. Sick leave shall be taken in increments of no less than one (1) hour.

No sick leave will be given to an employee in excess of the amount earned and available to the employee.

When an employee is transferred to another position, any unused sick leave, which may have



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Chapter 6. LEAVES

Subject: Sick Leave

accumulated to the employee’s credit, shall transfer with the employee.

An employee may utilize vacation time when sick leave has been exhausted.

Earned sick leave accruals must be exhausted prior to taking an unpaid medical leave of absence.

It is the responsibility of each Department Director or designated supervisor to ensure the provisions of this policy are observed. Corrective action should be taken in instances of suspected abuses or misinterpretation of the utilization of sick leave.

Department Directors will ensure that any sick leave used will be reflected with the submission of time sheets.

It is the responsibility of the payroll clerk to ensure that proper accountability of sick leave is kept on all eligible employees. This shall include keeping a record of accruals and utilization.

Temporary or part-time employees are not eligible for sick leave payment.

Sick Leave for Union Employees. Sick leave for union employees shall accrue as determined by the applicable provisions of their collective bargaining agreements.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Vacation Leave

Purpose.

To outline vacation policy for employees; to assure that vacation schedules are made with full reference to the operating needs of the Borough; and to provide for a procedure of approval and communication.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision or individual employment agreement is in conflict with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Employees covered by collective bargaining agreements shall be entitled to vacation leave as prescribed in the applicable agreement.

Each full-time nonunion employee shall accrue vacation time on the following basis.

1. Each newly hired full-time non-union employee shall be granted an initial allotment of vacation time by the Borough Council. Usually, entry level employees with little or no practical experience will be granted forty (40) hours of vacation. However, the Borough Council reserves the right to adjust the amount of initial vacation granted to new employees, taking into consideration their years of practical experience in other organizations and the overall compensation package offered to new employees. Finally, the Borough Council reserves the right to adjust the initial allotment of vacation time offered based on when the new employee is hired (for example, an employee hired in September may be granted two (2) vacation days to be utilized by the end of the calendar year and then granted five (5) vacation days beginning January 1st of the following calendar year).
2. Vacation Accrual. Vacation time shall be allocated to each eligible employee on January 1st of each year. In addition to the basic amount of vacation granted to each new employee, additional vacation leave shall be accrued as follows:
 - h. January 1st of year five (5) of completed service: forty (40) additional hours of vacation (1 week plus initial allotment)
 - i. January 1st of year ten (10) of completed service: eighty (80) additional hours of vacation (2 weeks plus initial allotment)
 - j. January 1st of year fifteen (15) of completed service: one hundred and twenty (120) additional hours of vacation (3 weeks plus initial allotment)
 - k. January 1st of year twenty (20) of completed service: one hundred and sixty (160) additional hours of vacation (4 weeks plus initial allotment)

To clarify the above-stated policy, if an employee completes year five (5) of service with the Borough, for example, on May 17, 2015, the employee would be afforded the additional week of vacation on January 1, 2015.

An employee may accumulate up and carry-forward into the next year accrued vacation leave. The Department Director may institute an annual deadline for vacation request in order to guarantee appropriate notice from the employee for the proposed vacation leave.

As provided hereafter, employees will be compensated for their total accrued hours of vacation at time of separation from the Borough. Upon resignation or retirement from Borough employment an



BOROUGH OF TARENTUM
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Chapter 6. LEAVES

Subject: Vacation Leave

employee shall be paid cash at the normal rate of pay for his unused annual leave, provided regular status has been attained.

An employee who terminates employment prior to completion of his or her probationary period has not accrued vacation time and is therefore not entitled to payment for unused vacation time.

All vacations shall be taken at such time as shall be approved by the Department Director.

Annual leave shall be expended in increments of not less than four (4) hours.

Vacations shall be scheduled at such times as the Department Director finds most suitable after considering the wishes of the employee and the requirements of the department. All requests for vacation must be approved by the Department Director prior to the commencement of the requested vacation.

If the employee retired or resigned, such employee thereupon shall be entitled to a sum of money equal to their former regular compensation for any earned vacation leave time which has not been used or forfeited for failure to timely claim; provided however, that in the event such employee fails to give the Department Director under whom he is employed at least two (2) weeks' notice of such termination of employment or is discharged for cause, the foregoing terminal vacation pay shall be forfeited.

Transfers. If an employee transfers from one department within the Borough to another, the vacation leave credits shall also be transferred.

The established period of determining vacation credit will be from the employee's date of hire.

Vacation credit earned by an employee cannot be transferred to another employee.

Temporary or part-time employees shall not earn vacation pay.

Vacation leave will not accrue while an employee is on leave of absence without pay. Accrued and unused vacation leave may be used to supplement sick leave if the employee has exhausted sick leave accruals.

Paid holidays occurring during vacation are not charged to vacation.

Procedure.

1. Department Directors are responsible for managing the vacation schedules in their departments and for administering the provisions of this policy.
2. Vacation approvals by Department Directors shall be made only when the efficiency of Borough operations will not be adversely affected.
3. Unless approved by the Borough Manager, a Department Director and next ranking employee cannot take vacations at the same time.

EFFECTIVE: Immediately
DATE: 5/10/2022
LAST REVISED: _____

APPROVAL: _____
Michael L. Nestico, Borough Manager



Personal Leave

Purpose.

To outline personal leave policy for employees; to assure that personal leave schedules are made with full reference to the operating needs of the Borough; and to provide for a procedure of approval and communication.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements. However, if any collective bargaining agreement provision conflicts with this policy, the applicable provision(s) of the collective bargaining agreement shall govern.

Statement of Policy.

Each full-time nonunion employee shall accrue personal time on the following basis:

Each newly hired full-time non-union employee shall be entitled to four (4) personal days (i.e. 32 hours). After the initial date of hire, each full-time non-union employee shall receive his personal leave allotment on January 1st for each subsequent year.

Employees covered by collective bargaining agreements shall be entitled to personal leave as prescribed in the applicable agreement.

An employee may accumulate up and carry-forward into the next year a maximum of sixteen (16) hours or two (2) days accrued personal leave. Personal leave time earned in excess of said maximum limit shall be used or forfeited, unless the personal leave time requested has been denied in writing by the Department Director.

Upon resignation or retirement from Borough employment an employee shall be paid cash at the normal rate of pay for his unused annual leave, provided regular status has been attained.

All personal leave shall be taken at such time as shall be approved by the Department Director.

Personal leave shall be expended in increments of not less than four (4) hours.

All requests for personal leave must be approved by the Department Director prior to the commencement of the requested leave.

Transfers. If an employee transfers from one department within the Borough to another, the personal leave credits shall also be transferred.

Personal leave credit earned by an employee cannot be transferred to another employee.

Temporary or part-time employees shall not earn personal leave.

Personal leave will not accrue while an employee is on leave of absence without pay. Accrued and unused personal leave may be used to supplement sick leave if the employee has exhausted sick leave accruals.

Paid holidays occurring during vacation are not charged to personal leave.

Procedure.

1. Department Directors are responsible for managing the personal leave schedules in their departments and for administering the provisions of this policy.



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Chapter 6. LEAVES

Subject: Personal Leave

2. Personal leave approvals by Department Directors shall be made only when the efficiency of Borough operations will not be adversely affected.
3. Unless approved by the Borough Manager, a Department Director and next ranking employee cannot take personal leave at the same time.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 7. TRAINING

Subject: Training Programs, Including Seminars or Conventions

7. TRAINING

Training Programs, Including Seminars or Conventions

Purpose.

To promote and facilitate training and career education which meets the dynamic needs of the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Definitions.

As addressed by this policy, training is defined as any work-related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and expenses are funded in whole or in part by the Borough or while the employee is in a paid status with the Borough.

Statement of Policy.

1. It is the policy of the Borough to encourage and coordinate training opportunities for employees and supervisors in order that services rendered to the Borough will be more efficient and effective.
2. This policy is subject to and limited by the conditions of an affected employee's labor contract.

Procedures.

1. Attendance at training programs will be approved at the Department Director level, except as follows:
 - a. Attendance at a training program involving out of state travel by an employee requires approval by the Borough Manager prior to registration.
 - b. Attendance at any program or course work in excess of 1 shift and/or \$200 (in registration, travel, meals and lodging cost) requires approval by the Borough Manager prior to registration.
2. All outside training and conference attendance shall be processed through the Training Attendance Request Form and processed as instructed thereon.
3. Any dispute regarding eligibility or the level of reimbursement may be appealed to the Borough Manager for resolution.
4. Borough sponsored and required training shall generally be arranged during regularly scheduled work hours. A Department Director may change the standard work hours to accommodate or require attendance at such training activities. Such required training shall be recorded as time worked within the meaning of this policy.
5. Employees who acquire training on their own time and expense are encouraged to notify the Borough Manager so the information can be noted in the employee's personnel file.
6. The Borough Manager shall maintain an employee training history and shall periodically



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Chapter 7. TRAINING

Subject: Training Programs, Including Seminars or Conventions

audit training attendance and policy compliance.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 7. TRAINING

Subject: Travel Expenses While on Borough Business

Travel Expenses While on Borough Business

Purpose.

To establish policy guidelines on Borough reimbursement for expenses while on Borough business.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

It is the policy of the Borough to reimburse employees for reasonable and necessary expenditures made by employees while on official Borough business. Mileage will be reimbursed at a rate per mile equal to the allowable IRS rate. All other allowable expenses on actual cost basis. All expenses must be itemized if applicable. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by invoices and/or receipts showing proof of payment of such claims, except the daily meal per diem as provided hereafter.

Travel While on Borough Business.

1. Overnight Trips

- a. Lodging. Hotel and Motel expenses will be reimbursed on completion and acceptance of authorized travel upon submittal of proper claim. A reasonable class of accommodation shall be selected where choice is available. The single rate should be clearly indicated on all receipts.
- b. Meals. Meal reimbursements for all overnight trips are to be itemized on proper "Claim for Expense" form. If the employee opts for a Per Diem Meal reimbursement, the rates are:

Breakfast – \$7.50
Lunch – \$10.00
Dinner – \$20.00

If any of the above-stated Per Diem meal allowances are included as part of the seminar/meeting, that portion of the Per Diem meal allowance shall not be claimed. Further, if an employee or elected or appointed official does not opt for the Per Diem meal reimbursement, then the following guidelines shall be followed. The maximum meal expenditure, including tip, shall be as follows:

Breakfast – \$10.00
Lunch – \$15.00
Dinner – \$30.00

Any tip in excess of 20% shall not be reimbursed by the Borough.

The above-stated maximum amounts shall only be exceeded upon approval of the Borough Manager for good cause.

- c. Mileage Allowance. Employees who utilize their personal vehicles on travel assignments will be allowed the IRS allowable rate per mile. Each employee who drives a private vehicle on Borough business must have liability insurance on said



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Chapter 7. TRAINING

Subject: Travel Expenses While on Borough Business

vehicle.

No reimbursement for mileage shall exceed the dollar amount of round-trip airfare at the coach rate on a licensed common carrier, plus auto rental or taxi fare at point of destination.

When two or more employees are attending the same seminar, convention, or meeting, carpooling shall be practiced whenever possible. The actual odometer reading from Tarentum Borough Municipal Building to destination and return to Tarentum Borough Municipal Building will be used.

If an employee for his or her own convenience travels by an indirect route or interrupts travel by the most economical route, the employee shall bear any extra expense involved. Reimbursement for such travel shall be for only that part of the expense as would have been necessary in order to travel.

- d. Out of State Travel. Requires prior approval by the Borough Manager in writing and a Training Attendance Form Request.

2. Local Travel and Expenses

- a. Local Mileage. No mileage will be paid for commuting from an employee’s personal residence to the Borough Municipal Building or a work station.
- b. Local Meals. Reimbursement for meals will be allowed only where the employee is attending a seminar or conference as a representative of the Borough for a specific purpose, or where the employee’s attendance will directly benefit the Borough. No reimbursement will be allowed for meetings which are of a social nature. The request for reimbursement of local meals should including the following information:

- i. Date
- ii. Place
- iii. Meeting Attended
- iv. Specific Reason for Attendance

- 3. Parking fees will be reimbursed by actual cost and receipts shall be presented where possible.

If an employee reimbursement is necessary, the reimbursement will be handled by the Borough Manager’s office after the “Claim for Expense” form is turned in.

Non-Allowable Expenses.

- 1. Laundry, cleaning, or valet services (except of trips of over one week duration).
- 2. Tobacco.
- 3. Alcoholic beverages.
- 4. Entertainment.
- 5. Personal telephone calls.
- 6. First class travel accommodations when economy or coach class are available.
- 7. Meals and lodging in lieu of other meals and/or lodging, the expense of which is included in the registration fee.



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Chapter 7. TRAINING

Subject: Travel Expenses While on Borough Business

8. Fines, forfeitures or penalties.
9. Rental vehicles except as pre-approved by the Borough Manager.
10. Expenses of a spouse or other non-employee.
11. Loss or damage to personal property.
12. Barber, beauty parlor, shoeshine or toiletries.
13. Personal postage.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Accident Investigations

8. RISK MANAGEMENT AND SAFETY
Accident Investigations

Purpose.

To establish policy guidelines for the investigation of all accidents involving Borough vehicles or privately owned vehicles while the driver thereof is actively engaged in official Borough business.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

If while operating a Borough-owned vehicle or a privately-owned vehicle in the performance of official duties, an employee is involved in an accident resulting in personal injury or property damage, he or she shall:

1. Request that all parties and properties concerned remain at the scene of the accident if possible until a law enforcement representative has released them.
2. All collisions involving Borough vehicles or persons on duty and actively engaged in Borough business will be investigated by a police agency.
 - a. If occurring outside the Borough, the collision will be investigated by the police agency having jurisdiction.
 - b. If occurring within the Borough and involving property damage or a minor (non-hospitalizing) injury, the collision will be investigated by the Borough Police Department.
 - c. If occurring within the Borough and the collision results in a fatality or injury requiring immediate hospitalization of any party, the accident may be investigated by an outside authority. Selection of an outside authority will be handled by the Borough Police Department at the scene.
3. Employee responsibility is to refrain from making statements regarding the accident with anyone other than the investigating law enforcement representative, appropriate Borough officials, and representatives of his or her own insurance company if the employee's privately owned vehicle is involved. Statements made to investigating authorities should be confined to factual observations.
4. A copy of all police reports and any statements attached thereto will be forwarded to the Borough Manager and the Chief of Police within one day.

If an employee is injured, procedures should be followed as outlined in Administrative Policy regarding "ON THE JOB INJURY OR ILLNESS."

EFFECTIVE: Immediately
DATE: 5/12/2022
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Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Accidents Involving Defective Equipment

Accidents Involving Defective Equipment

Purpose.

To establish procedures for accidents involving potentially defective equipment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

When an accident happens where defective equipment is a possibility, the following action should be taken:

1. Attend to any injuries of employees or others.
2. Turn equipment in question over to the employee’s supervisor, who shall consult with the Department Director and Borough Manager, if necessary.
3. Write a detailed report, within one day, to include all circumstances surrounding the incident and all manufacturing information available concerning the equipment in question. This report should be submitted to the Department Director who shall forward a copy to the Borough Manager.
4. When an employee is injured, procedures should be followed as outlined in the Policy on [“ON-THE-JOB INJURY OR ILLNESS.”](#)

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Employee Actions at Accident Scenes

Employee Actions at Accident Scenes

Purpose.

To establish policy guidelines for employees traveling in Borough owned vehicles for rendering assistance at accident scenes.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. It is the responsibility of Borough employees, while traveling in Borough-owned vehicles to stop at accident scenes and render whatever assistance is within their capability if it is safe to do so. It is not the intention of this policy to impose strict procedures in governing the actions of employees at accident scenes. It is realized that each employee must use his or her own judgment in determining if assistance is needed and what assistance they are capable of providing.
2. As a minimum, the employee should ensure that police and fire personnel have been notified (if necessary). If injuries have occurred, and the employee is capable and qualified, first aid may be rendered to the victim.
3. The employee should remain at the accident scene until emergency vehicles arrive and offer assistance to police and fire personnel as needed.
4. The employee should remain polite and helpful in all circumstances and never speculate on cause, effect or blame involved in the accident.
5. An incident report will be completed by the employee within twenty-four (24) hours describing the details of the accident and filed with the employee's Department Director.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Driver's Licenses

Driver's Licenses

Purpose.

To establish a policy for the requirement of a valid Pennsylvania State Driver's License by employees whose jobs routinely involve driving Borough-owned vehicles or privately-owned vehicles to conduct Borough business.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Any employee whose work requires driving Borough-owned vehicles or a privately-owned vehicle to conduct Borough business must hold a valid Pennsylvania State Driver's License.

NOTE: Additional requirements for CDL driver's licenses and other specialty licenses may be found in applicable collective bargaining agreements or other policies.

All new employees who will be assigned work entailing the operating of a Borough-owned vehicle or a privately-owned vehicle to conduct Borough business will be required to submit to a Department of Motor Vehicles driving records check as a condition of employment. Such checks shall be processed by the Borough Manager's office with the assistance of the Police Department. A report indicating a suspended or revoked license status may be cause to deny or terminate employment.

Periodic checks of employee's drivers' licenses through visual and formal Department of Motor Vehicles review checks shall be made by Department Directors with the assistance of the Police Department. Any employee who does not hold a valid driver's license will not be allowed to operate a Borough-owned vehicle or operate a privately-owned vehicle to conduct Borough business until such time as they obtain a valid license.

Any employee performing work which requires the operation of a Borough-owned vehicle or a privately-owned vehicle to conduct Borough business must notify their immediate supervisor in those cases where their license is expired, suspended or revoked. If an employee fails to report such an instance, the employee may be subject to disciplinary action, including demotion, suspension, or termination. An employee who fails to immediately report such revocation or suspension to their supervisor and continues to operate a Borough-owned vehicle or a privately-owned vehicle to conduct Borough business shall be subject to possible termination.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Emergency Conditions

Emergency Conditions

Purpose.

To establish a policy for reporting to work in the event of emergency conditions.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Borough offices and activities shall remain open and in operation during established working hours. All employees should make every attempt to report for work on a timely basis. If employees are unable to report to work, the following criteria shall apply:

1. The employee is responsible for contacting their supervisor or Department Director by telephone to indicate anticipated absence from work or late arrival to work and the reason.
2. If an employee is unable to report to work, the absence may be charged as vacation or personal leave, or the employee may elect to take this time off without pay.

Such leave cannot be used to offset absence from work for pay purposes for other than sickness.

The Borough Manager’s Office shall be authorized to close Borough offices to protect the safety and welfare of Borough employees. In this event employees will receive full pay, and no vacation or personal leave allowances shall be affected.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Insurance Claims

Insurance Claims

Purpose.

To establish procedures for the handling of insurance claims against the Borough.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. No employee will discuss matters involving claims against the Borough.
2. All questions pertaining to claims shall be referred to the Borough Manager who shall confer with the Borough Solicitor, as required.
3. Claims for damages presented to the Borough shall be referred to the Borough Manager's Office for filing.

Responsibilities.

1. All Borough employees must notify their Department Director/Supervisor in the case of incidents involving potential claims within one (1) day. The supervisor must report, in writing, to the Borough Manager within three (3) days. Items reported should include any property damage occurring during work for the Borough, no matter how minimal.
2. The Borough Manager shall:
 - a. Ensure that any applicable provisions of State law are met. The manager shall see that all claims for damages accurately locate and describe the defect or act that caused the injury, reasonably describe the injury, and state the time when it occurred, contain the item of damages claimed and be verified by the claimant or a relative of the claimant, attorney or agent of the claimant.
 - b. Refer claim to the appropriate insurance carrier within five (5) working days and, if the claim is potentially of great impact to the Borough, the manager shall provide information to the Borough Council on the claim status.
 - c. In consultation with the Borough Solicitor, recommend action to the Borough Council within thirty (30) days of receipt regarding claims which fall below deductible limits of existing policies, or which are not covered under existing policies.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Minimum Qualification for Operating Vehicles

Minimum Qualification for Operating Vehicles

Purpose.

To ensure an acceptable standard of proficiency and safety is met by each employee who operates Borough-owned vehicles and privately-owned vehicles while conducting official Borough business.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. Employees are encouraged to use Borough-owned vehicles instead of their own for official Borough business whenever possible.
2. Personal vehicles may be used for official Borough business with the prior approval of the employee's Department Director. Employee's using their personal vehicles will be reimbursed at the prevailing IRS Rate after submittal of the appropriate form to the Borough Manager's Office. No Borough employee shall be required to provide his or her own vehicle for conducting Borough business.
3. All employees whose duties require the operation of a motor vehicle while conducting official business as a part of their employment with the Borough must possess a valid State Drivers' License and a safe driving record.
4. Prior to acceptance for employment with the Borough in a position that would necessitate the operation of a motor vehicle in the course of performing the assigned duties of that position, an employee's motor vehicle operators record may be requested from the State Department of Motor Vehicles by the Borough Manager's Office. If a Department of Motor Vehicles review indicates three or more moving violations within three years of the date of review, the employee may be denied authorization to operate a vehicle while representing the Borough. If the employment is incumbent upon the ability to operate a vehicle, the prospective employee may be denied employment.
5. Employees operating Borough owned vehicles or privately owned vehicles while conducting official business shall observe all traffic laws, rules and regulations, and the dictates of common sense and good judgment.
6. If during the course of employment an employee exhibits a disregard for acceptable safe driving procedures, the responsible Department Director may deny further authorization to operate a vehicle while representing the Borough.
7. Any employee who operates a privately owned vehicle while conducting official business for the Borough must maintain automobile liability insurance in accordance with the State law. Employees who do not maintain minimum liability coverage will not operate privately owned vehicles in an official capacity.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Use of Borough Owned Motor Vehicles

Use of Borough Owned Motor Vehicles

Purpose.

To establish guidelines for the use of Borough owned motor vehicles.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. Borough owned motor vehicles shall be used for official Borough business only.
2. Borough vehicles shall not be taken home overnight except as follows:
 - a. Employees may take a Borough owned vehicle home for one night when attendance to an out of Borough meeting takes place late at night after normal working hours or early in the morning prior to normal working hours.
 - b. Those employees designated by the Department Director to be "on 24-hour call" for department/division emergencies. In this instance, the Department Director shall notify the Borough Manager of his action.
 - c. For more than one night when specifically authorized by the Department Director. In this instance, the Department Director shall notify the Borough Manager of his action.
3. Approval for Item 2.a. above may be granted verbally by the employee's Department Director.
4. Approval for 2.b. and 2.c. above must be requested in writing to and approved in writing by the Department Director.
5. Borough vehicles must be available for Borough business at all times.
6. Borough vehicles may be used for travel to lunch:
 - a. When an employee is on Borough business.
 - b. When an employee is in town in a Borough-owned vehicle in a location where driving to obtain their personal car would result in an extra and unnecessary expenditure of fuel.
7. Transporting family members in Borough-owned vehicles shall be allowed only when the family member is accompanying a Borough employee to a business meeting or official function.
8. Borough vehicles shall be legally and appropriately operated and/or parked at all times. Violations issued to the driver of the vehicle will be the responsibility of the driver not the Borough.
9. Seat belts will be used by the driver and all passengers at all times when the vehicle is in



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Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Use of Borough Owned Motor Vehicles

motion. It shall be the driver’s responsibility to ensure use of seat belts by all passengers.

- 10. Department Directors may establish supplemental departmental vehicles polices that relate directly to matters of concern for their respective department.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: On the Job Injury or Illness

On the Job Injury or Illness

Purpose.

To establish a policy and procedure to handle on the job injuries or illnesses.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough shall provide for the treatment and care of on-the-job injuries and illnesses as provided by the Pennsylvania Workers Compensation Act and related administrative rules and regulations as administered by the Department of Labor and Industry.

Any incident involving a Borough employee shall be reported, if possible, to that employee’s supervisor immediately.

The supervisor shall ensure that the employee has transportation to receive minor medical care. When possible and if necessary, the employee should be taken to the closest emergency facility. If major medical treatment is necessary, the employee should be taken to the closest hospital.

Employees should be taken for medical attention as soon as possible. The employee will receive initial treatment and will be advised by the attending physician as to the need for further treatment and when to report back to work. Follow up treatment may be referred to the employee’s private physician in accordance with polices of the Borough and applicable laws of the Commonwealth of Pennsylvania.

Additional reporting information should be recorded as described in the Policy on “[WORKERS COMPENSATION](#).”

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Safety and Accident Prevention

Safety and Accident Prevention

Purpose.

To establish guidelines and lines of responsibility for maintaining a safe and healthy work environment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

The Borough recognizes the need for the development of safe working practices for every employee and desires to promote on the job safety by encouraging the proper design and use of buildings, equipment, tools, and other devices.

Administration of the safety program should be the job of the supervisor. They should be constantly on the alert to observe and report unsafe working practices or existing hazardous working conditions with the aim of immediate correction. Each Department Director or supervisor shall make sure that the employee under their supervision is well acquainted with existing safety rules and shall see that the rules are uniformly enforced. Safety education of all employees shall be promoted by supervisors who shall adhere to all safety rules.

It is the responsibility of all employees to cooperate in making the safety program work. Employees must:

1. Be informed of and observe established safe practices.
2. Notify supervisors of any unsafe conditions they discover.
3. Use personal protective equipment such as steel toed shoes, safety vests, safety glasses, and hard hats where required.
4. Not remove guards or other protective devices from machinery and equipment.
5. Not engage in "horseplay."
6. Attend any required training or orientation to increase safety awareness.
7. Not report to work under the influence of alcohol or drugs that alter normal behavior or ability to function safely.
8. Report all job-related injuries or illnesses to their supervisors promptly.
9. Assist supervisors in their investigation of any accident of which they have knowledge; accident investigation is fact finding, not fault finding.
10. Refrain from smoking in "no smoking" areas.
11. Refrain from operating, modifying, adjusting or using equipment in an unauthorized manner.

Employees are encouraged to provide safety material for the safety meetings, if such meetings are held in such department.

The Borough maintains Worker's Compensation Insurance to cover accidents/illnesses incurred by Borough employees when on duty. Liability insurance is carried to cover accidents to citizens and visitors if there is negligence by staff or the Borough.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



Safety Equipment

Purpose.

To establish a policy that requires employees to always use personal protective equipment when performing certain hazardous tasks or when in an unsafe environment.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Hard Hats: It is the policy of the Borough to require employees to wear hard hats at all times when in the field around construction and maintenance projects. Supervisors are required to wear white hard hats and non-supervisory personnel are required to wear orange. As a minimum, however, hard hats shall be worn as follows:

1. During the operation of all equipment, including backhoe, loader and mower, street sweeper and ladder truck. When a ladder is being used, the ground person must wear a hard hat.
2. When operating department motor vehicular equipment which does not provide roll-over protection.
3. When working below ground level, such as in lift stations, ditches, etc.
4. When conditions warrant and/or ordered to do so by a Department Director/Supervisor.
5. When inspecting construction sites.

Bump Cap (Anti-Laceration): Shall be worn by all personnel when making mechanical repairs or servicing motor vehicles in the shop, garage or yard areas.

Head Protection Accessories: Face shields for flying particle and liquid splashes, and hearing protectors are available as accessories to head protection.

Hearing Protection (Earmuffs or Ear Plugs): Shall be worn by all employees when:

1. Exposed to intense sound or high noise levels above 85 decibels or whenever normal conversation cannot be conducted. Examples would be operating lawn mowers, chain saws, power tools, concrete saws, jackhammers.
2. Temporarily exposed to loud percussion or concussion noises emanating from:
 - (a) Pavement breaking
 - (b) Compacting
 - (c) Power impact tools
 - (d) Blasting
 - (e) Post pounding
 - (f) Visitors must be provided with hearing protection or not permitted in high noise



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Safety Equipment

environments.

Eye and Face Protection: Instructions indicated in the National Safety Data Sheets for the products used should be followed: Eye and face protection shall be worn by all employees exposed to eye hazards. They provide basic impact protection. They are available with side shields for employees who are exposed to impact hazards from the side and cable temples which prevent the spectacles from falling off.

Non-prescription safety spectacles, or industrial safety spectacles should be supplied when required by the job requirements of the individual employee. Cover goggles with hooded vents provide protection against flying particles, dust and splash and must be used when these hazards are encountered.

Face shields, clear or tinted, provide protection to the face from flying particles, dust and liquids but do not provide eye impact protection. Therefore, safety spectacles must be worn under face shields.

Foot Protection Boots (rubber non-skid) – These shall be worn by all field operations personnel working during inclement weather, on wet or contaminated surfaces, or with calcium or sodium chlorides.

Foot Protectors (Metal attachable or steel-toed shoes): These shall be worn by all employees engaged in pneumatic spade, drill or tamper operations, and in all areas there is a hazard from falling or rolling objects, or from accidental tool impact. In general, all employees of the Public Works Department shall be required to wear steel-toed shoes on a daily basis.

Respiratory Protection (Must be NIOSH/MSHA approved) – Employees should follow the instructions indicated on the material safety data sheets for the products in use.

1. Respirator (Toxic Dust – disposable or cartridge) shall be worn by employees handling loose dry cement, loose calcium or sodium chlorides, or exposed to excessive dust or airborne suspended particles. **Caution – Does not afford protection against gases, vapors or fumes.**
2. Respirator (organic vapor cartridge) shall be worn by employees while spray painting, or exposed to organic vapors such as acetone, benzene, toluene, ether, gasoline or petroleum distillates.
3. Respirator (fume cartridge) shall be worn by employees engaged in welding and cutting activities. **Caution—Does not afford protection from carbon monoxide or other toxic atmospheres immediately dangerous to life.**
4. Respirator (air-line) shall be worn by employees working in confined spaces or exposed to toxic substances that cannot be controlled by cartridge type respirators, or in an atmosphere having less than sixteen percent (16%) oxygen. Normally, air contains about twenty-one percent (21%) oxygen.

Safety Harness: Shall be used when an employee enters a large clean out, storm manhole, sewer manhole, wet well, catch basin or large pipe.

Safety Vest: Shall be worn when an employee is in flagging position and/or when working in a traveled right-of-way.



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Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Safety Equipment

Safety Glasses: Shall be worn when grinding, chipping, using air tools, driving backhoe or under conditions which warrant the supervisor to require safety glasses being worn.

Welding Operations: Eye injuries related to welding and cutting are usually two types—flashburn or foreign object. Flashburns can result from an exposure of extremely short duration, usually less than thirty (30) seconds. Also, many flashburns occur from exposure to another worker’s welding operations. Thus, it is important that welders, assistants and those working in welding areas wear appropriate protective eyewear and use proper shielding.

Foreign objects can enter the eye when workers lift their welding goggles or helmets to inspect their work or to chip away slag. To eliminate these injuries, welders must use safety spectacles with attached side shields or other eye protection even when they are not actually welding.

Welding goggles (filtered or shaded lenses) shall be worn by all employees engaged in or observing metal burning or brazing operations.

Welding helmets (filtered or shaded lenses) shall be worn by all employees engaged in or observing gas welding or arc welding/cutting. Welding goggles should be worn under welding helmets.

Body Protection. Employees should follow the instructions indicated on the material safety data sheet for the products in use.

Flame Resistant Equipment for Welding – Protective equipment containing asbestos is not permitted. Employees performing welding duties shall use aprons, sleeves and gloves approved for welding operations.

Welders Personal Clothing – Employees performing welding duties must wear flame resistant clothing.

Rainwear – Hoods, jackets, pants and non-skid boots should be used during periods of inclement weather.

Chain Saw Chaps – Leg chaps are effective in reducing injuries from chain saw contact with the leg and their use is recommended.

Hand Protection and Dermatitis Prevention, Waterless Skin Cleanser – Should be made available to all employees that do not have access to indoor clean-up facilities.

Medicated Skin Cream or Lotion – Should be made available to all employees subject to skin irritations and cuts to prevent infections.

Protective Creams – A variety of protective creams are available for barrier protection against acids, alkalies, salts, alcohols, solvents and fumes. Follow manufacturer directions for proper use.

Life Protection:

Safety Belt and Lanyard (waist-body type). Shall be worn by employees on pitched roofs, unguarded elevated platforms or scaffolds (no safety rails), steep slopes, or any elevation where there is a hazard of injury because of free fall or rapid descent.

Safety Harness and Lanyard (shoulder and leg straps – suspension). Shall be worn by all employees who must be lowered or raised through small openings, column forms, cofferdams or caissons, etc., or those employees who are performing various inspection operations on structures, bridges, buildings, etc., where there is a hazard of free fall or rapid descent.

Safety Nets. Safety nets shall be used when work places are more than twenty-five (25) feet above



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Subject: Safety Equipment

the ground or water surface and the use of ladders, scaffolds, platforms, temporary floors, safety lines or safety belts is impractical.

Seat Belts. Shall be used by all employees when operating department vehicles and equipment except those that do not have cabs or roll cages, operating personal vehicles on department business, or riding as a passenger in any vehicle on department business.

Working Over or Near Water. Employees working over or near water, where the danger of drowning exists, shall be provided with:

1. US Coast Guard approved life jacket or buoyant work vests.
2. Ring buoys with at least ninety (90) feet of line shall be provided and readily available to emergency rescue operations.
3. At least one life saving skiff shall be immediately available at locations where employees are working over or adjacent to water

High Visibility Vest.

1. High visibility vests must be worn when exposed to moving vehicles and equipment.
2. High visibility vests must be worn by flag persons at all times except when wearing orange or yellow rainwear.
3. Vests, or any other type of loose clothing, must not be worn when working on or around the chipper.

Other methods of safety visibility should be used, such as work area signs, high visibility hard hats, flagging, etc.

Visibility Rainwear. If rainwear is worn, it is not necessary for employees to wear other visibility devices.

Protective Personal Attire (Public Works Department Employees)

1. **Summer:** Improper clothing can lead to serious injuries and lost time. In the summer, employees are exposed to poisonous plants, bright sun, rapid dehydration, biting and stinging insects, petroleum vapors and hot liquids. In order to minimize these hazards, employees must wear:
 - a. Tops with sleeves, preferably long sleeves, especially when working where the danger of exposure to poisonous plants exists. Sleeveless tops, tank tops, halters, tube tops and see-through blouses are not permitted.
 - b. Long-legged trousers must be worn. Shorts of any type are not permitted, except for drivers and/or operators who are not involved in any other type of work activities and approved by the respective Department Director.
 - c. Employees are advised to wear light colored, lightweight cotton, or cotton blend clothing.
 - d. Leather work shoes, with steel toes. Sandals, sneakers, or similar footwear are not permitted.
2. **Winter:** In the winter employees are exposed to severe wind chill factors and precipitation



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Subject: Safety Equipment

in the form of rain, sleet and snow. The recommend clothing consists of:

- a. Rubber non-skid boots, rainwear, winter liner for hardhat, and gloves.
- b. Employees are advised to wear wool or wool blend clothing and to dress in layers. Several layers of light clothing are better than one heavy layer.

Gloves—General Purpose. General purpose gloves are available. If specialized gloves are needed, they can be supplied by the respective Department Director or his designee.

All chemicals are potentially hazardous and should therefore be handled with care. Many chemicals are highly toxic or are considered known or suspected human carcinogens. Therefore, gloves should be selected with great care according to the instructions on the material safety data sheets for the products in use.

All safety equipment issued remains the property of the Borough of Tarentum and must be turned in upon separation of employment.

Safety equipment will be issued by the appropriate Department Director or designee, and employees will be required to turn in broken or worn-out equipment before receiving new equipment.

Safety equipment is issued for the protection of the employee, and each employee is expected to care for their equipment in a responsible manner, and take reasonable precautions to prevent damage, loss or theft.

The original set of equipment issued to each employee will be documented, and in the future the employee must sign the document to verify the receipt of additional equipment. If any additional specialized equipment is required by an employee, issuance of said equipment will be noted on the employee’s equipment inventory sheet, and this addition will be signed by the employee.

Department Directors are responsible for maintaining an adequate inventory of required safety equipment, and for storing same in a secure area.

All possible precautions must be taken by employees to avoid exposure to injury or illness to themselves or others.

Supervisors are responsible to ensure compliance with the provisions of this policy by all members of their crews and department.

Failure to comply with mandatory requirements for wearing safety apparel and/or using safety equipment will result in disciplinary action, including termination for repetitive or gross violations.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM
ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY Subject: Safety Orientation, Accident Investigation and Reporting

Safety Orientation, Accident Investigation and Reporting

Purpose.

To provide a system for reporting and following up on accidents and/or injuries.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. Accident Reporting and Purpose: All accidents, no matter how minor, shall be reported promptly to the immediate supervisor for evaluation/investigation. Since every accident includes a sequence of contributing causes, it is possible to avoid a repeat performance of the first event by recognizing and eliminating these causes. The removal of just a single cause can prevent a recurrence. During the supervisor’s evaluation, the supervisor must determine the possible consequences that could take place if the situation is not corrected and take appropriate action based upon those findings (i.e. investigate, report, correct, etc.).
2. Documentation Procedures:
 - a. MINOR INJURIES (Requiring doctor/outpatient care) After the emergency actions following an accident, an investigation of the accident will be conducted by the immediate supervisor in conjunction with any witnesses to the accident to determine the causes. The findings of the investigation shall be documented on the Borough’s incident form and reported.
 - i. Copy to Borough Manager
 - ii. Copy to Department Directors files
 - b. MAJOR INJURIES (Fatality or multiple hospitalizations)
 - i. The Department Director is to immediately notify the Borough Manager and an investigation will be conducted under the direction of the Borough Manager. The Borough Manager shall inform the Borough Council of the incident.
3. Every new employee of the Borough shall be provided safety orientation by a supervisor of the hiring department. The forms located immediately after this policy shall be utilized as part of the safety orientation and a copy of the signed forms shall be maintained in the employee’s personnel file.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Safety Orientation Form

Safety Orientation Form

Employee Name: _____
 Position: _____
 Department: _____
 Date Hired: _____

Circle Completed Items.

1. Purpose of orientation.
2. Reporting accidents to supervisor immediately.
3. Tour of facilities and equipment.
4. First aid.
 - A. Obtaining treatment
 - B. Location of facilities
 - C. Location and names of first aid qualified personnel
5. Potential hazards on the job.
 - A. What they are
 - B. How to use equipment safely
 - C. Care and use of personal protective equipment
6. What to do in the event of an emergency.
 - A. Exit locations and evacuation routes
 - B. Specific procedures (medical, chemical, fire, etc.)
7. The total Safety Program.
 - A. Health and safety policies and procedures.
8. Personal work habits.
 - A. Proper lifting techniques
 - B. Horseplay, good housekeeping, no smoking policy
 - C. Safe work procedure
 - D. Proper use of fitness equipment
9. Vehicle Safety

We have discussed the items checked above. I will consciously try to perform my assigned duties safely.

Employee Signature

Date

Department Director Signature

Date



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: Employee Safety Responsibilities

Employee Safety Responsibilities

As an employee of the Borough of Tarentum, I am responsible to:

1. Observe all Borough safety and health rules and apply the principles of accident prevention in my day to day duties.
2. Report any job related injury, illness or property damage to my Department Director/Supervisor and seek treatment promptly.
3. Report hazardous conditions (unsafe equipment, floors, material) and unsafe acts to my Department Director.
4. Observe all hazard warning and no smoking signs.
5. Keep aisles, walkways and working areas clear of slipping/tripping hazards.
6. Know the location of fire/safety exits and evacuation procedures.
7. Keep all emergency equipment such as fire extinguisher, fire alarms, fire hoses, exit doors, and stairways clear of obstacles.
8. Not report to work under the influence of alcoholic beverages or drugs nor to consume them while on Borough premises.
9. Refrain from fighting, horseplay, or distracting my fellow workers.
10. Remain in my own work area unless I am authorized otherwise.
11. Observe safe operating procedures for all equipment I am authorized to operate.
12. Follow proper lifting procedures at all times.
13. Ride as a passenger on a vehicle only if it is equipped with a rider's seat.
14. Be alert to see that all guards and other protective devices are in their proper places prior to operating equipment.
15. Not wear frayed, torn or loose clothing, jewelry, or long unrestrained hair near moving machinery or other sources of entanglement, or around electrical equipment.
16. Actively support and participate in the Borough's efforts to provide a safety and health program.

I hereby acknowledge that I have received a copy of the employee safety responsibilities form, and that my responsibilities were explained to me.

Employee Signature

Date



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY

Subject: First Aid, Training, Kits, Poster

First Aid, Training, Kits, Poster

Purpose.

To make Borough employees aware of first aid and safety.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

1. All Department Directors, or persons in charge of crews will be first aid trained unless their duties require them to be away from the job site, whereby other persons will be designated to be the recognized first-aider.
2. Valid first aid certificates are recognized as ones which are less than three years old.
3. First aid kits shall be maintained at the following Borough facilities/locations:
 - a. The Borough Municipal Building;
 - b. Public Works Department Building and all Public Works Department vehicles owned by the Borough;
 - c. Police Department Office and all Police Department vehicles owned by the Borough (except special Police vehicles, such as motorcycles, where a first aid kit is not practical);
 - d. The Borough Water Plant Facility;
4. Department Directors are designated to ensure the first aid kit(s) is/are properly maintained and stocked.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED: _____

APPROVAL: _____

Michael L. Nestico, Borough Manager



BOROUGH OF TARENTUM ALLEGHENY COUNTY



Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY Subject: Pennsylvania Right-To-Know Policy & Hazardous Chemicals

Pennsylvania Right-To-Know Policy & Hazardous Chemicals

Purpose.

To make Borough employees aware of the Pennsylvania Right-To-Know Law and their rights and responsibilities under this law.

Applicability.

This policy applies to all employees of the Borough, including those employees covered by collective bargaining agreements.

Statement of Policy.

Public sector employees within the Commonwealth of Pennsylvania have a legal right to know the identity of the hazardous chemicals used in the workplace and the health hazards posed by exposure to those substances.

In order for employees to know their rights under the Pennsylvania Right-To-Know Act, the Borough shall post the Employee Workplace Notice provided by the Department of Labor and Industry. This Notice should be posted wherever employee notices are normally posted. The Employee Workplace Notice lists the components of the Pennsylvania Right-To-Know Law.

No employee shall be discharged from employment or discriminated because the employee has, in accordance with the provisions of the Pennsylvania Right-To-Know Act:

1. Filed a complaint;
2. Assisted the Department of Labor and Industry with an inspection;
3. Instituted or caused to be instituted any proceeding under or related to the Act;
4. Testified or will testify in a proceeding under or related to the Act;
5. Requested information under the Act;
6. Properly refused to work with a specific hazardous substance under the conditions provided for in the Act; and/or
7. Exercised any right afforded by this Act.

The Borough is required under the Act to inform employees about the hazardous substances, special hazardous substances, and environmental hazards present in the workplace. The Borough shall post the Hazardous Substance Survey Form (HSSF) in a place where notices are normally posted by the Borough. This list will indicate which hazardous substances are present in the workplace and shall be updated annually by April 1st of each year for the prior calendar year.

The Borough shall also inform employees of the substances with which the employee works by ensuring that all containers of chemicals in the workplace are labeled. The labels should include information such as:

1. Chemical name;
2. Hazard warnings; and
3. Manufacturer's name, address, and telephone number.

The Borough shall make available specific information about the hazardous substances with which the employee works, in addition to the information provided on the label. This information includes:

1. The dangers of the substance;
2. The safety procedures; and
3. Emergency response techniques for each substance.

This information can be found on the Material Safety Data Sheet (MSDS) prepared by the



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Personnel Policies and Procedure Manual (2022)

Chapter 8. RISK MANAGEMENT AND SAFETY Subject: Pennsylvania Right-To-Know Policy & Hazardous Chemicals

manufacturer or supplier of the substance. The Borough shall maintain a file of MSDSs for each hazardous substance in the workplace. An employee may request a copy of a MSDS for any hazardous substance in the workplace. The Borough shall supply such MSDS within five working days if such MSDS is in the possession of the Borough. If this information is not available, the Borough shall notify the employee, in writing, of this within five days. The Borough shall then, within 15 working days, attempt to obtain the requested information from the manufacturer or supplier and the Department of Labor and Industry.

An employee may refuse to work with a specific hazardous substance without subject to penalty by the Borough if:

- 1. The employee has requested a MSDS which is in the Borough's possession but has not been furnished to the employee within five working days of the employee's written request; or
2. The employee has requested a MSDS which is not in the Borough's possession and the proper steps to obtain the MSDS have not been taken.

At least once a year, the Borough shall train all employees who handle, use, or are exposed to hazardous substances. The training can be in written or oral form, and it shall include the following information:

- 1. The location of the substance in the workplace;
2. The properties of the substance;
3. The chemical and common names of the substances;
4. The symptoms indicating exposure to the substances;
5. Appropriate emergency treatment for exposure;
6. The acute and chronic effects resulting from exposure;
7. The necessary personal protective equipment and proper conditions for safe use;
8. The potential for fire, explosion, and other reactions; and
9. Emergency procedures for spills, leaks, fires, and pipeline breakdowns.

EFFECTIVE: Immediately

DATE: 5/10/2022

LAST REVISED:

APPROVAL:

Michael L. Nestico, Borough Manager



**BOROUGH OF TARENTUM
ALLEGHENY COUNTY**



Personnel Policies and Procedure Manual (2022)

Chapter 9. Appendix A (Forms)

Subject: Pennsylvania Right-To-Know Policy & Hazardous Chemicals

9. Appendix A (Forms)

Tarentum Borough

Abuse or Molestation Policy

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Purpose

It is the purpose of the members and staff of Tarentum Borough to provide a safe and secure environment for preschoolers, children, youth and mentally handicapped persons entrusted to our care.

We do this to encourage preschoolers, children, youth, and their families to grow in their relationship with God and one another.

A safe and secure environment includes a formal, written policy to help prevent the occurrence of child abuse. The following policies and procedures are for the protection of our preschoolers, children, youth, employees, volunteers, and the entire Tarentum Borough organization.

Abuse or Molestation

Abuse or molestation means each, every and all actual, threatened or alleged acts of physical or mental abuse, sexual abuse, sexual molestation or sexual misconduct committed, participated in, directed, instigated or knowingly permitted by one person or by two or more persons acting together.

Scope

This policy shall apply to all current and future workers, compensated and/or volunteer, who will have the responsibility of supervising the activities of preschoolers, children, youth, and mentally handicapped persons.

Definitions

For the purpose of this policy, the following definitions shall apply:

“Preschooler,” “child,” “children,” “youth,” and “minor” shall be defined as any individual *under* the age of eighteen (18) (or whose mental capacity is that of a minor).

“Adult” shall be defined as any individual at least eighteen (18) years of age.

“Worker” shall be defined as any adult who serves as a volunteer and/or paid person given the responsibility of working with or caring for minors.

“Teenage Worker” shall be defined as any worker at least fourteen (14) years old or older, but under the age of eighteen (18) enlisted to assist with the care of minors.

“Child Abuse” shall be defined as verbal, physical, emotional, or sexual abuse of a preschooler, child, youth, or minor.

“Criminal Background Check” (CBC) is the procedure used by [name of qualified agency] to check the background of adult volunteers for criminal activity.

Staff Enlistment

All paid employees of Tarentum Borough will be required to complete an Employment Application. Whether a paid employee or a volunteer, each worker desiring to work with minors will also be required to complete a Worker with Minors Application, which is specifically designed for workers who will be working with minors.

After an application is received, prior employment, volunteer service, and personal references will be checked. It is suggested that, at a minimum, personal references be telephoned, and a written memorandum be made of the contents of those telephone conversations, and that prior employment references be contacted in writing.

Any prospective worker who has prior incidents of sexual misconduct or child abuse should not be allowed to serve in any capacity where they would have contact with minors.

Criminal background checks will be performed on each applicant after the applicant has signed the authorization/waiver/indemnity for and prior to being enlisted as a worker. Annual criminal background checks on workers will be performed randomly or as deemed necessary. (Only qualified representatives of Tarentum Borough will have access to the criminal background check report. Recommendations will be given by this individual(s) to the Nominating Committee as to the qualification of applicants.)

Standard interview questions will be developed and used in personal interviews with volunteer employee applicants after reviewing the applicant's applications, checking all references, and receiving a criminal background check report. These interview sheets will be filled out with the results of the interview and kept in the employee personnel file, as well as the reference checks and the applications. (Criminal background check reports cannot be kept more than thirty (30) days after receipt.) A separate file will be maintained permanently on each worker, whether paid or a volunteer.

When an employee or volunteer is engaged to work with minors, they will be photographed, and the picture(s) will be kept in the person's file. Photographs will be updated every two years or as deemed necessary.

At the applicant's request, Tarentum Borough shall allow the applicant to review his/her criminal history record transcript, but in no event shall Tarentum Borough allow the applicant to retain and/or copy his/her transcript.

Tarentum Borough shall immediately be a qualified agency if an applicant files an internal grievance (applicant disputes) because of incorrect information or other reasons related to criminal histories provided by the agency. Tarentum Borough shall submit the "Criminal History Record Resolution Request" or similar document to the agency within a reasonable time period.

Disqualifiers

Whether disclosed voluntarily or by result of the security background check, the following items will automatically disqualify a volunteer from participating in the leadership, sponsorship or supervising of any activities or programs with minors:

Any conviction for:

- Criminal homicide;
- Aggravated assault;
- Crimes related to the possession, use or sale of drugs or controlled substances;
- Sexual abuse;
- Sexual assault (rape);
- Aggravated sexual assault;
- Injury to a child;
- Incest;
- Indecency with a child;
- Inducing sexual conduct or sexual performance of a child;
- Possession or promotion of child pornography;
- The sale, distribution, or display of harmful material to a minor;
- Employment harmful to children;
- Abandonment or endangerment of a child;
- Kidnapping or unlawful restraint;
- Public lewdness or indecent exposure;
- Enticing a child.

All charges for these crimes or charges or convictions for any other crimes not listed above will be reviewed by those trained by the [named department] for interpretation of the criminal history record transcript and approved by Tarentum Borough for reviewing applicant transcripts. Only qualified persons (as stated above) may view information obtained on the criminal history record transcript.

Occasional Volunteer Workers

Those who only volunteer occasionally must go through the entire volunteer screening process. There are to be no exceptions for anyone to go through the complete process.

Teenagers under eighteen (18) wanting to serve as teen workers in any capacity with activities, studies, or programs for preschoolers or children will need to fill in a Teen Volunteer Information Form and go through the training. The only step in the process they are exempt from is the criminal background check.

Specific Acts and Omissions in Violation of the Policy

The following acts of omission are violations of this Policy and will not be tolerated or accepted during any activity or program and are to be immediately reported to the designated program staff after the safety of the child, children, youth, or minor involved has been assured.

- Any direct observations or evidence of sexual activity in the presence of or in association with a minor.
- Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards a minor.
- Sexual advances or sexual activity of any kind between any person and a minor.
- Infliction or physically abusive behavior or bodily injury to a minor.
- Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of [name of organization].
- Mental or emotional injury to a minor.
- The presence or possession of obscene or pornographic materials at any function of [name of organization].
- The presence, possession, or being under the influence of any illegal or illicit drugs.
- The consumption of or being under the influence of illegal or illicit drugs or alcohol while leading or participating in a function for minors at [name of organization].

Worker Training

Each new worker will be given the legal definition of child abuse in writing, as well as the policy of Tarentum Borough reporting of child abuse. New workers will also be required to view child abuse prevention video(s) and read the written materials available on this subject to help them gain an appreciation for the reality of the concern. This will help workers identify child abuse in the future if they see signs of it.

Supervision

Worker Supervision

Tarentum Borough will adopt the “two adult” rule, which means no adult shall be left alone with a child, and requires a reasonable ratio of adult workers to be maintained in each situation involving the supervision of children.

Tarentum Borough staff and volunteer directors will supervise continuously and make unannounced visits into classes or other program sites from time to time. Supervisors shall complete a log to show which rooms, activities, times, and dates the classes or activities were visited.

An identification system shall be adopted so that the adults who drop off a child are the same adults who pick up the child. Permission slips will be available for adults to sign, authorizing the release of the child(ren) to other adults.

In counseling sessions with minors, parental permission shall be obtained before an adult privately meeting with a minor, or the two adult rule shall be used in that instance. Parents may grant prior permission to cover a particular time period (i.e., a school year) for their child to receive counseling from a specific adult.

Lists of staff that meet Tarentum Borough approval, as workers with minors, shall be posted near each classroom or area where minors are cared for.

Supervision of Volunteers

Parental permission shall be obtained in advance for involvement in activities or whenever an adult might be spending time alone with a child in an unsupervised situation.

A door without windows shall remain open at all times.

Use a “check-in/check-out” procedure for all kindergarten-aged children and younger.

A list of possible violations and proper reporting procedures will be posted in each room where activities or programs for minors are conducted.

Recognizing Grooming

Grooming is the process of which sexual predators pave the way for sexual abuse by gradually gaining the trust of and conditioning of minors, parents, and administrators. The steps in the grooming process are as follows:

- 1) Identify a vulnerable child whose needs are not being met such as lack of attention by parents, lack of spending money, etc.
- 2) Fill the missing needs of the child by providing attention, transportation, help with homework, special favors, confiding in secrets, spending money, gifts, etc. to create a "special bond".
- 3) Gain the trust of the family by spending a disproportionate amount of time with them.
- 4) Isolate the victim to create one-on-one opportunities.
- 5) Gradually use boundary invasions that start off with inappropriate electronic communications and photo sharing, tickling, wrestling, massages, alcohol, drugs, pornography, etc., that lead to nudity and sexual activity.
- 6) Maintain control and silence with threats of fear and shame.

Tarentum Borough does not tolerate any behavior that is classified as grooming and will take the necessary steps to eliminate it.

Tarentum Borough has a zero tolerance for personal interactions with clients outside the organization and prohibits staff and volunteers from offering services to clients outside the normal course of employment.

Additionally, anyone who witnesses the grooming of consumers and/or minors is required to report their observations. This policy applies to all consumers, staff, and volunteers.

Bullying

Bullying includes an intentional, persistent, or repeated pattern of committing or willfully tolerating (e.g., staff not preventing) physical, nonphysical, or cyberbullying behaviors that are intended to cause fear, humiliation, physical harm in an attempt to socially exclude, diminish, or isolate another person emotionally, physically, or sexually. It is often not the staff but instead other participants who are the perpetrators of bullying. However, it is a violation if the staff member knows or should have known of the bullying behavior but takes no action to intervene on behalf of the targeted participants.

Tarentum Borough does not tolerate any behavior that is classified under the definition of bullying, and to the extent that such actions are disruptive, we will take the steps needed to eliminate such behavior. Additionally, anyone who witnesses an act of bullying and who then encourages it is engaging in bullying. This policy applies to all consumers, staff, and volunteers.

Electronic Communication and Social Media

Staff are not permitted to use electronic communications device except during approved breaks and emergency situations. Internet use, text messaging and/or emailing pictures while assigned to work with consumers is strictly prohibited regardless of the type of device used and whether for business or personal reasons. Employees need to ensure that friends and family members are aware of this policy.

Use of personal electronic communication devices to contact (via voice, text, or pictures/video) organization members and/or program participants for personal and/ or inappropriate reasons shall be grounds for discipline up to and including termination of employment.

Any private electronic communication between staff and consumers, including using social networking websites like - Facebook, Instagram, Snapchat, instant messaging, texting, etc. – is prohibited. All communication between staff and consumers must be transparent.

Responding to Suspicious or Inappropriate Behaviors or Policy Violations

In the event that staff observe any suspicious or inappropriate behaviors and/or policy violations on the part of other staff or volunteers, it is their personal responsibility to report their observations immediately. The policies apply to everyone at [name of organization].

Examples of Suspicious or Inappropriate Behaviors Between Staff/Volunteers and Consumer

- Violation of the abuse prevention policies described above
- Seeking private time or one-on-one time with consumers
- Buying gifts for individual consumers
- Making suggestive comments to consumers
- Picking favorites

All reports of suspicious or inappropriate behavior with consumers will be taken seriously. Our procedures will be carefully followed to ensure that the rights of all those involved are protected.

Guidelines for Staff/Volunteers Response to Suspicious or Inappropriate Behaviors and/or Policy Violations

- Interrupt the behavior.
- Report the behavior to a supervisor, director, or other authority.
- If you are not comfortable making the report directly, make it anonymously.
- If the report is about a supervisor or administrator, contact the next level of management.
- Document the report but do not conduct an investigation.
- Keep reporting until the appropriate action is taken.

Guidelines for Supervisors and Administrators' Response to Suspicious or Inappropriate Behaviors and/or Policy Violations

- Report to the next level of administration and determine the appropriate administrator to respond to the concern.
- Determine the appropriate response based on the report.
- Speak with the staff or volunteer who has been reported.
- Review the file of the staff or volunteer to determine if similar complaints were reported.
- Document the report on the appropriate form.
- If at any point in gathering information about a report of suspicious or inappropriate behavior, a concern arises about possible abuse, contact the state authorities and file a report.
- If appropriate, notify parents and/or guardians.
- Advise the person who reported the behavior that the report is being taken seriously.

Concerns, Complaints and Allegations

All administrators, staff, and parents should report all concerns, complaints, and allegations of child sexual, physical, or verbal abuse to Tarentum’s Borough Manager within 24 hours. If the Borough Manager is the alleged abuser, the report should be made to Tarentum Borough Council President.

The Borough Manager should immediately carry out an investigation with the results brought to the attention of Tarentum Borough Council. The investigation should include gathering all pertinent facts in a fair, respectful, and confidential manner including an interview with both the accuser and accused.

After the investigation, the Tarentum Borough Manager should determine if the alleged acts were either appropriate but unappreciated, inappropriate but not illegal, or illegal. If the Borough Manager has reasonable cause to believe that child sexual, physical, or verbal abuse has occurred, law enforcement should be immediately notified within 24 hours. At that point, the Borough Manager should immediately cease all investigations and let law enforcement do its job. The suspected staff member should be suspended pending the outcome of the investigation.

Short of an illegal act, the Borough Manager should decide the appropriate action and can perform additional follow-up investigation. Depending on the nature of the act, the Borough Manager may decide to give an oral or written reprimand, suspend, or terminate the staff member.

Tarentum Borough is prohibited from retaliating in any way against a staff member who makes a good faith report of suspicion of any form of misconduct.

Acknowledgment of Abuse Prevention Manual

I have read and agree to comply with [name of organization]’s policies regarding sexual, physical, and verbal abuse prevention.

Signature of Employee or Volunteer

Date