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PERSONNEL POLICIES

INTRODUCTION

The Rockingham Planning Commission operates under the provisions of RSA 36:45-48, as amended as delineated by Executive Order No. 82-7 of 1982 and amendments thereto. Functional and administration staff operations of the Commission are headed by an Executive Director, who is the Commission's chief administrative officer.

These Personnel Policies are not an expressed or implied contract of employment guaranteeing employment for any specific duration, but rather an overview of working rules and benefits which can be changed at the discretion of the Commission. Nothing in this document should be interpreted to contradict the Commission's employment-at-will policy permitting that any position may be reduced or eliminated due to changes or reductions in the availability of federal, state or local funding. (Adopted 12/30/99)

ARTICLE I General Office Operations

- A. Office Hours: The office will be opened no later than 8:00 a.m. and not close before 5:00 p.m. including the lunch period.
- B. Work Hours: The number of working hours will be 40 per week, not including a lunch break. The Commission allows for a flexible work schedule. Upon approval of the Executive Director, the normal starting time for employees can range from 7:00 a.m. to 10:00 a.m. With the exception of lunch periods and the use of leave time, all full-time employees must be on the job during the core time, which is 10:00 a.m. to 3:30 p.m., Monday through Friday.
- C. Storm Days: Whenever inclement weather causes hazardous driving conditions, the Executive Director shall be authorized to close the office or modify operating hours. Employees are eligible to use this closure policy only if they are present (or scheduled to be present) as part of their normal work hours.
- D. Record Keeping: It is the responsibility of each employee to carefully and correctly prepare and submit a daily time record on a form and in a manner prescribed by the Executive Director and to maintain other records as required, including expense sheets and night meeting time.

The Commission shall take all responsible steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on each pay day. In the event that there is an error in the amount of pay, or in any scheduled deduction, the employee should bring the discrepancy to the attention of the Business Manager promptly so the corrections can be made as quickly as possible. (Adopted 12/30/99)

In the event that a paycheck is lost or stolen, the employee should notify the Business Manager immediately who will attempt to place a stop-payment order on the check. If the stop-payment order is successful, another paycheck will be issued. The Commission does not assume responsibility for lost or stolen paychecks and if the agency is unable to stop payment on a check, the employee alone is responsible for any loss of income that may result. (Adopted 12/30/99)

E. Conduct of Employees:

1. All employees shall conduct themselves in a professional and responsible manner while performing Commission business so as not to discredit the agency.
2. No employee of the Commission may engage in any outside employment to provide planning or related services without expressed written consent of the Executive Director. Such requests are discouraged, but may be permitted at the discretion of the Executive Director if he or she determines that all of the following conditions are true:
 - a) that all such outside employment, including the scope and length of employment and any changes herein, is fully disclosed;
 - b) that the proposed employment will not cause a conflict of interest, or the appearance of same, with the Commission, its member communities or other public or private entities with which it maintains a business relationship; and
 - c) that the proposed employment will cause no detrimental effect on the employee's job performance, availability or ability to fully carryout their responsibilities as an employee of the Rockingham Planning Commission..

All such requests shall be submitted in writing and shall address each of the above conditions. Denial of a request to engage in such outside employment may be appealed to the Personnel Committee. (Adopted 09/30/03)

F. Conflict of Interest: No employee may participate in external activities which may constitute actual or potential conflict of interest as determined by the Executive Committee.

G. Honoraria, Gifts, Etc.: Employees will not accept gifts of cash, goods or services from contractors or other attending or with potential to, influence the decisions of the Commission or its staff. Honoraria or other financial rewards to services rendered, within the scope of the employee's work for the Commission, will be turned over to the Commission treasurer. This shall not be deemed to preclude the acceptance of a meal from an organization before which a staff member may be speaking and attempting to influence on behalf of the Commission, such as a fraternal organization, public interest groups, etc.

H. Business Expenses:

1. *Food and Lodging* – Employees will be reimbursed for food and lodging expenses away from home or the office as a result of night meetings or out-of-town commitments which extend through mealtime and/or under the following conditions:
 - a) The expense must be incurred on Commission business.
 - b) Lunch may be charged only if a work commitment keeps you away from Exeter; or you attend a lunch meeting as part of work.

- c) Supper may be charged if you attend a supper meeting as part of work; or you live outside Exeter and choose to stay at the office instead of going home prior to a night meeting.
- d) The amount must be reasonably related to average food and lodging cost levels currently prevailing in the immediate area or the meal limit set by the Executive Committee at the time.
- e) Expenses to be incurred outside of the region must have the prior approval of the Executive Director or Assistant Director.
- f) Expenses, vouchers, duly approved by the Executive or Assistant Directors, must be submitted before reimbursement is made. Vouchers must be signed by the employee and must show the date, the expense that was incurred and the nature of the expense. All vouchers must be accompanied by receipts for all expenditures.

2. *Conferences* – Attendance at professional conferences involving expenses of not more than one thousand dollars and within the adopted line item budget may be authorized by the Executive Director. Requests involving expenses in excess of this amount must be authorized by the Executive Committee. Vouchers for reimbursement for all conferences must conform to standard policies. **(Adopted 07/09/14)**

3. *Transportation* – Mileage for Commission business shall be paid for travel beyond that which is considered a normal daily commute and at the rate per mile established by the Commission’s Executive Committee. For night meetings, if any employee chooses to return home prior to attending a night meeting, the agency will reimburse employees for travel from their home to the night meeting and back. However, if an employee chooses to remain in Exeter and charge the agency for supper, the employee may be reimbursed only for round trip mileage from Exeter to the night meeting and back. If the employee does not travel back to Exeter on the trip home from a night meeting, only the mileage in excess of the normal daily commute may be charged. All expense vouchers must be approved by the Executive or Assistant Director.

NOTE: Employees residing in Exeter may not, as a rule, be reimbursed for meal costs while in Exeter prior to a night meeting. There are; however, some situations that would warrant meal reimbursement for employees who reside in Exeter. Since the above-state policy does not cover these situations, employees should consult with the Executive or Assistant Director prior to charging supper.

4. *Other Expenses* – Employees are reimbursed for “other” expenses incurred on behalf of the Commission on approval of the Executive Director and submission of detailed vouchers and accompanying receipts. Any employees receiving parking tickets, traffic ticket or traffic violation while on bona fide Commission business is personally responsible for the fine. **(Adopted 12/30/99)**

I. Telephone, Internet and Equipment Use: Each employee shall keep personal calls, internet usage and any use of office equipment while at work to a minimum. The Executive Director may require that records be kept and submitted for personal long-distance telephone calls, internet and copier/printer usage for appropriate reimbursement. Excessive personal use shall be subject to disciplinary action if uncorrected.

- J. Smoking: Smoking is not permitted within the RPC offices.
- K. Drug-Free Workplace: The RPC has adopted a policy to comply with the Drug-Free Workplace Act of 1988. This policy is included as Appendix A.
- L. Equal Employment Opportunity: It is the Commission's policy to comply with all federal and state laws and regulations with regard to the hiring, compensation, assignment, advancement, access to benefits and severance of employees. Under no circumstances whatsoever will the Commission discriminate in employment opportunity on the basis of race, religion, ethnic background, national origin, sex, age, marital status, sexual orientation, disability or any other characteristic prohibited by law. Reasonable accommodations will be made for qualified individuals with disabilities except where it would cause undue hardship to the operations of the Commission. **(Adopted 12/30/99)**

The statement "An Equal Opportunity Employer" or "EOE" shall be included in all recruitment advertisements and solicitations; and minority candidate shall be encouraged to apply.

- M. Harassment: The Commission is committed to providing a work environment that is free of employee harassment or intimidation of any kind. Actions, words, jokes, displays or comments based on an individual's race, religion, ethnic background, national origin, sex, age, sexual orientation, disability or any other personal characteristics that is demeaning to another employee will not be tolerated. **(Adopted 12/30/99)**

Sexual harassment, both subtle and overt, is illegal and condemned by the Commission. Any unwelcome behavior, advances, request for sexual favors, suggestive jokes or displays, or any other verbal or physical conduct of a sexual nature is prohibited. Any suggestion, implicit or explicit, that submission to unwanted personal or sexual conduct is a component or the basis of any employment decisions will not be condoned.

Any employee who believes that he or she is the target of any form of harassment is encouraged to inform the offending party that such conduct is objectionable and must stop. If direct communication is either ineffective or inappropriate given the circumstances, the employee should report the situation to the Executive Director. If the Executive Director is the offending party, the employee should report the situation to the Chairman of the Commission. Victims of harassment may also seek assistance from the NH Commission for Human Rights. All complaints of employee harassment will be handled in a confidential manner and without fear or reprisal. Any employee found to be engaging in any type of employee harassment will be subject to disciplinary action up to and including termination of employment.

- N. Workplace Safety: The Commission is committed to providing a safe work environment that is free of physical and occupational hazards. All employees are expected to exhibit safe behavior at all times, to exercise active concern in the course of their work to prevent injuries to themselves and their coworkers and to take immediate steps to the extent possible to remedy any unsafe condition. All potentially hazardous or unsafe circumstances should be reported to the Executive Director immediately. **(Adopted 12/30/99)**

The Commission has a Health and Safety Plan which includes operating procedures and goals for maintaining workplace safety (Section II of this Handbook). All employees shall review this plan and adhere to its recommendations.

ARTICLE II Employee Recruitment and Termination

Recruitment, termination and supervision of employees is the responsibility of the Executive Director. Employment by the Commission is “at will” for all employees.

- A. **Recruitment**: It is the Commission’s policy to conform with all Federal and State laws in the hiring of employees, including, but not limited to: Equal Employment Opportunity (Executive Order 11246, as amended). Affirmative Action, American’s with Disabilities Act and Title VI and VII of the Civil Rights Act of 1976.

New employees are hired on a six-month probationary basis. Upon completion of the probationary period, if job performance is judged to be satisfactory, upon the approval of the Executive Director, the employee will be granted permanent status.

- B. **Termination of Employment**: The duration of employment is determined by the policies and the financial necessities of the Commission as well as by the Executive Director. Termination of employment is defined as:

1. *Voluntary Resignation* – When an employee initiates the termination by submitting a letter of resignation. At least two weeks’ notice of resignation is required. Professional courtesy asks that employees give as much notice as possible to minimize disruption to the RPC’s activities. Unused vacation time will be paid as a severance only if at least two weeks’ notice is given.
2. *Release* – When employment is discontinued because of the termination or abolishment of a job or project.
3. *Dismissal* – When an employee’s services are deemed unsatisfactory, or his/her actions are harmful to the Commission’s operations. Grounds for dismissal include unprofessional conduct, disregard for office procedures and personnel policies, or refusal or inability to follow reasonable direction or to complete high quality work in a timely fashion. At the discretion of the Executive Director, a dismissed employee may be given two weeks’ notice or two weeks’ severance pay and a written discretion of the basis for dismissal.

- C. **Disciplinary Action**: The Executive Director and the Assistant Director are responsible for the management and proper personal conduct of employees of the RPC and as such may apply disciplinary action for the following reasons:

1. Neglect of duties;
2. Violation of personnel policies;
3. Conducting oneself in an unprofessional manner;
4. Improper use of position or authority for personal profit or advantage;
5. Misappropriation or unauthorized use of RPC funds, equipment or property;
6. Possession or use of a controlled substance while on the job;
7. Taking actions that might endanger the health, safety or welfare of others;
8. Other similar misconduct.

Disciplinary action can include one or more of the following: 1) oral reprimand; 2) written reprimand; 3) suspension without pay; or 4) termination. All disciplinary action shall be recorded in the employee's file. Oral reprimands shall be removed from an employee's file after one year and written reprimands removed after two years, provided that no further disciplinary action has occurred during that time. All disciplinary action, other than oral reprimands, shall be reported to the Executive Committee at its next regular meeting.

1. *Oral Reprimand* – Whenever work habits, attitude, productivity or personal conduct of an employee are deficient, the Executive Director and Assistant Director should point out deficiencies and advise the employee how to improve.
2. *Written Reprimand* – Written reprimands shall include the date and nature of the offense. A copy of the reprimand will be placed in the employee's personnel file and a copy will be given to the employee as soon as possible after the offense. Such reprimand will be considered in the preparation of the employee's annual evaluation and in assessing eligibility for merit pay increases.
3. *Suspension Without Pay* – The decision to suspend an employee without pay shall be made by the Executive Director, based on the severity of the offense and the past performance of the employee. The suspension shall be for a period not to exceed five working days. Suspensions can be for disciplinary reasons or for the purpose of conducting an investigation of charges which if substantiated, could result in dismissal. Such suspension shall be reported to the Executive Committee within 24 hours. If the charges are found to be false and the employee is reinstated, the employee shall be paid for the period of suspension and all personnel records will be cleared.
4. *Termination* – Termination of employment is covered in Section II-B-3, above.

D. Appeals Process: (Adopted 12/30/99)

Any decision made by the Executive Director in the implementation of these personnel policies, or in the general management and operation of the agency may be appealed. Employees are encouraged to first discuss any problems or concerns with the Executive Director on an informal basis prior to making a formal appeal. The appeal process is progressive in nature and follows three steps outlined below. Personnel and Executive Committees may utilize non-public sessions in conducting this process as need if in accordance with RSA 91-A:3.

1. *Written Appeal to the Executive Director:* The employee shall notify the Executive Director of his/her intent to formally appeal a decision, action or policy and set forth the reasons for the appeal in writing. Within one week, the Executive Director shall respond to the employee as appropriate and document the appeal and any decision in writing.
2. *Written Appeal to the Executive Committee:* If the employee is not satisfied by the decision of the Executive Director, he/she may transmit in writing to the Executive Committee the reasons for furtherance of the appeal. The Executive Committee will take appropriate action and respond to the employee in writing within two weeks. If necessary, the Executive Committee may convene a special meeting to meet this deadline.

3. *Hearing Before the Executive Committee:* The employee may seek further redress through a personal hearing before the Executive Committee by written request. If warranted, such a hearing may be granted within two weeks of receipt of the request. The Executive Director shall be available for the hearing and the decision of the Executive Committee shall be rendered in writing within one week of the hearing's conclusion.

Appeals shall be made within 30 days after the aggrieved action occurs. Employee complaints considered in the judgment of the Executive Committee to be frivolous, trivial or malicious shall be subject to disciplinary action up to and including termination of employment. All actions of the Executive Committee regarding appeals are final.

ARTICLE III Position Classification, Description and Salary Grades

- A. Position Classifications: All full-time and regular and special part-time employment positions maintained by the Commission are classified by category and position according to function, qualifications and performance as follows:

1.	MANAGEMENT AND ADMINISTRATION	SALARY GRADES
	Position: Executive Director	7
	Assistant Director	6
	Business Manager	4
	Office Administrator	3
2.	LAND USE PLANNING	
	Position: Senior Planner	4
	Regional Planner	3
	Assistant Planner	2
3.	TRANSPORTATION PLANNING	
	Position: Transportation Program Manager	5
	Senior Transportation Planner	4
	Transportation Planner	3
	Assistant Transportation Planner	2
	Transportation Analyst	2
4.	SUPPORT	
	Position: Planning Technician (Non-Exempt)	1
	GIS Systems Manager	3
	Secretary (Non-Exempt)	1

- B. Position Description and Qualifications:

For each of the positions listed below, the job requirements include attendance at night meetings and possession of a valid motor vehicle driver's license or otherwise possess the means for independent travel to out-of-office meetings as may be required.

1. *Management and Administration*

- a) Executive Director: The Executive Director is the chief administrative officer and is responsible for overall management and direction of Commission operations. Specific duties include: 1) hiring, supervising, evaluating and releasing Employees; 2) direction of daily office operations and function; 3) ensuring commission administrative compliance with all grants and contracts and with related Federal and State regulations; 4) preparation and management of the budget; 5) act as the spokesperson for the Commission; 6) managing the work of the Executive Committee and other sub-communities; 7) informing the Commission on regional planning issues; and 8) carrying out Commission directives and policies. Unless otherwise specified, minimum qualifications are a Master's Degree in planning or related field and five (5) years of professional experience, two or more which are in an administrative position.
- b) Assistant Director: The Assistant Director is responsible to the Executive Director to assist in the overall management of agency operations and to assume the responsibilities of the Executive Director in his or her absence. The Assistant Director maintains a working knowledge of budgeting, accounting and contract management, detail of Commission operations and performs program management, personnel management planning duties and such other assignments made by the Executive Director. Minimum qualifications are a Bachelor's degree in planning or a related field and four (4) year professional experience, A Master's Degree is highly favored and may substitute for up to one (1) year of required experience.
- c) Business Manager: The Business Manager is responsible for maintaining and monitoring the Commission's financial, accounting, personnel, benefits management and grants management systems. This position requires working knowledge of lease agreements, labor laws, grant requirements and audit requirements. This position provides administrative support to the Executive and Assistant Directors and others as assigned and is responsible for ordering supplies, word processing and supervising clerical staff when necessary. In addition, this position is responsible for organizing and recording of Commission meetings, updating agency handbook and major equipment purchases and may have other duties as assigned by the Director. Job skills required include proficiency with general accounting procedures, cost allocation methods, automated accounting systems, budget and cash flow tracking and benefits management. Additional job skills include typing 50 wpm, dictation, minute taking, composing correspondence and knowledge of proper grammar, spelling and punctuation and business document formats. Also required is the ability to effectively use word processing database, spreadsheet and network software. Job requirements include the ability to lift boxes, files and the like. Minimum qualifications include an Associate Degree in related field and three (3) year of progressive business experience.

- d) Office Administrator: The Office Administrator is responsible for managing the general administrative functions of the office to include managing the flow of communications and providing administrative support to RPC staff as assigned. The position maintains the office calendar and an internal 'calendar tracking system' for projects and correspondence other than those financial in nature. In addition, this position is responsible for file maintenance, administrative database management, organization and recording of transportation committee meetings, internal staff meetings and others as assigned; maintains reference library and RPC responsibilities as a State Data Center/Census Affiliate; and prepares a newsletter and mails a variety of informational materials, as well as other duties as assigned. Job skills required including typing 50 wpm, dictation, minute taking, composing correspondence, file maintenance and knowledge of proper grammar, spelling, punctuation and business document formats. Also, required is the ability to effectively use word processing database, spreadsheets and network software. Job requirements include an Associates' Degree in Business Administration or related field and three (3) years of progressive administrative experience.

2. *Land Use Planning*

- a) Senior Planner: The Senior Planner is responsible for initiating, coordinating and carrying out planning projects within one or more program areas. The Senior Planner is expected to supervise the work of other planning and support personnel when appropriate and be capable of performing general planning tasks required of Regional and Assistant Planners. A Senior Planner must have extensive work experience related to job responsibilities. Minimum qualifications are a Bachelor's Degree in planning or closely related field and four (4) years of experience. A Master's Degree is highly preferred and may substitute for up to one (1) year of experience.
- b) Regional Planner: A Regional Planner is responsible for the research and preparation of regional and community planning documents, including community plans, capital improvement programs, land use regulations and other project-specific documents. Areas of responsibility may include planning related work on one or more of the following: water/natural resources, solid waste, hazard mitigation, transportation, GIS, land use regulation, public education, impact assessment, circuit-rider planning.
- Minimum qualifications for this position include a Bachelor's Degree in planning or closely related field and two (2) years of experience. A Master's Degree is highly preferred and may substitute for one (1) year of experience.
- c) Assistant Planner: An Assistant Planner is responsible for assisting Regional and Senior Planners in implementing planning projects and in all phases of planning work, including research, analysis and writing. Minimum qualifications are a Bachelor's Degree in planning or closely

related field and one (1) year of experience. A Master's Degree is highly preferred and may substitute for one (1) year of experience.

3. *Transportation Planning*

- a) Transportation Program Manager: The Transportation Program Manager is a member of the agency management team and is responsible for overseeing all aspects of the MPO transportation planning program. Under administrative and policy direction from the Executive Director, the purpose of the position is to perform highly responsibly work assisting in the management of the Transportation Planning functions of the Metropolitan Planning Organization for the Rockingham Planning Commission. The Transportation Program Manager works with considerable independence in the performance of regularly assigned duties; is expected to supervise the work of other transportation planning and support personnel when appropriate and be capable of performing general transportation planning tasks required of the other transportation planners. Direct responsibilities include the development, maintenance and monitoring of the Unified Planning Work Program, recommending staffing assignments, within the Transportation Program, monitoring the program budget and the preparation of core MPO documents (including the Long Range Plan, Transportation Improvement Program, Annual List of Obligated Projects, MPO Performance Reports, Air Quality Conformity and Financial Constraints Documents, the MPO Prospectus). In addition, the Transportation Program Manager will work closely with the Assistant Director and the Senior Land Use Planners to coordinate and implement land use-transportation projects. (02/09/11)
- b) Senior Transportation Planner: The Senior Transportation Planner is responsible for initiating, coordinating and carrying out transportation planning projects within one or more program areas. The Senior Transportation Planner is expected to supervise the work of other transportation planning and support personnel when appropriate and be capable of performing general transportation planning tasks required of Transportation Planners and Assistant Transportation Planners. A Senior Transportation Planner must have extensive work experience related to job responsibilities. Minimum qualifications are a Bachelor's Degree in transportation planning or closely related field and four (4) years experience. A Master's Degree is highly preferred and may substitute for one (1) year of experience.
- c) Transportation Planner: A Transportation Planer is responsible for the research and preparation of local and regional transportation planning documents and other project-specific documents. Job responsibilities include the ability to install and remove traffic counting equipment on roadways, which requires lifting loads of approximately fifty (50) pounds. Areas of responsibility may include MPO transportation planning related work on one or more of the following: general highway planning, transit planning, data collection and analysis, modeling, air quality assessment, traffic impact analysis, highway capacity analysis and other transportation projects. Minimum qualifications are a Bachelor's Degree in transportation

planning or closely related field and two (2) year experience. A Master's Degree is highly preferred and may substitute for one (1) year of experience.

- d) Transportation Analyst: A Transportation Analyst is responsible for collecting, managing and analyzing transportation systems data, primarily for use by other transportation planning staff. Data collection responsibilities may include traffic system inventories, etc. Position is also responsible for managing and utilization of the computerized travel demand model and for developing, maintaining and utilization GIS data layers necessary to support transportation planning projects. Job responsibilities include the ability to install and remove traffic counting equipment on roadways, which requires lifting loads of approximately fifty (50) pounds. Minimum qualifications are a Bachelor's Degree in transportation planning, engineering, geography or other technical discipline, demonstrated proficiency in data management and analysis and two (2) years experience.

4. *Support*

- a) GIS System Manager: Assists the planning and administrative staff in carrying out project responsibilities. Principally, these areas include: GIS mapping and cartography, GIS implementation and management, computer system management, graphics production, database management and publication and other planning related assistance as assigned. Ability to understand mapping and GIS analysis needs for projects, to compose effective map products, to manage and manipulate GIS data, to manage and prioritize multiple projects and to supervise interns as required. Qualifications include a Bachelor's Degree in geography, planning, computer, GIS or related field and demonstrated skills in the required disciplines.
- b) Planning Technician: Assist the planning and administrative staff by performing necessary work tasks. These areas include manual cartography, graphics, photo interpretation, traffic counting, research and other duties as assigned. Qualifications will be set based on specific requirements of the tasks to be assigned; however, will ordinarily include a degree from a technical college or an Associates Degree in a related field.
- c) Secretary: The Secretary is responsible for assisting Planning and Administrative staff in the preparation of documents and reports, in word processing, editing, copying and filing. Other duties include telephone and office reception, library maintenance, committee minutes and transcription, file maintenance and other duties as assigned. In the absence of the Business Manager, the Secretary will perform necessary office management functions. Minimum qualifications include one (1) year of secretarial experience.

C. Employment Classifications:

At the time of hire, employees are classified as a Full-Time Employee, a Regular or Special Part-Time Employee, or a Temporary Employee and are informed as to whether they qualify for overtime pay. Unless otherwise specified in these Policies or as required by law, the benefits described in these Policies apply on to Full-Time Employees. All other policies described in these Personnel Policies apply only to all employees, with the exception of certain wage, salary and time off limitations. If you are unsure of which job classification into which your position fits, please ask the Executive Director.

1. *Full-Time:* Individuals who are regularly scheduled to work 40 or more hours per week in an established position.
2. *Regular Part-Time:* Employees who are scheduled to work on an ongoing basis less than 40 hours per week, but 20 hours a week or more shall be considered regular part-time employees. Compensation shall be set at an hourly rate within the range established for that position. Fringe benefits for regular part-time employees are as written in Article V, except that all such benefits shall be provided that accrued on a pro-rate basis, proportionate with hours worked.
3. *Temporary:* Individuals who are hired for specific periods of time or for the completion of a specific project, regardless of the number of hours scheduled to work, provided such employee is anticipated to have a duration less than 12 months and less than 35 hours per week. From time to time the commission, at its discretion, may employ temporary employees. Temporary employees shall not be entitled to benefits afforded to other full-time employees as described in Section V, of the Personnel Policies, except those that are required by law. Such employees shall be compensated at an hourly rate appropriate for the position and in accordance with all applicable State and Federal laws. Travel and meal and other eligible expenses shall be paid in accordance with established policies. **(Adopted 07/09/14)**
4. *Non-Exempt and Exempt Employees:* All employees will be classified as either “exempt” or “non-exempt”. Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act (“FLSA”). Exempt employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Commission policy as set forth in section D. below. Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. Employee questions concerning exempt or non-exempt classification under the FLSA should be addressed to the Business Manager or Executive Director.

D. Overtime:

Non-exempt employees are compensated for each hour worked in excess of forty (40) hours in any week or eight (8) hours in any day by receiving compensation at 1.5 times their normal rate for each overtime hour worked with the option to take it as monetary compensation or in compensatory time.

E. Salary Schedule:

A salary schedule indicating an approved range of salary compensation for each salary grade shall be approved by the Executive Committee and periodically adjusted by the Executive Director based on the Consumer Price Index or other relevant factors, including but not limited to data about salary levels at comparable agencies. Employee salaries shall be maintained at a level that is generally competitive with those of other planning commissions in the State. (Adopted 12/30/99; Amended 07/09/14)

F. Telecommuting: (Adopted 12/30/99)

The Commission encourages telecommuting on a limited basis to reduce driving time and promote efficiency. Support employees are not eligible for telecommuting with the exception of days when the office is closed due to hazardous driving or other conditions. Telecommuting is a mutually agreed upon work setting alternative between the telecommuter and the Executive Director. It is not a universal employee benefit, but a voluntary management/employee work arrangement that can be terminated at any time by either party. As the RPC is a public agency that provides service to member communities, telecommuting must be designed and limited so as to not inhibit staff accessibility by citizens.

Telecommuting will be agreed upon by the Executive Director and employee so as to not interfere with the work schedule and productivity of the employees. Telecommuters must have appropriate facilities and work spaces at their remote work site. The telecommuter should be accessible to other Commission Employees by telephone and should post the number of their site on the office sign-out board. A log of hours worked and tasks completed while working outside the office shall be maintained by the employee on a form established by the Commission and submitted to the employee's supervisor or Executive Director upon request.

Long distance calls from the telecommuting site will be charged in the manner described by the Business Manager. Reimbursement for call charges will be made at the equivalent rate which would have applied if the call originated in the office. When Commission equipment or supplies are provided to the telecommuter, the employee is responsible for seeing that the equipment and supplies are properly used and the equipment is returned in similar condition as received. All such equipment and supplies remain the property of the RPC.

ARTICLE IV Performance

Performance of all Employees will be reviewed annual by the Executive Director, who will inform the Executive Committee of unsatisfactory performance evaluation and steps taken to address them, including dismissal. Interim performance reviews shall be conducted as deemed necessary by the Executive Director.

The Executive Director's performance will be reviewed annually by the Personnel Committee and/or the Executive Committee.

ARTICLE V Benefits

A. Leave

1. *Holidays:* Full-time and Regular Part-time employees are entitled to the paid holidays listed below, provided that they employee normally works on that day. For nonexempt employees, holiday pay will be paid at the straight time hourly rate and will be pro-rated for employees that regularly work fewer than eight (8) hours on that day. Special Part-time employees (except as provided for under Article V.A.6) and Temporary employees are not entitled to paid holidays. The following are recognized paid holidays:

New Year's Day	Columbus Day
President's Day	Veteran's Day
Civil Rights Day	Thanksgiving Day
Memorial Day	Christmas Day
Independence Day	Personal Day
Labor Day	

For holidays observed on different date by different units of government, the Executive Director shall determine which date to observe. When a holiday falls on a Saturday or Sunday, the following Monday or preceding Friday will be observed as the holiday.

2. *Vacation:* Excluding Regular and Special Part-time Employees and Temporary Employees, all Employees accrue vacation time in accordance with the following schedule:

Years of Continuous Employment	Vacation Time
1 year	10 days (2 weeks), 1 day/month
2 years	11 days (2 weeks + 1 day)
3 years	12 days (2 weeks + 2 days)
4 years	13 days (2 weeks + 3 days)
5 years	14 days (2 weeks + 4 days)
6 years	15 days (3 weeks)
7 years	16 days (3 weeks + 1 day)
8 years	18 days (2 weeks + 3 days)
9 years	19 days (3 weeks + 4 days)
10 years	20 days (4 weeks)

Vacation time earned in accordance with the schedule above may be accrued up to the maximum of 160 hours. No more than three (3) weeks of vacation may be taken at any one time without approval of the Executive Committee. All other requests for vacation leave are subject to approval of the Executive Director or Assistant Director and should be coordinated in advance in order to avoid conflicts with work duties. Regular Part-time and Special Part-time Employees and temporary Employees, are not entitled to paid vacation time. (Amended 09/10/03)

3. *Compensation Leave for Exempt Employees:* Exempt employees, including professional employees, will be compensated for time spent at night meetings by hour-for-hour compensatory time. This is leave time offered in recognition that regular attendance at night meetings is a common requirement of planning positions at the RPC, adding significantly to hours regularly worked in a work and therefore deserving compensation. Accordingly, such night meetings will be compensatory time for Exempt employees are as follows:
 - a) Compensatory time is not available for time worked outside normal working hours unless associated with a night meeting or unless that work is required due to special circumstance and authorized by the Executive Director.
 - b) Compensatory time granted hereunder is not a 'wage' under New Hampshire law and it not within the Federal standards regarding overtime which are established by the Fair Labor Standards Act.
 - c) Compensatory time may only be taken in the form of paid time off from regular working hours and not in the form of additional pay.
 - d) Compensatory time may not accumulate beyond the period of 90 days from the last working day of the month in which it was earned. Unused compensatory time will be dropped from the record after 90 days and will be considered forfeited by the employee.

4. *Sick Leave:* The Commission provides paid sick leave to all Full-time and Part-time Employees, Sick leave for Regular Part-time employees shall be allotted proportionately with hours worked. Special Part-time employees (except as provided for under Article V.A.5) and Temporary employees are not entitled to any paid sick days. Sick leave will be granted at the rate of one day per month and accrued to a maximum of 45 days.

Sick leave may be utilized for the following reasons:

- a) Absence due to personal illness or injury, including any required waiting period prior to being eligible for disability leave.
- b) Medical or dental appointments for employees or dependents.
- c) Illness or injury in the employee's immediate family.
- d) Death in employee's family of up to three days. ('Family' in this context means, parents, grandparents, siblings, spouse, children and comparable relatives of one's spouse)
- e) Maternity leave:
 - 1) Up to twenty days of sick leave may be used after short-term disability leave is exhausted.
- f) Paternity leave (up to twenty days).

Under no circumstances are employees compensated for unused sick leave.

5. *Special Leave*

a) *Military Leave*

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as “uniformed services”) will be provided leave of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act (“USERRA”). Military leaves of absence will be unpaid, unless otherwise required by law. Employees may elect to take part of, or all of, their accrued vacation time with pay during their military leave of absence, but are not required to do so.

- 1) **Notice of Leave Request:** An employee needing time away from work for service or training in the uniformed services should make the Executive Director aware of the need for leave as soon as the employees receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee’s request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Executive Director based on a case by case basis.

- 2) **Health Coverage:** If a military leave lasts less than 31 days, the employee’s health insurance will be continued and the employee will pay his/her regular contribution for the cost of healthcare insurance. Payment for insurance for less than 31 days leave, may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee’s health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even is coverage terminated during the leave.

- 3) **Pension:** Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

- 4) Re-instatement: Employees wishing to be reinstated following military leave should promptly notify the Executive Director of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify the Executive Director of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify the Executive Director of the desire for reinstatement within 90 days of completing service.

The Commission will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in services and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

- 5) Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Commission will make reasonable accommodations as required by law and efforts to keep the employee become qualified to perform the duties of his or her reemployment position.
- 6) Statement Against Discrimination and Retaliation: The Commission will not discriminate in hiring, employment, reemployment or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Commission also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to the Executive Director.

- b) Jury Duty. Employees called to jury duty are paid the difference between their daily salary and their pay as jury members. If dismissed more than three hours before the end of their regular workday, the employee must return to work.
- c) Leave Without Pay. Leave without pay may be granted by the Executive Committee. If, however; the leave request is for 30 days or less, the Executive Director may grant such leave. During any leave without pay unless otherwise provided for by law or these Policies, the employee is responsible for all costs of insurance benefits if they are to be continued and holiday, vacation and sick time accruals are suspended.

B. Insurance

Insurance benefits are provided by the agency as outline below. For full descriptions, terms, benefits, conditions and any continuation privileges, refer to the applicable policy.

1. *Hospitalization/Medical Insurance: (Amended 05/13/98)*
 - a) For those employees that participate in the RPC program, the Commission pays 70% of the premium of single or family membership in the health insurance program approved by the Commission. **(Amended May 2013)**
 - b) For those employees that do not participate in the RPC program, the Commission will provide monetary compensation to the employee in an amount determined by the Executive Committee. Any employee that chooses not to participate in the RPC health insurance program must prove to the satisfaction of the Executive Director that said employee has adequate and appropriate health insurance coverage from an alternative source.
2. *Dental Insurance:* The Commission pays 75% of the premium of single or family membership in the dental insurance program approved by the Commission.
3. *Life Insurance:* The Commission pays 100% of the life insurance premium on all full-time employees in the benefits amount of their annual salary. Increased levels of insurance can be purchased by the employee; however, any cost attributed to additional coverage above the employer paid benefit must be paid 100% by the employee. Insurance terminates at employee termination, retirement or age 75; whichever comes first. **(Amended 05/13/98)**
4. *Short-Term and Long-Term Disability Insurance:* The Commission pays 100% for short-term disability premium provided at a rate of 50% of basic weekly earnings to a maximum of \$300; long-term disability provided at a rate of 60% of basic monthly earnings with a maximum benefit of \$3,500. (Maternity leave is covered under the short-term disability package.)
5. *Worker's Compensation:* Coverage is provided by the Commission as required by law.
6. *Social Security & Medicare:* Deductions are made from employee's salary and matched by the Commission in accordance with Federal law.

C. Retirement Accounts: (Amended 05/13/98; 02/00; 06/28/00; 07/01/03; 10/24/07)

1. *NH Retirement System (NHRS)*

The RPC is part of the New Hampshire Retirement System, a public employee pension plan that provides retirement, disability and death benefit protection to its members. This is a defined benefit plan which offers a secure lifetime pension.

The amount of annual benefit upon retirement is based on salary and length of service and not on the contributions paid into the system.

All employees hired after July 21, 2003, working 35 hours or more, are required to join NHRS in accordance with NHRS rules. Employee contributions equaling a percentage of gross salary are made via payroll deductions. The Commission shall contribute the employer share to the NHRS at the rate and in the manner required by the NHRS and applicable state law. The required employee and Commission shares, which may differ, are established by NHRS and state law and may periodically change based on investment returns and actuarial factors. Vesting of the employee contribution is immediate; vesting of the employer contributions occurs at 10 years of service per NHRS regulation. Retirement planning and consultation for participants in this program is available through NHRS.

2. *457b Plan*

Employees hired prior to July 1, 2003, have the option of joining the NHRS as described above or participating in the RPC 457b Plan is a non-qualified retirement plan in which investments are mutual fund investments subject to fluctuations in the market. Employees may choose to contribute to both the NHRS and the 457b plans simultaneously; however, the RPC is only required to contribute an employer match to the NHRS. Vesting and contributions are at the discretion of the RPC.

The 457b Plan is available subject to the following criteria and limitations:

- a) Participation by employees is voluntary.
- b) For each calendar year, the Commission will make monthly matching contributions to each eligible 457b account equal to the employer's salary reduction contributions, up to a limit established by the RPC of the employee's gross salary compensation for the calendar year.
- c) Employees may contribute to the plan through salary reduction up to the maximum pre calendar year as designated by the IRS. In no case; however, will the Commission's contribution exceed the contribution limit approved by the Commission.
- d) Employees may discontinue or modify salary reduction elections semi-annually; at the beginning of each calendar year and the beginning of the seventh month.

Upon termination of the employment, all contributions to the Plan by the Commission will cease.

D. Education

Requests by a full-time employee for Commission assistance in taking educational or professional development courses related to the individual's work responsibilities may be

submitted in writing to the Executive Director for action by the Executive Committee. Payments by the Commission are contingent on the successful completion of each course.

E. Flexible Benefit Plan Option

The Commission offers the option to all full-time employees to participate in a flexible benefits plan, which is a “cafeteria” plan under Section 125 of the Internal Revenue Code. Under the plan, an employee may choose to use before-tax salary income to pay for some benefit choices. The three parts of the plan are described below:

1. *Before-tax Premiums*: This allows an employee to use before-tax dollars to pay their share of the premiums for the employer sponsored eligible group insurance plans.
2. *Health Care Reimbursement Plan*: This allows an employee to contribute before-tax dollars into an account to provide reimbursement for a wide variety of health care expenses that are not reimbursed by health insurance.
3. *Dependent Care Reimbursement Plan*: This allows an employee to contribute before-tax dollars into an account to provide reimbursement of dependent daycare expenses.

ARTICLE VI Appeal

It is recognized that in some areas these policies will require interpretation. Such interpretation is the responsibility of the Executive Director. An appeal from any personnel decision, including dismissal, may be made to the Commission.

ARTICLE VII Amendments

The RPC Personnel Policies may be amended by affirmative vote at any duly noticed meeting of the Commission at which a quorum is present.

APPENDIX A

NOTICE TO EMPLOYEES

RE: Drug-Free Workplace Act of 1988

Date of Notice: February 22, 1989

The Drug-Free Workplace Act of 1988 requires that all employers recipient of Federal Grants take steps to ensure they maintain a drug-free workplace.

One step requires the notification of employees regarding the use or distribution of controlled substances and the consequences of same. The following shall serve as this notice:

By policy of the Rockingham Planning Commission, the unlawful manufacturing, distributing, dispensing, possessing, or using a controlled substance in the workplace is prohibited. Any employee who violates this policy shall be subject to the following actions:

- 1) Suspension of regular employment status to probationary status;
- 2) Mandatory enrollment in an approved drug counseling/rehabilitation program at employee expense;
- 3) Upon completion of said program, a special employee evaluation will be performed to assess rehabilitation and required future employee performance relative to the identified drug problem;
- 4) Renewal of regular employment status after six months probation, provided non re-occurrence of the drug related problem has occurred;
- 5) Termination of employment if: a) the employee refuses to enter a drug counseling/rehabilitation program as stipulated in #2 above; b) the employee violates the Commission Drug Policy again within the probationary period.

APPENDIX b

NOTICE TO EMPLOYEES

RE: No Smoking on Premises

Date of Notice: April 29, 1987

By policy of the Rockingham Planning Commission, smoking on the premises is prohibited.

Enforcement and appeals will be the responsibility of the Executive Director.