



ACT Committee Meeting
August 12, 2026 @ 6:30 PM
This meeting is recorded for public record.

Committee Members:

Lisa Kearns, Chair
Jerome Szczepaniak
Stephen Marvin

Chief Information Security Officer: William Mann

Director of Human Resources: Christine Hines

Borough Manager: Sean Metrick

Assistant Borough Manager: Ramsey Reiner

ACT Committee Meeting:

I. Call to Order

II. Announcements

- A. The West Chester Borough is participating in a friendly “Food Fight” with East & West Bradford Townships from July 1st to August 31, to collect non-perishable food items. Collection site is in the lobby at West Chester Borough Hall

III. Comments

Comments, suggestions, petitions by residents, taxpayers and visitors in attendance regarding items that are not on the agenda. Please be advised there is a 5-minute time limit which is at the discretion of the Council President and/or Chair.

IV. Reports

- A. ACT Committee –Chair Report, workplan and issues raised at prior meetings
- B. Quarterly Report – Sustainability (attachment)

V. Old Business

- A. Approve July 2026 meeting minutes (attachment)
- B. Discuss virtual participation at public meetings
- C. Discuss increase to Borough Council/Mayor compensation (attachment)

VI. New Business

- A. Discussion of meeting management
- B. Motion to approve amendments to the employee policy manual (attachment)

VII. Other Business

VIII. Adjournment

Visit www.west-chester.com for access to all attachments.

Agendas are posted to www.west-chester.com by noon 3 business days prior to the meeting.

The Friendly 2026

Food Fight

July 1st to August 31st

*West Chester Borough vs
East & West Bradford*



*Non-Perishable Food Collection
Drive for the Chester County
Food Bank*

The West Chester Food Collection
site will be in the Municipal Building
from July 1st thru August 31st:
401 E. Gay Street
West Chester, PA 19380

Help the Borough beat the Bradfords by
collecting the most non-perishable food!



www.west-chester.com

Sustainability Director's Report August 2026



Brick Sewer Relining

2026 Stormwater Capital Project

Budget: \$400,000

Grant Revenue: \$265,000 (two grants)

Bid opening: Tuesday August 11th
(to be approved at August Finance and BC meetings)

SECTION 00000
SCOPE OF WORK

The scope of the 2026 Storm Sewer Lining Project consists of approximately 900 linear feet of cured in place pipe lining of the selected storm sewers in West Chester Borough (Borough), Chester County, Pennsylvania. The work for this project consists of 5 phases. Phase 1 – Pre-Rehabilitation CCTV Inspection shall include televising each sewer segment to document existing conditions, identify active leaks, assess pipe deterioration, locate connections, and identify potential voids. Phase 2 – Structural Rehabilitation shall include rehabilitation of the 36-inch by 24-inch oval sewer using a structural cured-in-place liner and rehabilitation of the 30-inch circular sewer using structural cured-in-place pipe lining. Phase 3 – Lateral Reinstatement shall include locating and reinstating all active storm sewer connections affected by the rehabilitation work at the completion of each workday or upon completion of each access structure-to-access structure section, whichever restores the connections sooner. Phase 4 – Post-Rehabilitation CCTV Inspection shall include televising each rehabilitated sewer segment to verify the completed liner and proper reinstatement of all connections. All storm infrastructure connected to the rehabilitated main shall be inspected for a minimum distance of 15 feet from the main. The limits of work are shown in Appendix A.

The location(s) for the work for Base Bid work are as follows.

Location	From	To	Diameter (inches)	Distance (linear feet)
S High Street	Lacey St (2312)	Dean St (2306)	30	556
West Union Street	Hickory Alley (1712)	S New St. (1717)	36x24	317



North Everhart/Taylor Run Culvert Relining

Quote: \$198,000 (COSTARS approved by BC June 2026)

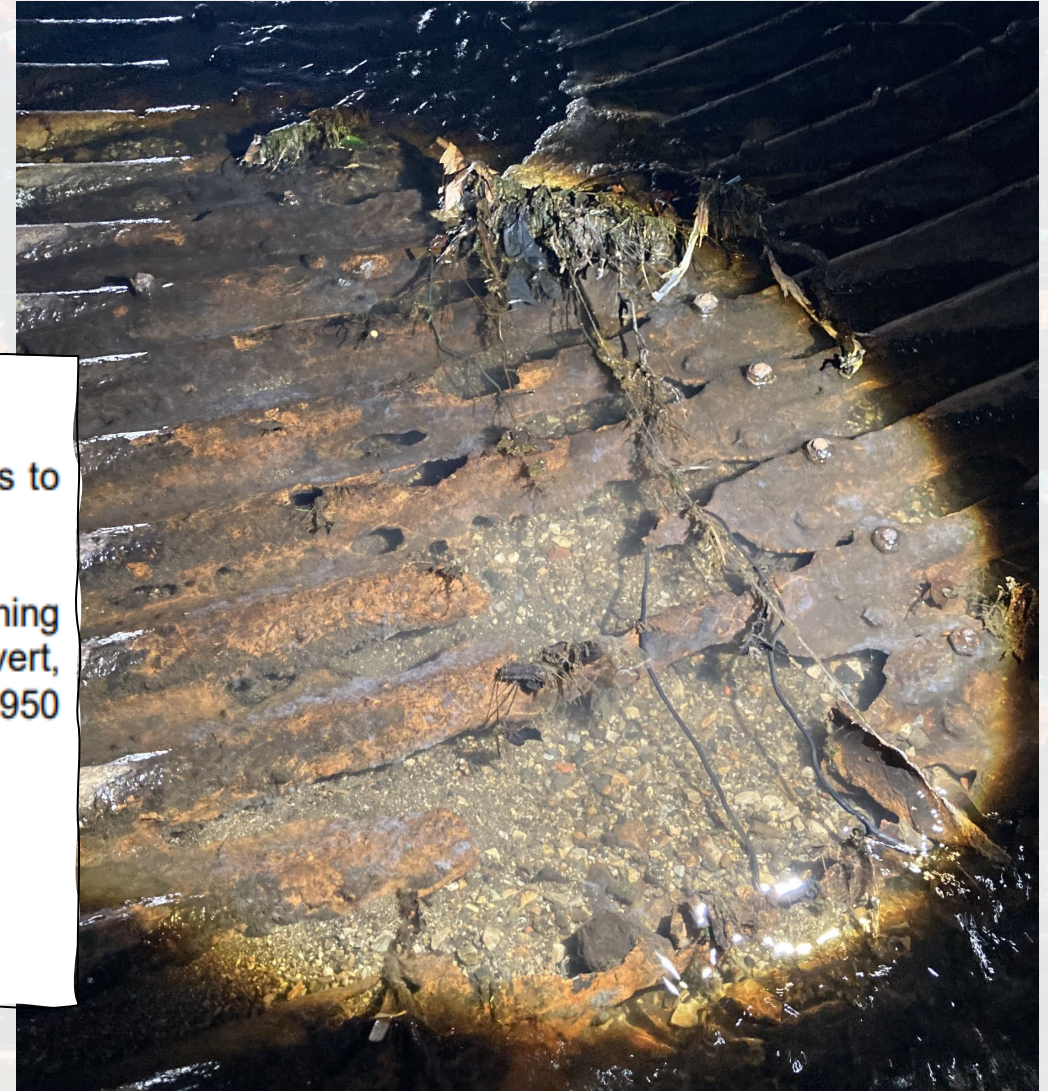
Permit application submitted July

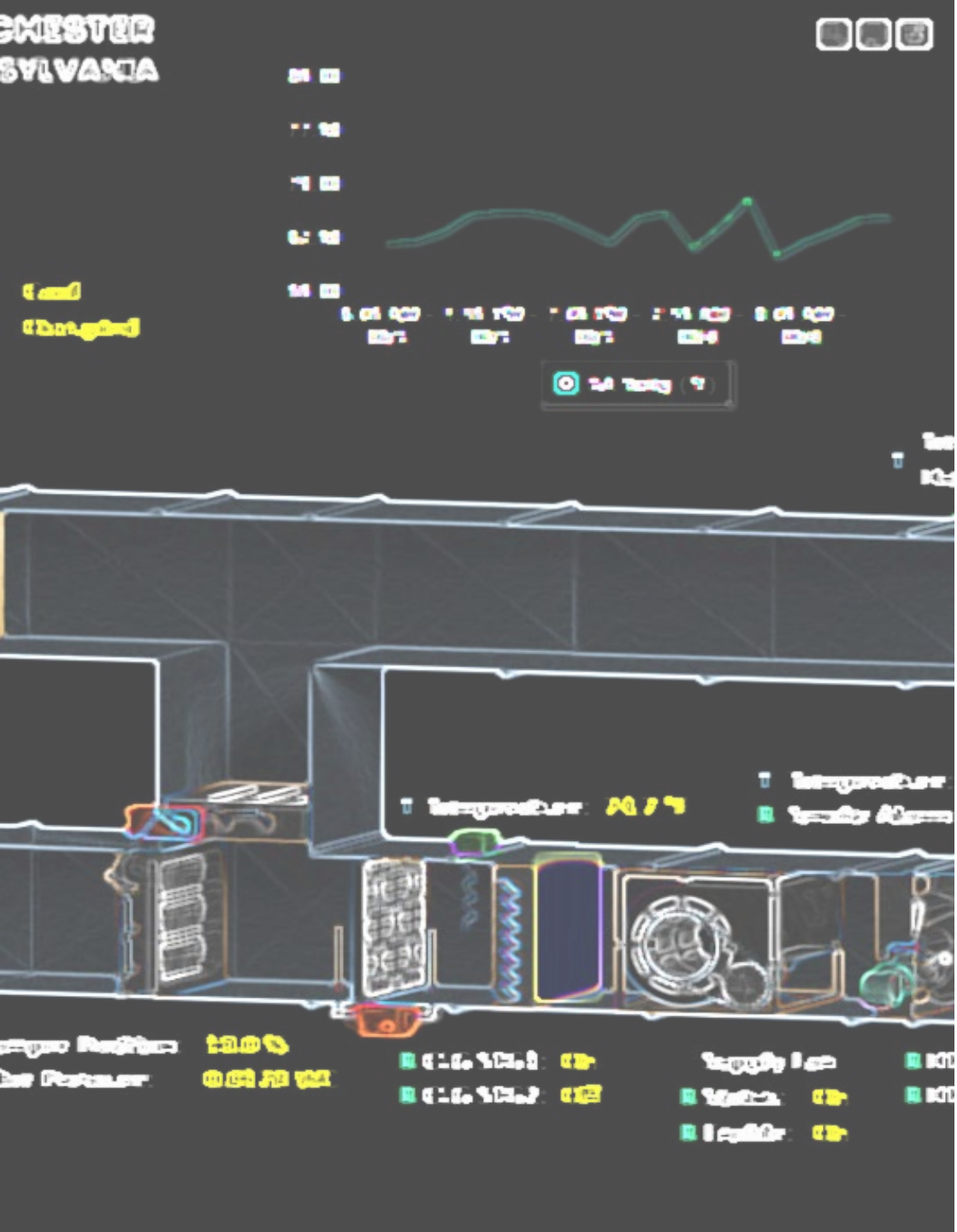
Work tentatively scheduled for September

Leverages excess grant funding from Taylor Run Stream Project

CULVERT LINING SCOPE OF WORK:

1. Cleaning, evaluation, and any necessary minor interior surface repairs to the culvert structure.
2. Application of Spraywall, as manufactured by Sprayroq. Spraywall Lining system will be applied to the interior of (1) 74-inch X 103-inch CMP culvert, totaling approximately 50 LF each. Application will be at a thickness of 950 mils.
3. Holiday Detection Testing.
4. Stream bypass.





Energy & Facilities

Borough Hall HVAC

A new rooftop mechanical unit was spec'd to replace RTU4, which serves most of the 24/7 areas of the police station. Standalone dehumidification is included, to address humidity issues following the rehabilitation of Borough Hall in 2018. A PO is on the August Borough Council agenda for approval, and installation is tentatively scheduled for October.

Borough Hall has eight RTUs, all of which need to be replaced in the next 5-10 years.

Chestnut Street Garage EV Charging

Adjacent parking areas painted and station configured in 2Q 2026. The site is ready to operate, providing additional EV charging capacity to garage users, including hotel guests and monthly permit holders. Pursuing PECO rebates.

Chestnut St. Solar

Two quotes obtained from qualified, local contractors, one at \$47,500 and one at \$46,956 (1% difference), however this dollar value requires a public bid process.

Sustainability Advisory Committee

Composting Survey

Partnered with WCU to create survey gauging interest in curbside composting service in West Chester Borough. Survey was designed to control for selection bias and filter responses based on self-reported environmental views. One of the goals is to estimate community participation in an opt-in curbside program, to help calculate savings dollars saved at the landfill

Energy Benchmarking

The Borough partnered with DVRPC and a cohort of other local munis to explore energy benchmarking ordinances in townships and Borough. A memo to BC outlining benefits and the committee's support will go out soon.

Community Choice Aggregation

Reviewing/drafting letter of support for future BC resolution asking PA State Associations of Townships (PSATs) and Boroughs (PSABs) BC to advocate for CCA implementation - a policy where municipalities are enabled to swap default energy suppliers for customers within municipal boundaries, from the local utility (PECO) to a competitively-chosen supplier, in deregulated energy markets like Pennsylvania.





Transportation Advisory Committee

Asphalt Art

Review successful projects and supporting data for non-structural public intersection improvement. Identify project locations and create process for project implementation. Recommend “elements” of templates

Missing Sidewalk Scoring Matrix

Creating a rubric to score and prioritize “segments” with missing sidewalks, to help complete pedestrian streetscape. Scoring of segments in wards 2, 3, and 4 is complete. 1, 5-7 partially scored.

Highest scoring missing segment to-date is 600 E. Gay Street, followed by 400 W. Chestnut, 600 E Chestnut, and 300 W Nields.

Tree Commission

Fall Tree Planting

Location and species selection is underway. Owners of the property adjacent to the street tree will be notified via letter from Borough administration in August

Condemned Street and Park Trees

71 trees condemned thru August 2026. The Borough's urban forest continues to struggle against drought, road salt, severe weather, and pests/disease such as Emerald Ash Borer, Fire Blight, and Beech leaf disease

Hoopes & Everhart Park Tree Removal

Removal of trees (mostly Ash trees) completed at Everhart Park, and mostly complete at Hoopes Park. A few Ash trees in wooded areas of Hoopes were topped and left standing at about 20' as Habitat Trees

Tree Intern

Borough administration hired an intern focus on building a digital inventory of trees and their condition. Jess is presenting to TC in coming months on spring/fall planting mortality rates and historical changes to tree canopy over the last 40 years. Findings will be factored into future decision-making.



A word about trees...

Lots of work to do:

- Dead trees not condemned
- Condemned trees not removed
- Proactive, “developmental” pruning
- Improve care for newly-planted trees
- Overgrown/dead trees in public spaces, especially smaller parks
- Reliance on 3rd parties (knowledge, skills, decision-making)
- Longterm record/information retention
- Slow and complex resident-facing processes
- Insufficient funding to support policies

Solutions:

- Update ordinance
- Update processes and communications
- Develop internal knowledge/basic skills
- Create long-term, centralized, electronic recordkeeping
- Re-write bid specs for outside assistance
- Align budget to policy, or policy to budget

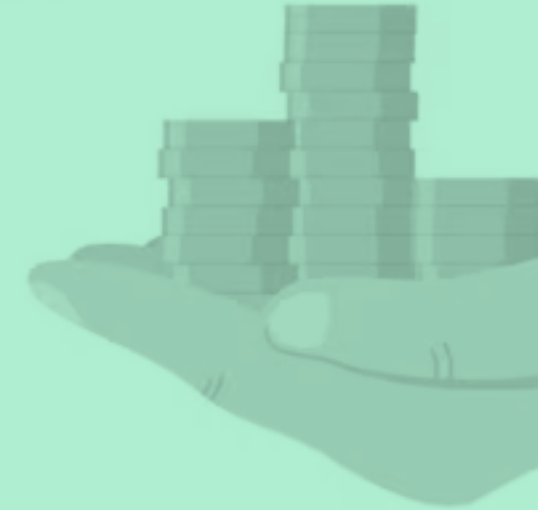
Grant Activity

Submitted Applications:

- PA DEP Growing Greener
 - Mount Carmel Stormwater BMPs
 - \$276,325 requested
- PA DCED Multimodal Transportation Fund
 - Adams & Nields Streets Rehabilitation + Pedestrian Safety Improvements
 - \$1,376,686 requested
 - Will resubmit under DCED's Strategic Investments to Enhance Sites Program in September
- Chester County Municipal Construction
 - Maple Alley Conveyance Improvements – Phase II
 - \$350,000 requested

Grants Closed out:

- Goose Creek Stormwater BMPs
 - DCED Small Water & Sewer (ARPA) - \$118,008
 - DEP Growing Greener - \$200,747



Sustainability Director's Report August 2026



MEETING MINUTES

Administration, Communication, and Technology

Date: Wednesday ,July 8, 2026 @ 6:30 PM

Committee Members: Lisa Kearns, Chair
Stephen Marvin
Jerry Szczepaniak

Staff: William Mann, Chief Information Security Officer
Nicholas Fink, Manager of Data and Enterprise Applications
Sean Metrick, Borough Manager

II. Announcements

III. Comments, suggestions, petitions by residents, property owners, and visitors in attendance regarding items not on the agenda. (Please be advised that all public comments have a 5-minute time limit.)

IV. Reports

- A. Quarterly Report- Director of Human Resources - **completed**
- B. ACT Committee –*Chair Report, workplan and issues raised at prior meetings* – **no report**

V. Old business

- A. Approve June 2026 meeting minutes – **Approved 3-0**
- B. Discuss Borough Council/Mayor compensation – Approved a \$1,000 raise for newly elected council members each of the next year elections. Approved 2-1 (Marvin opposed)**

VI. New business

- A. Motion to approve endorsement of legislative bills in PA House and Senate and letters of support to Representative Pielli and Senator Comitta – **Approved 3-0**
- B. Motion to approve cable franchise agreement with Comcast – **Approved 3-0**
- C. Discuss conducting hybrid Borough Council Meetings – Approved a motion to explore the possibility of expanding virtual attendance options for the public. – Approved 2-1 with Marvin opposed.**

VII. Adjournment

Visit www.west-chester.com for access to all attachments. Agendas are posted to www.west-chester.com by noon 3 business days prior to the meeting.

*Borough of West Chester, PA
Wednesday, June 3, 2026*

Chapter C. Home Rule Charter of the Borough of West Chester and Its Government

Article II. The Borough Council

Section 207. Salaries.

8 Pw-CAS 1001

- A. Each Member of Council may receive compensation to be fixed by ordinance, which shall be enacted prior to the fifteenth day of February of any year in which Members of Council are normally elected, as prescribed in Section 204(B). Such compensation shall not exceed the maximum established by **Section 1001 of the Borough Code**. No ordinance shall change the salary of any Member of Council after his or her election or appointment.
- B. Members of Council shall receive no other compensation from the Borough, direct or indirect. They may, however, receive reimbursement of expenses actually incurred in the performance of their duties. The Administrative Code shall prescribe the procedure for the authorization and approval of such expenses.
- C. In no case shall the compensation for any Member of Council exceed that of the Mayor. However, wherever the Mayor's compensation exceeds that authorized by this section for Members of Council, the President of Council may receive compensation not to exceed that of the Mayor.

*Borough of West Chester, PA
Wednesday, June 3, 2026*

Chapter C. Home Rule Charter of the Borough of West Chester and Its Government

Article IV. Mayor

Section 405. Salary.

8 Pa CSA § 1025

- A. The Mayor may receive compensation to be fixed by ordinance, which shall be enacted prior to the fifteenth day of February of any year in which the Mayor is normally elected, as prescribed in Section 402(B). Such compensation shall not exceed the maximum established by Section 1025 of the Borough Code. No ordinance shall change the salary of the Mayor after his or her election or appointment.
- B. The Mayor shall receive no other compensation from the Borough, direct or indirect. He or she may, however, receive reimbursement of expenses actually incurred in the performance of his or her duties. The Administrative Code shall prescribe the procedure for the authorization and approval of such expenses.

*Borough of West Chester, PA
Wednesday, June 3, 2026*

Chapter 3. Administrative Code

Article IV. Borough Council/Mayor

§ 3-11. Compensation: Council and Mayor.

{Amended 12-19-2001 by Ord. No. 18-2001}

- A. Salary of Council members. Each member of Council shall be paid an annual salary as compensation for the duties imposed by Act No. 581 of 1965, as amended, known as the Borough Code, as follows:
 - (1) Commencing January 1, 2006, each member of Council shall be paid the sum of \$4,000, payable quarterly.
 - (2) Commencing January 1, 2008, each member of Council shall be paid the sum of \$4,125, payable quarterly.
- B. Salary of Mayor. The Mayor of the Borough of West Chester shall be paid an annual salary as compensation for the duties imposed by Act No. 581 of 1965, as amended, known as the Borough Code, as follows:
 - (1) Commencing January 1, 2006, the Mayor shall be paid the sum of \$4,000, payable quarterly.
 - (2) Commencing January 1, 2008, the Mayor shall be paid the sum of \$4,125, payable quarterly.

8 Pa.C.S. § 1001

Pa.C.S. documents are current through 2026 Regular Session Act 17; P.S. documents are current through 2026 Regular Session Act 17

Pennsylvania Statutes, Annotated by LexisNexis® > Pennsylvania Consolidated Statutes (§§ 101 — 9901) > Title 8. Boroughs and Incorporated Towns (Pt. I) > Part I. Boroughs (Chs. 1 — 35) > Chapter 10. Powers and Duties of Elected Officials. (Subchs. A — F) > Subchapter A. Council. (§§ 1001 — 1016)

Notice

 This section has more than one version with varying effective dates.

§ 1001. Organization of council, quorum, participation by telecommunication device, voting, compensation and eligibility.

(a) Organization. The council shall organize on the first Monday of January of each even-numbered year by electing one member as president and one member as vice president, who shall hold the offices at the pleasure of the council. If the first Monday is a legal holiday, the meeting and organization shall take place the following day. Any action taken by any council at any time between 12:01 a.m. on January 1 of an even-numbered year and the organization of council in that year shall be subject to reconsideration by the new council at any time within ten days after organization. The council may, at the organizational meeting, appoint other officers as may be provided for by law or ordinance, or as may be deemed necessary for the conduct of affairs of the borough, and may transact any other business as may come before the meeting. The president, and, during the president's absence or incapacity, the vice president, shall preside over the meetings of council and perform other duties as are prescribed by this part or by ordinance.

(b) Quorum. A majority of the membership of council then in office shall constitute a quorum. Except as provided in subsection (c), only council members physically present at a meeting place within the borough shall be counted in establishing a quorum.

(c) Telecommunication. Council may provide for the participation of council members in council meetings by means of telecommunication devices, such as telephones or computer terminals, which permit, at a minimum, audio communication between locations, if the following apply:

(1) A majority of the membership of council then in office is physically present at the advertised meeting place within the borough and a quorum is established at the convening or reconvening of the meeting. If, after the convening or reconvening of a meeting, a member has been disqualified from voting as a matter of law, but is still physically present, council members participating by telecommunication device in accordance with this section shall be counted to maintain a quorum.

(2) The telecommunication device used permits the member or members of council not physically present at the meeting to:

- (i)** speak to and hear the comments and votes, if any, of the members of council who are physically present, as well as other members of council who may not be physically present and are also using a telecommunication device to participate in the meeting; and
- (ii)** speak to and hear the comments of the public who are physically present at the meeting.

(3) The telecommunication device used permits the members of council and the members of the public who are physically present at the meeting to speak to and hear the comments and the vote, if any, of the member or members of council who are not physically present at the meeting.

(4) Physical absence of a council member. Council may only authorize participation by telecommunication device for one or more of the following reasons:

- (i)** illness or disability of the member of council;
- (ii)** care for the ill or newborn in the member's immediate family;
- (iii)** emergency; and
- (iv)** family or business travel.

(5) Nothing in this subsection shall be construed to limit the protections and prohibitions contained in any law or regulation relating to the rights of the disabled.

(d) Voting. A member of the council shall not be disqualified from voting on any issue before the council solely because the member has previously expressed an opinion on the issue in either an official or unofficial capacity.

(e) Compensation. Members of council may receive compensation to be fixed by ordinance as follows:

- (1)** In boroughs with a population of less than 5,000, a maximum of \$3,145 per year.
- (2)** In boroughs with a population of 5,000 or more but less than 10,000, a maximum of \$4,190 per year.
- (3)** In boroughs with a population of 10,000 or more but less than 15,000, a maximum of \$5,450 per year.
- (4)** In boroughs with a population of 15,000 or more but less than 25,000, a maximum of \$6,915 per year.
- (5)** In boroughs with a population of 25,000 or more but less than 35,000, a maximum of \$7,335 per year.
- (6)** In boroughs with a population of 35,000 or more, a maximum of \$8,385 per year.

The salaries shall be payable monthly or quarterly for the duties imposed by this part. Benefits provided to members of council under section 1202(26) (relating to specific powers) shall not be considered pay, salary or compensation, but payment for all or a part of the premiums or charges for the benefits shall be in accordance with section 1202(26). Any change in salary, compensation or emoluments of the elected office shall become effective at the beginning of the next term of the member of council.

(e.1) Alternative compensation. Notwithstanding subsection (e), the council may provide that members of the council shall receive compensation on a per-meeting basis based on attendance of members of council. Total annual compensation may not exceed the amounts specified in subsection (e). Compensation shall only be payable for duly advertised public meetings in which a member of council participated, except compensation is not payable if a member of council is absent from a meeting and the absence is not excused. Excused absence from a meeting shall be determined by council and shall include, but not be limited to, an emergency or illness of the member of council or the member's immediate family, as well as family or business travel. Council may require documentation to support an excused absence.

(f) Eligibility for compensation. The population shall be determined by the latest available official census figures, except that a borough shall not be required to reduce the salary of a mayor or member of council as a result of a decrease in population. In no case shall the compensation for any member of council exceed that of the mayor in any given borough, but, if the mayor's compensation exceeds that authorized by this section for members of council, the president of council may receive compensation not to exceed that of the office of mayor.

History

[Act 2014-37](#) (H.B. 1719), , § 1, approved Apr. 18, 2014, eff. in 60 days; [Act 2024-131](#) (H.B. 2265), P.L. 1120, § 1, approved October 31, 2024, effective December 30, 2024.

Annotations

Notes

Editor's Notes

Section 1 of [Act 2014-37](#) added new Chapter 10, "Powers and Duties of Elected Officials", including Subchapter A, "Council", on April 18, 2014, effective in 60 days.

Amendment Notes

The 2024 amendment substituted "\$3,145" for "\$1,875" in (e)(1); substituted "\$4,190" for "\$2,500" in (e)(2); substituted "\$5,450" for "\$3,250" in (e)(3); substituted "\$6,915" for "\$4,125" in (e)(4); substituted "\$7,335" for "\$4,375" in (e)(5); substituted "\$8,385" for "\$5,000" in (e)(6); added (e.1); and in (f), added "except that a borough shall not be required to reduce the salary of a mayor or member of council as a result of a decrease in population" at the end of the first sentence.

Research References & Practice Aids

Hierarchy Notes:

[8 Pa.C.S.](#)

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8 Pa.C.S. § 10A04

Pa.C.S. documents are current through 2025 Regular Session Act 38; P.S. documents are current through 2025 Regular Session Act 38

Pennsylvania Statutes, Annotated by LexisNexis® > Pennsylvania Consolidated Statutes (§§ 101 — 9901) > Title 8. Boroughs and Incorporated Towns (Pt. I) > Part I. Boroughs (Chs. 1 — 35) > Chapter 10A. Mayor. (§§ 10A01 — 10A08)

§ 10A04. Salary of mayor.

(a) General rule. The salary of the mayor shall be established by ordinance and shall not exceed the following:

- (1)** In a borough with a population of less than 5,000, a maximum of \$4,190 per year.
- (2)** In a borough with a population of 5,000 or more but less than 10,000, a maximum of \$8,385 per year.
- (3)** In a borough with a population of 10,000 or more but less than 15,000, a maximum of \$12,575 per year.
- (4)** In a borough with a population in excess of 15,000, a maximum of \$840 per year per 1,000 residents or fraction of 1,000, the population to be determined by the latest official census figures.

(a.1) Treatment of benefits. Benefits provided to the mayor under section 1202(26) (relating to specific powers) shall not be considered pay, salary or compensation, but payment for all or a part of the premiums or charges for the benefits shall be in accordance with section 1202(26).

(b) Change in salary. A change in salary, compensation or emoluments of the elected office shall become effective at the beginning of the next term of the mayor.

History

[Act 2014-37](#) (H.B. 1719), , § 1, approved Apr. 18, 2014, eff. in 60 days; [Act 2024-131](#) (H.B. 2265), P.L. 1120, § 2, approved October 31, 2024, effective December 30, 2024.

Annotations

Notes

Amendment Notes

The 2024 amendment substituted “\$4,190” for “\$2,500” in (a)(1); substituted “\$8,385” for “\$5,000” in (a)(2); substituted “\$12,575” for “\$7,500” in (a)(3); and substituted “\$840” for “\$500” in (a)(4).

Research References & Practice Aids

Hierarchy Notes:

[§ Pa.C.S.](#)

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NOTICE

Home (index.php) / Notice

Bill to Increase Borough Compensation Maximums Signed into Law

November 4th, 2024

House Bill 2265 ([https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?](https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2023&sInd=0&body=H&type=B&bn=2265)

[sYear=2023&sInd=0&body=H&type=B&bn=2265](https://www.legis.state.pa.us/cfdocs/billInfo/billInfo.cfm?sYear=2023&sInd=0&body=H&type=B&bn=2265)), sponsored by Representative Kyle Donahue (D-Lackawanna), was signed by Governor Josh Shapiro after the bill was passed with a bipartisan vote of 49-1 by the Pennsylvania Senate on Tuesday October 22, 2024. Act 131 will increase the maximum allowable compensation for borough council members and mayors. The maximum allowable compensation for borough officials had not been updated since 1995.

Act 131 does not directly increase any official's compensation since boroughs must set compensation locally through ordinance. Commensurate with the Pennsylvania Constitution, any changes to a borough official's compensation cannot take effect until the beginning of the official's next term of office.

In addition to raising the compensation maximums, Act 131 allows boroughs to pay officials on a per meeting basis and provides for excused absences from meetings.

Act 131 also clarifies that if a future federal census pushes a borough below a certain population threshold, the borough would not be required to lower borough officials' compensation.

Listed below are the current compensation maximums for **council members** and the new increase under Act 131.

- Boroughs with a population of less than 5,000, are currently capped at a maximum of \$1,875 per year. Act 131 sets the new maximum at \$3,145 per year.
- Boroughs with a population of 5,000 or more but less than 10,000, are currently capped at a maximum of \$2,500 per year. Act 131 sets the new maximum at \$4,190 per year.
- Boroughs with a population of 10,000 or more but less than 15,000, are currently capped at a maximum of \$3,250 per year. Act 131 sets the new maximum at \$5,450 per year.
- Boroughs with a population of 15,000 or more but less than 25,000, are currently capped at a maximum of \$4,125 per year. Act 131 sets the new maximum at \$6,915 per year.

Listed below are the current compensation maximums for **mayors** and the new increase under Act 131.

- Boroughs with a population of less than 5,000, are currently capped at a maximum of \$2,500. Act 131 sets the new maximum at \$4,190 per year.
- Boroughs with a population of 5,000 or more but less than 10,000 are currently capped at a maximum of \$5,000. Act 131 sets the new maximum at \$8,385 per year.
- Boroughs with a population of 10,000 or more but less than 15,000 are currently capped at a maximum of \$7,500. Act 131 sets the new maximum at \$12,575 per year.
- Boroughs with a population in excess of 15,000 are currently capped at a maximum of \$500 per year per 1,000 residents or fraction of 1,000. Act 131 sets the new maximum at \$840 per year per 1,000 residents or fraction of 1,000.

Act 131 takes effect on December 30, 2024. New compensation will not take effect until a local ordinance is enacted, and the new compensation applies to the next term of office after the ordinance is enacted.

Select Language | ▼

Borough Planner / Calendar (calendar.php)

14 U.S. Army Birthday (calendar.php)
JUN

14 Flag Day (calendar.php)
JUN

15 Local Highway Finance Report (FHWA 536) Due to PennDOT (calendar.php)
JUN

Calendar - Print/Flip Version (/PSAB 2026 Calendar/index.html)

Article IV Borough Council/Mayor

☐ § 3-10 General provisions.

The powers, composition, terms, election, eligibility, authority, prohibitions and other matters concerning the elected Borough Council are set forth in Article II of the Home Rule Charter for the Borough of West Chester.

☒ § 3-11 Compensation: Council and Mayor.

{Amended 12-19-2001 by Ord. No. 18-2001}

- A. Salary of Council members. Each member of Council shall be paid an annual salary as compensation for the duties imposed by Act No. 581 of 1965, as amended, known as the Borough Code, as follows:
- (1) Commencing January 1, 2006, each member of Council shall be paid the sum of \$4,000, payable quarterly.
 - (2) Commencing January 1, 2008, each member of Council shall be paid the sum of \$4,125, payable quarterly.
- B. Salary of Mayor. The Mayor of the Borough of West Chester shall be paid an annual salary as compensation for the duties imposed by Act No. 581 of 1965, as amended, known as the Borough Code, as follows:
- (1) Commencing January 1, 2006, the Mayor shall be paid the sum of \$4,000, payable quarterly.
 - (2) Commencing January 1, 2008, the Mayor shall be paid the sum of \$4,125, payable quarterly.

☐ § 3-12 Indemnification and personal liability insurance.

To protect the Borough Council and the Mayor from personal liability in the performance of their duties, indemnification and personal liability insurance shall be provided by the Borough. The amounts and limits of said insurance will be determined by the Borough Council. Each Council person and the Mayor shall be indemnified against expenses (including attorney's fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by him/her in connection with any adverse action by reason of the fact that he/she is or was a Council member or Mayor, if they acted in good faith and in a manner he/she reasonably believed to be in the best interests of the Borough and, with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful.

- A. The termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent shall not of itself create a presumption that the Council member or Mayor did not act in good faith and in a manner which he/she reasonably believed to be in the best interests of the Borough and, with respect to any criminal action or proceeding, had reasonable cause to believe that his/her conduct was unlawful.
- B. To the extent that the Council member or Mayor has been successful on the merits or otherwise in defense of any adverse action, he/she shall be indemnified against expenses, including attorney's fees, actually and reasonably incurred by him/her in connection therewith as of right. In all other instances, indemnification should be made by the Borough only as authorized in a specific case upon a determination that the indemnification is proper in the circumstances because he/she has met the applicable standard of conduct set forth above. Such determination shall be made by the Borough Council by a majority vote of a quorum consisting

Borough of West Chester

Employee Policy Manual



Adopted March 20, 2024

Adopted March 20, 2024

AMENDMENTS:

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OVERVIEW

This Employee Policy Manual was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the attached Employee Policy Manual as soon as possible, as it will answer many questions about employment with the Borough of West Chester.

We believe that each employee contributes directly to West Chester Borough's growth and success, and we hope you take pride in being a member of our team.

A handwritten signature in black ink, appearing to read "Sean C. Metrick", with a long horizontal line extending to the right.

Sean Metrick

West Chester Borough Manager

020. Introductory Statement

This Policy Manual is designed to acquaint you with the Borough of West Chester (“also referred to as “the Borough and “West Chester Borough”) and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the Policy Manual. It describes many of your responsibilities as an employee and outlines the programs developed by West Chester Borough to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee Policy Manual can anticipate every circumstance or question about policy. As West Chester Borough continues to grow, the need may arise and the Borough reserves the right to revise, supplement, or rescind any policies or portion of the Policy Manual from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or West Chester Borough to end the employment relationship for any reason at any time. Employees will, of course, be notified of such changes to the Policy Manual as they occur.

For employees who are members of a collective bargaining unit and subject to a collective bargaining agreement (“CBA”), that CBA governs. If there is a term or condition in the CBA that contradicts or is different than a term in the Employee Policy Manual, the terms in the CBA control. If, however, the CBA does not reference a particular topic, the terms of the Employee Policy Manual control.

This Policy Manual supersedes and replaces the Employee Policy Manual dated February 19, 2020, and all prior policy manuals.

030. Employment is At-Will

All employees of the Borough are at-will employees except in one of the following three situations: (1) employees with a negotiated written employment agreement that specifies a specific term of employment or rescinds-at-will status; (2) employees who are subject to a collective bargaining agreement with a just cause provision for termination; or (3) employees who are subject to other legal or civil service provisions restricting termination except for defined cause in a specific statute. Your employment with the Borough is at-will. At-will employment means that neither you nor the Borough has entered into a contract regarding the duration of your employment. You may terminate your employment with the Borough at any time, for any reason or no reason. Likewise, the Borough has the right to terminate your employment at any time, for any reason or no reason. Additionally, the Borough may reassign you at any time for any reason or no reason.

You will be deemed to have voluntarily terminated your employment with the Borough for any of the following:

- Resignation from employment with the Borough.
- Failure to return from approved leave of absence on the date specified without permission; and
- Failure to report to work for three (3) or more consecutive workdays, without proper notice and approval.

Completion of a probationary period or conferral of regular status from part-time status shall not change your status as an employee-at-will or in any way restrict the Borough's right to terminate you.

040. Employee Relations Philosophy

West Chester Borough is committed to providing the best possible climate for maximum development and achievement of goals for employees. Our practice is to treat each employee as an individual. The Borough seeks to develop a spirit of teamwork with individuals working together to attain a common goal.

To maintain an atmosphere where these goals can be accomplished, a comfortable and progressive workplace is provided where communications are open, and problems can be discussed and resolved in a mutually respectful atmosphere.

West Chester Borough believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other municipalities in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their Department Head.

The Borough believes that with direct communication, it can better resolve difficulties that may arise and develop mutually beneficial relationships.

100. WORKPLACE ETHICS

101. Resident and Business Relations

Citizens of West Chester Borough are among our organization's most valuable assets. Every employee represents West Chester Borough to our citizens, businesses, and the general public. The way we do our jobs presents an image of our entire organization.

Residents and those who conduct business in West Chester Borough judge all of us by how they are treated with each employee contact. Therefore, one of our first business priorities is to assist any individual. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to the public.

Our personal contact with the public, our manners on the telephone, and the communications we send to residents and businesspersons are a reflection not only of ourselves, but also of the professionalism of West Chester Borough. Positive relations enhance the public's perception and image of the Borough of West Chester.

102. Equal Employment Opportunity

To provide equal employment and advancement opportunities to all individuals, employment decisions at West Chester Borough will be based on merit, qualifications, and abilities. West Chester Borough does not discriminate in employment opportunities or practices based on race, color, religion, sex, national origin, sexual orientation, gender identity, age, disability, or any other characteristic protected by law.

The Borough will provide reasonable accommodation for qualified individuals with known disabilities unless doing so would result in undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Equal Opportunity Complaint Procedure

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their Department Head, Director of Human Resources, or the Borough Manager, either verbally or in writing. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Appellate Authorities

Nothing herein shall preclude an employee from filing a complaint with either of the following governmental agencies if the employee's complaint is not satisfactorily resolved under the procedures established in this Policy Manual:

Pennsylvania Human Relations Commission
Philadelphia Regional Office
110 North 8th Street, Suite 501
Philadelphia, PA 19107
(215) 560-2496
(215) 560-3599 TTY users only
Office Hours: 8:30 a.m. to 5:00 p.m. M-F

U.S. Equal Employment Opportunity Commission
Philadelphia District Office
801 Market Street, Suite 1300
Philadelphia, PA 19107-3127
(800) 669-6820
Office Hours: 8:30 a.m. to 5:00 p.m. M-F
www.eeoc.gov

103. General Harassment Policy

The Borough is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, ethnicity, age, religion, disability, perceived disability, sexual orientation, gender identity, or any other legally protected characteristic will not be tolerated. The purpose of this policy is not to regulate the personal morality of employees. It is to ensure that, in the workplace, no employee harasses another for any reason.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual that is based upon a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical condition or handicap, medical condition, disability, mental status, veteran status, or other protected status.

Harassment Complaint Procedure

Any employee who feels they have experienced or witnessed harassment should immediately report the matter to their Department Head, either verbally or in writing. If the offender is the Department Head, you should report the matter to the Human Resources Director or the Borough Manager. If the offender is the Human Resources Director or the Borough Manager, employees shall contact the Borough Solicitor. The Borough will promptly and thoroughly investigate all such reports as discreetly as possible. The confidentiality of any such report or complaint shall be maintained to the maximum extent possible in investigating such matter.

The Borough recognizes that every investigation requires a determination based on all the facts in the matter. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be pursued. Each employee should be sensitive to the serious impact a false accusation can have. Therefore, disciplinary action, up to and including termination, may also be taken against individuals who make false accusations, such as those made maliciously or recklessly. The Borough trusts that all employees will act responsibly in reporting harassment under this policy.

Non-Retaliation

Complaints made in good faith under this policy will not result in any adverse action against the complainant, and no other person who participates in good faith in an investigation will be treated adversely because of that participation. Individuals who believe they have been subjected to any adverse employment action because of a complaint of harassment or participation in an investigation should report the matter in accordance with the procedures set forth in this Manual.

104. Sexual Misconduct Policy

This policy defines West Chester Borough's position on sexual misconduct involving elected officials, municipal employees, contract employees and volunteers. This policy also defines the municipality's response to incidents when an elected official, municipal employee or volunteer is the target of sexual misconduct originating from those outside the organization. The relevant Pennsylvania criminal statutes are attached here as Exhibit A.

Definitions

Municipal Employees – A catch-all term that includes elected officials, municipal employees, contract employees, and volunteers that receive direction from the municipality.

Sexual Misconduct - A comprehensive term used in this policy to include: (1) sexual abuse of children or adults, (2) rape or sexual assault, and (3) sexual harassment or other improper sexual relationships. Sexual misconduct is an abuse of authority and power, breaching ethical principles by misusing a trust relationship to gain advantage over one another for personal gratification in an abusive, exploitative, unjust, or unlawful manner.

Sexual Abuse of Children or Adults - Occurs whenever a person engages in a prohibited sexual act or prohibited sexual contact with another as defined by Pennsylvania or federal law, including, but not limited to sexual abuse of children, involuntary deviate sexual intercourse, indecent assault, and rape. Such abuse shall include, but not be limited to, the following:

- Deviate sexual intercourse or indecent contact with an individual who is less than 13 years of age or an individual who is less than 16 years of age when the person is four or more years older than the individual and they are not married.
- Deviate sexual intercourse or indecent contact involving physical, intellectual, moral, emotional, or psychological force, either express or implied, or threat of physical, intellectual, moral, emotional, or psychological force, either express or implied that would prevent resistance by a person of reasonable resolution.
- Indecent contact with another person who does not give consent.
- Deviate sexual intercourse or indecent contact with another person who is unconscious, or the person knows the individual is unaware that the indecent contact or sexual intercourse is occurring.
- Deviate sexual intercourse or indecent contact with another person when the individual has substantially impaired the other person's power to appraise or control his or her conduct by administering or employing, without the knowledge of the other person, drugs, intoxicants, or other means for the purpose of preventing resistance.
- Photographing, videotaping, depicting on computer or filming sexual acts involving a child under the age of 18 or the simulation of sexual acts by a child under the age of 18.

Child sexual abuse includes, but is not limited to, any indecent contact with a child less than 13 years of age, indecent contact with a child less than 16 years old when the individual is more than 4 years older than the child, and they are not married, or photographing, videotaping, depicting on computer or filming sexual acts involving a child under the age of 18 or the simulation of sexual acts by a child under the age of 18. The dissemination or possession of child pornography is also considered sexual abuse of a child when the material is not possessed, controlled, brought, or caused to be brought into Pennsylvania for a bona fide educational, scientific, governmental, or judicial purpose. Child sexual abuse may or may not involve touching. Child sexual abuse is a crime in all states and shall be promptly reported to law enforcement authorities. Anyone who, in the course of their employment, occupation or practice of their profession, as specified under Pennsylvania and federal law, comes into contact with children shall report, or cause a report to be made, when they have reasonable cause to suspect that a child coming before them is an abused child.

Rape or Sexual Assault - Allegations of involuntary deviate sexual intercourse and rape, as defined by 18 Pa. C.S.A. S3123 and 18 Pa. C.S.A. S3121, are felony crimes. Such incidents when reported to the municipality or discovered by municipal employees shall be promptly reported to law enforcement authorities for investigation and possible prosecution. Victims of such incidents shall be encouraged to obtain emergency medical attention to be treated for injuries and preserve potential DNA evidence.

Sexual Harassment - Behaviors which constitute sexual harassment include unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexually offensive nature when:

- Submission to such conduct is made either explicitly or implicitly on a term or condition of an individual's employment or their continued status in an institution.
- Submission to or rejection of such conduct by an individual is the basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.

Sexual harassment can consist of a single intense or unusually severe act or multiple persistent or pervasive acts. Sexual harassment may include, but is not limited to:

- Sexually oriented jokes or humor.
- Sexually demeaning comments.
- Verbal suggestions of sexual involvement or sexual activity.
- Questions or comments about sexual behavior.
- Unwelcome or inappropriate physical contact.

- Graphic or degrading comments about an individual's physical appearance.
- Express or implied sexual advances or propositions.
- Offering employment benefits in exchange for sexual favors.
- Display of sexually suggestive objects or pictures; or
- A repeated request for social engagements after an individual refuses.

PROCEDURES FOR SEXUAL MISCONDUCT ALLEGATIONS

Zero Tolerance

The Borough of West Chester is committed to providing a work environment that is free of sexual misconduct. There shall be zero tolerance for responding to such behaviors.

Allegations of Sexual Abuse, Rape or Sexual Assault

Allegations of sexual abuse of children are serious criminal matters that require prompt reporting to a Department Head, either verbally or in writing. If the offender is the Department Head, you should report the matter to the Human Resources Director or the Borough Manager. If the offender is the Human Resources Director or the Borough Manager, employees shall contact the Borough Solicitor. In addition, allegations of deviate sexual intercourse, indecent assault, or rape involving adults are also serious criminal matters that should be promptly reported to the law enforcement agency having jurisdiction. Allegations involving local law enforcement shall be referred to the municipality's police internal affairs officer or to the District Attorney in whose county the alleged misconduct occurred. This prompt reporting shall occur independent of the municipality's internal sexual misconduct investigation process.

Allegations of Sexual Harassment

Any elected official, municipal employee or volunteer who feels that he or she has experienced or witnessed sexual harassment should immediately report the matter to their Department Head, either verbally or in writing. If the offender is the Department Head, the matter should be reported to the Borough Manager or Human Resources Director. If the offender is the Borough Manager or Human Resources Director, then the matter should be reported to the Borough Solicitor. The Borough of West Chester will promptly and thoroughly investigate all such reports as discreetly as possible. The confidentiality of any such report or complaint shall be maintained to the maximum extent possible in investigating such matters.

The Borough recognizes that every investigation requires a determination based on all the facts in the matter. Each employee should be sensitive to the serious impact a false accusation can have. West Chester Borough trusts that all employees will act responsibly in reporting harassment under this policy.

Prohibition of Retaliatory Action

Retaliatory action will not be taken against any elected official, municipal employee or volunteer who reports or participates in the investigation of a violation of this policy. Retaliatory actions violate this policy, and violators may be subject to disciplinary action, up to and including discharge.

Background Investigations

In accordance with 23 PA C. S. § 6344, municipal employees or volunteers who have contact with minors shall be required to submit the following information to the Human Resource Director prior to commencement of work with this sensitive population:

- (1) A report of criminal history record information from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police Central Repository contains no such information relating to the municipal employee or volunteer.
- (2) A certification from the Department of Human Services (Child Abuse) as to whether the municipal employee or volunteer is named in the statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded report or an indicated report.
- (3) A report of Federal criminal history record information. The municipal employee or volunteer shall submit a full set of fingerprints to the Pennsylvania State Police for the purpose of a record check, and the Pennsylvania State Police or its authorized agent shall submit the fingerprints to the Federal Bureau of Investigation for the purpose of verifying the identity of the municipal employee or volunteer and obtaining a current record of any criminal arrests and convictions.

Offenses which would disqualify an individual from working with minors are described in Exhibit B.

Policy Dissemination

The Human Resources Director shall be responsible for ensuring this policy is periodically communicated to all elected officials, municipal employees, contract employees and volunteers. At a minimum, this policy should be reviewed with employees every five years. A record such as employee signature on this policy or training attendance sheets shall be maintained to document that this information was communicated and understood.

EXHIBIT A

Applicable Sections of Pennsylvania Criminal Code

PA ST 18 Pa. C.S.A. S3101 Definitions
S3126 Indecent Assault
S3121 Rape
S3123 Involuntary Deviate Sexual Intercourse
S6312 Sexual Abuse of Children

EXHIBIT B

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
THE CHILD PROTECTIVE SERVICES LAW
Title 23 Pa. C. S. A. Chapter 63
 (Excerpted)

a. Grounds for denying employment. --

1. In no case shall an administrator hire an applicant where the department has verified that the applicant is named in the central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification pursuant to this section.

2. In no case shall an administrator hire an applicant if the applicant's criminal history record information indicates the applicant has been convicted of one or more of the following offenses under Title 18 (relating to crimes and offenses) or an equivalent crime under Federal law or the law of another state:
 - Chapter 25 (relating to criminal homicide).
 - Section 2702 (relating to aggravated assault).
 - Section 2709 (relating to harassment and stalking).
 - Section 2901 (relating to kidnapping).
 - Section 2902 (relating to unlawful restraint).
 - Section 3121 (relating to rape).
 - Section 3122.1 (relating to statutory sexual assault).
 - Section 3123 (relating to involuntary deviate sexual intercourse).
 - Section 3124.1 (relating to sexual assault).
 - Section 3125 (relating to aggravated indecent assault).
 - Section 3126 (relating to indecent assault).
 - Section 3127 (relating to indecent exposure).
 - Section 4302 (relating to incest).
 - Section 4303 (relating to concealing death of child).
 - Section 4304 (relating to endangering welfare of children).
 - Section 4305 (relating to dealing in infant children).
 - A felony offense under section 5902 (b) (relating to prostitution and related offenses).
 - Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).
 - Section 6301 (relating to corruption of minors).
 - Section 6312 (relating to sexual abuse of children).
 - The attempt, solicitation, or conspiracy to commit any of the offenses set forth in this paragraph.

3. In no case shall an administrator hire an applicant if the applicant's criminal history record information indicates the applicant has been convicted of a felony offense under the act of April 14, 1972 (P.L.233, No. 64), known as the controlled substance, drug, device, and cosmetic act, committed within the five-year period immediately preceding verification under this section.

105. Employment of Relatives

The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is like that of persons who are related by blood or marriage. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Objective:

The Borough of West Chester is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

Scope:

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, the Borough of West Chester will hire relatives of persons currently employed only if: a) candidates for employment will not be working directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages and leave requests.

This policy applies to all current employees and candidates for employment.

Definitions:

“Family member” is defined as one of the following: spouse or significant other, parent/stepparent, child/stepchild, grandparent, grandchild, brother/brother-in-law, sister/sister-in-law, uncle, aunt, nephew, niece, first cousin, in-laws (father, mother, son, daughter).

Procedure:

Prior to the employment or promotion offer, the immediate supervisor must complete a signed statement certifying that the candidate for employment or other employment action is not a relative as defined above and send such statement to the Director of Human Resources.

The hiring manager/director is responsible for ensuring policy compliance. Department directors are responsible for monitoring changes in employee reporting relations after initial hire to ensure compliance with this policy. Employees are responsible for immediately reporting any changes to

their supervisor.

If any employee, after employment or change in employment, enters into one of the above relationships, one of the affected individuals must seek a transfer or a change in the reporting relationship. Such changes must be approved by the Director of Human Resources or Borough Manager. If a decision cannot be made by the affected employees within 14 days of reporting, reassignment will be made on the direction of the department director and the Director of Human Resources.

No exception to this policy will be made without the written consent of the Borough Manager.

106. Immigration Law Compliance

The Borough of West Chester is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with West Chester Borough within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Borough Manager. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

107. Conflicts of Interest

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Borough of West Chester wishes the organization to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Borough Manager for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee can influence a decision that may result in a personal gain for that employee or for a relative as a result of West Chester Borough's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose it to the Borough Manager as soon as possible so that the existence of any actual or potential conflicts can be addressed and safeguards can be established to protect all parties.

A personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which West Chester Borough does business, but also when an employee or relative receives a bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving West Chester Borough.

Borough employees may not solicit or accept gifts from any person or business organization including money, tangible or intangible personal property, food, beverage, loan or promise, service, entertainment, or other gift of value, for the benefit of the employee or his or her family.

Borough employees may not seek, negotiate for, or accept special considerations of services for personal use if such relates to the employee's position with the Borough. Employees may not use or refer to their position with the Borough in any transaction involving the purchase of goods or services for the purpose of deriving or enhancing bargaining leverage for personal gain.

Borough employees may not give any outside vendor, businessperson, or resident permission to use his or her name as a reference or endorsement for the advertisement or solicitation of business if such reference or endorsement relates to the employee's position with the Borough. Borough employees may not recommend any individual business or business associate to another person seeking information.

108. Outside Employment

An employee may hold a job with another organization if they satisfactorily perform their job responsibilities with the Borough. Employees will be judged by the same performance standards and will be subject to the Borough's scheduling demands, regardless of existing outside work requirements. To ensure that conflicts of interest do not exist, employees should report any outside employment to the Human Resources Director.

If the Borough determines, in its sole discretion, that an employee's outside work presents a conflict of interest or otherwise interferes with performance or the ability to meet the requirements of the Borough as they are modified from time to time, the employee may be asked to terminate the outside employment as a condition of continued employment with the Borough. Outside employment presents a conflict of interest if it has an adverse impact on the Borough.

200. PERSONNEL AND PERFORMANCE EVALUATION

201. Employment Classification

Probationary New employees are required to undergo a 3-month probationary period. Employee All benefits applicable to the position will begin following the probationary period.

However, the employment relationship is subject to termination at any time during or after the probationary period. The completion of the probationary period does not guarantee employment for any time period. The Borough Manager may waive the probationary period.

Full Time Employees Employees who are not in a temporary or probationary status and are regularly scheduled to work a minimum of 35 hours each workweek. Full-time employees are eligible for the benefits package in accordance with their position and length of employment.

Part Time Employees Employees who are not in a temporary or introductory status and work less than 35 hours. Part-time employees are eligible for statutory benefits only. A part-time employee who subsequently becomes a full-time employee, with no break in service with the Borough, will be eligible for benefits on the same basis as a newly hired full-time employee, with waiting periods for benefits starting from the first day of full-time employment.

Seasonal Employees Employees who perform a job for a specified time. These employees are eligible for statutory benefits only.

Temporary Employees Employees who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. Temporary employees are eligible for statutory benefits only.

Per Diem Employees Employees who do not work regularly scheduled hours but are called in to work on an as-needed basis. Per Diem employees are eligible for statutory benefits only.

Statutory benefits are mandated by federal, state, or local law and include Social Security, Workers' Compensation Insurance and Unemployment Compensation Insurance.

In addition to the preceding, employees are also categorized as "exempt" or "non-exempt."

Non-Exempt Pursuant to the Fair Labor Standards Act (FLSA) and applicable state law, Non-exempt employees are entitled to overtime pay for all hours worked in excess of 40 hours per work week. Overtime hours are paid at one and one half (1 ½) times the regular pay rate. All overtime must be approved by a Department Head prior to the time the employee works overtime hours.

Exempt Pursuant to the Fair Labor Standards Act (FLSA) and applicable state law, exempt employees are those who meet certain statutory requirements for exemption either as an executive, administrative, or professional employee. Exempt employees are not entitled to overtime pay for hours worked beyond the regular schedule.

Upon hire, the Human Resources Director shall notify you of your employment classification.

202. Employment Application and Background Checks

West Chester Borough relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

To ensure that individuals who join West Chester Borough are qualified and have a strong potential to be productive and successful, it is the policy of West Chester Borough to check the employment references of all applicants.

The Borough will conduct pre-employment criminal background checks on all employees prior to their first date of employment with the Borough. Criminal background checks may also be periodically conducted, with prior notification to the employee.

The Borough will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held.

203. Disability Accommodation

West Chester Borough is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

The Borough's hiring procedures provide persons with disabilities meaningful employment opportunities. Upon request, job applications are available in alternative, accessible formats, as is assistance in completing the application. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all qualified employees with known disabilities, unless doing so would create an undue hardship for the Borough. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Employees may be entitled to leave as accommodation, depending upon the circumstances. If you believe that you need accommodation for a disability, please contact the Human Resources Director.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

West Chester Borough is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. West Chester Borough will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The Borough is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

204. Probationary Period

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. West Chester Borough uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or West Chester Borough may end the employment relationship at will at any time during or after the probationary period, with or without cause or advance notice.

All new and rehired employees work on a probationary basis for the first three months after their date of hire. An employee's performance will be evaluated by his or her Department Head after this three-month period. Thereafter, an employee's performance will be reviewed in conformance with the performance review schedule for all non-uniformed employees. Any significant absence will automatically extend a probationary period by the length of the absence. If West Chester Borough determines that the designated probationary period does not allow enough time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period.

Upon satisfactory completion of the probationary period, employees enter the "regular" employment classification. Probationary employees become eligible to receive Borough paid benefit coverage ~~on the first of the month following the month in which they complete one full month of continuous employment with the Borough.~~ after they have successfully completed probation.

205. Access to Personnel Files

West Chester Borough maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals, salary increases, and other employment records.

Personnel files are the property of West Chester Borough, and access to the information they contain is restricted. Generally, only the Human Resources Director and Borough Manager of West Chester Borough who have a legitimate reason to review information in a file can do so.

Employees who wish to review their own file should contact the Human Resources Director. With reasonable advance notice, employees may review their own personnel files in West Chester Borough's offices and in the presence of an individual appointed by West Chester Borough to maintain the files.

206. Personnel Data Changes

It is the responsibility of each employee to promptly notify West Chester Borough of any changes in personnel data. Personal mailing addresses, telephone numbers, marital status, number and names of dependents, individuals to be contacted in the event of emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Human Resources Director.

207. Job Descriptions

The Borough of West Chester makes every effort to create and maintain accurate job descriptions for all positions within the organization. Each description includes an introduction, duties, requirements, and essential functions.

West Chester Borough maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources Director and Department Heads prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised to ensure that they are up to date at least every four (4) years. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure that their job descriptions are accurate and up to date, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned, as necessary. Contact the Human Resources Director or your Department Head if you have any questions or concerns about your job description.

208. Performance Evaluation and Pay Adjustments

Department Heads and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations shall be performed at least annually. Performance evaluations for employees should be completed by November 30 of each year. New personnel will receive a performance evaluation within a reasonable time after the completion of three (3) months of employment with the Borough. Thereafter, an employee's performance will be reviewed in conformance with the performance review schedule for all non-uniformed employees.

The purpose of the performance evaluation is to assess an employee's performance in the previous year, provide feedback on areas of proficiency and needs for improvement, set future performance goals and objectives, identify any training needs of the employee, and set compensation. Performance evaluations include a written evaluation of an employee's job performance using the standard West Chester Borough performance review form as developed by Borough management. The form may be changed at any time at the discretion of management.

Department Heads are responsible for conducting annual performance evaluations for their employees not covered by a collective bargaining agreement. The Borough Manager will conduct annual performance evaluations for Department Heads as well as for employees that report directly to the Borough Manager.

Procedure for Performance Evaluation

The Borough Manager will give written notice to Department Heads regarding their responsibility to schedule their employees' upcoming performance evaluations annually. Department Heads or the Borough Manager will then give written notice to their employees regarding the time, date, and place of the performance evaluation.

All mandatory sections will be filled out by the evaluator. Additional non-mandatory sections may be filled out by the evaluator at their discretion if they feel it is beneficial to the employee.

At the conclusion of the evaluation, the evaluator and the employee must sign the form and will have an opportunity to make written comments with their signature. The Department Head will then give the form to the Borough Manager to sign and place in the appropriate file.

Pay Adjustments

The Borough may award merit-based pay adjustments to recognize truly superior employee performance. The decision to award such an adjustment is in the sole discretion of the West Chester Borough Manager and is dependent upon numerous factors, including the information documented by a formal performance evaluation process and the organization's financial status.

New employees receiving the three (3) month performance evaluation will not be eligible for a pay adjustment. Depending on the date for new hires, new employees may be eligible for a pay adjustment at six (6) months and again may be eligible at one (1) year of employment to provide cost of living increase.

209. Promotions.

Career advancement is rewarding for both the employee and the Borough.

In conformance with state and federal laws:

- All persons are entitled to equal employment opportunity regardless of race, creed, color, sex, age, national origin, religion, handicap, disability, sexual orientation, gender identity, or other characteristic protected by law.
- Employment shall be based on merit and qualification, free of personal and political considerations.
- Employment opportunities shall be open to all qualified applicants solely based on their experience, aptitude, and abilities.
- Promotion and advancement shall be based entirely on the individual's achievement, performance, ability, attitude, and potential for further promotion.
- Employment shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work, and the availability of work.

210. Termination of Employment

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION	voluntary employment termination initiated by an employee.
DISCHARGE	involuntary employment termination initiated by the Borough for disciplinary reasons.
LAYOFF	involuntary employment termination initiated by the Borough for non-disciplinary reasons.
RETIREMENT	voluntary employment termination initiated by the employee complying with age, length of service, and any other criteria required for retirement from the organization.

Since employment with West Chester Borough is based on mutual consent, both the employee and West Chester Borough have the right to terminate employment at will, with or without cause, at any time.

Employee benefits will be affected by employment termination in the following way: all accrued, vested benefits due and payable at termination will be paid. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Should an employee decide to leave employment with West Chester Borough, it is requested that he or she provide his or her Department Head with at least two (2) weeks' advance written notice. The employee's thoughtfulness will be appreciated and will be noted favorably should he or she ever wish to reapply for employment with the Borough.

An employee is requested to notify the organization of any address changes during the calendar year in which termination occurs so that tax information will be sent to the proper address.

Employees who are rehired following a break in service in excess of 3 months other than an approved leave of absence may be asked to serve an initial probationary period, whether such a period was previously completed. Such employees are considered new employees from the effective date of their reemployment for all purposes, including determining eligibility for benefits.

Employees who voluntarily leave the Borough shall be asked to participate in an exit interview with Human Resources prior to departure. The exit interview shall not be mandatory.

All Borough-owned property must be returned to West Chester Borough on or before the employee's last day of work. If necessary, the organization may take action to recoup any replacement costs and/or seek the return of the organization's property through appropriate legal recourse.

211. Procedural Limitations on the Borough Council

Per the Borough of West Chester Code and Home Rule Charter, neither the Borough Council, its members nor its committees shall dictate or influence or attempt to dictate or influence the hiring, suspending or termination of employees for West Chester Borough. The Borough Manager shall appoint all Department heads, except the Chief of Police, on the basis of executive and administrative qualifications appropriate to the duties of their departments.

General supervision of such Department Heads and employees shall be the duty of the Borough Manager. The Borough Council or any of its members or any of the Borough Council committees or their members shall deal with the administrative staff solely through the Borough Manager, and neither the Borough Council nor any of its members nor any of its committees or their members shall give orders, publicly or privately, to any employee of the Borough.

300. Employee Benefits and Leave

301. Vacation

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Regular, full-time employees are eligible to earn and use vacation time as described in this policy:

The amount of paid vacation time an employee receives each year increases with the length of their employment as shown below. The following vacation time schedule applies to those employees working a minimum of 35 hours per week:

*After 3 months to 1 year of service the employee is entitled to 40 hours of vacation.

Accrual Rate will be 1.54 hours per biweekly pay period.

*After 1 year of service the employee is entitled to 80 hours of vacation each year.

Accrual Rate will be 3.08 hours per biweekly pay period.

*After 5 years of service the employee is entitled to 120 hours of vacation each year.

Accrual Rate will be 4.62 hours per biweekly pay period.

*After 10 years of service the employee is entitled to 160 hours of vacation each year.

Accrual Rate will be 6.15 hours per biweekly pay period.

*After 14 years of service the employee is entitled to 200 hours of vacation each year.

Accrual Rate will be 7.69 hours per biweekly pay period.

Paid vacation time will be taken in half or full day increments only. . To take vacation, employees should request vacation from the Department Head 2 weeks in advance of the date the vacation will commence. Requests will be reviewed based on several factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate according to the bi-weekly payroll schedule. Any vacation scheduled towards the end of the calendar year will be paid out the following calendar year. It does not include overtime or any special forms of compensation such as shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. If available vacation is not used by the end of the benefit year, employees are permitted to carry over into the next year a maximum of 40 vacation hours. Any excess vacation shall be eliminated from the employees' leave balance. Vacation Leave is earned based on any employee's anniversary date and the corresponding years of service. Employees shall not use more vacation hours in a calendar year than they have earned. Vacation time is paid according to the bi-weekly payroll schedule, any vacation scheduled towards the end of the calendar year will be paid out the following calendar year.

Employees who resign, retire, or are terminated are entitled to compensation at their current rate of pay for any authorized earned but unused vacation leave to his or her credit at the time of separation.

Employees with a negative vacation balance at time of separation will have their final paycheck adjusted accordingly. Unless otherwise provided in a collective bargaining agreement, employees on unpaid leave are not entitled to continue accruing vacation benefits. This includes employees who are receiving income replacement benefits such as short-term disability, long-term disability, or workers' compensation insurance.

302. Sick Leave

West Chester Borough provides paid sick leave benefits to all regular, full-time eligible employees for periods of temporary absence due to illnesses or injuries.

Eligible employees will accrue sick leave benefits at the rate of 1 day per month. Sick leave balances carry forward from year to year and accumulate without limit.

Employees can request use of paid sick leave after completing the probationary period. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury. An eligible employee shall use sick leave in whole hour increments.

Employees who are unable to report to work due to illness or injury should notify their Department Head before the scheduled start of their workday if possible. The Department Head must also be contacted on each additional day of absence.

Each time an employee uses sick time in excess of three calendar days, a physician's statement must be provided verifying the need for sick leave and its beginning and expected ending dates.

Sick leave benefits are intended to address health and medical concerns for employees and family and may not be used for any other absence. Sick leave benefits will not be granted for illness occurring during pre-approved days off.

Upon normal or disability retirement of an employee (as defined in the defined benefit Non-uniform Pension Plan for employees of the Borough of West Chester), the Borough will purchase the accumulated but unused sick leave of such unrepresented employees at an amount not to exceed 192 hours of such accrued but unused sick leave at the employee's then current salary rate.

Sick Leave Abuse

Regular attendance is an essential function of every employee's job. Abuse of paid sick leave causes work delays, increase of overtime costs, deterioration of service, and co-worker morale problems. It also harms the individual employee by eroding income protection in the event of an extended illness.

Employees' use of sick time will be monitored for indications of abuse. Sick abuse may include repeated use of unscheduled sick time on or adjacent to weekends, holidays, vacation, or pay day, regardless of the number of consecutive days. Examples of sick abuse may also include absences when an employee's vacation request was denied and when an employee is scheduled for an undesirable shift. Suspected abuse of paid sick leave will be dealt with on a case-by-case basis and may include disciplinary action from counseling up to and including termination. Abuse of sick time may adversely affect an employee's performance rating.

303. Bereavement Leave

Employees who wish to take off due to the death of a family member should notify their Department Head immediately.

Five (5) working days shall be granted in the event of the death of an employee's spouse or child, parent or parent-in-law; three (3) days shall be granted in the event of the death of an employee's brother, sister, or relative living in the employee's household; one (1) day shall be granted in the event of the death of an employee's grandparent or grandchild.

Bereavement time may only be taken in full, consecutive workdays.

Employees may, with the Borough Manager's approval, use any available paid leave for additional time off as necessary.

304. Family Medical Leave of Absence

Full-time employees are eligible for unpaid leaves of absence for family or personal medical reasons in accordance with the Family and Medical Leave Act. Family reasons include the birth of the employee's child, the placement of a child with the employee for adoption or foster care, or a medical problem that requires the employee to care for a spouse, child or parent who has a serious health condition. Personal medical reasons include serious illness, injury, medical and surgical procedures, pregnancy, childbirth, and related medical procedures.

Employees who have been with the Borough for at least twelve months and who have worked at least 1250 hours during that period are eligible for up to twelve (12) weeks of unpaid leave in any twelve-month period. Intermittent leave may also be permitted. In determining the twelve weeks, the Borough will consider time spent on family leave as well as medical leave during the twelve-month period. To qualify for family leave to take care of a seriously ill spouse, child, or parent, you will need to provide us with a statement from a physician or other healthcare provider that you are needed to care for the family member. To qualify for a medical leave of absence, you will need to provide Human Resources with a statement from your physician indicating that you are unable to work due to one of the situations listed above. In either case, please give Human Resources as much advance notice as possible.

The Borough reserves the right to require employees taking leave to use any accrued vacation, sick days, or holidays as part of their leave. Your group health insurance will remain in effect during your leave on the same basis as before.

When you return from leave, the Borough will return you to your original position or an equivalent position. You may request an extension of your unpaid leave beyond the twelve (12) week limit described above, and such requests will be considered on a case-by-case basis. However, the Borough cannot guarantee that it will be able to hold your position for you beyond twelve weeks. If your position is filled, the Borough will attempt to place you in another position for which you are qualified, provided one is available.

Employees who do not qualify for family or medical leave due to their length of service or the nature of their medical condition may request personal leave of absence. Such requests will be considered on a case-by-case basis.

If you would like to take family or medical leave or if you would like additional information about this policy, please contact Human Resources.

Eligible employees may take job-protected leave for specified family and medical reasons under the Family and Medical Leave Act (FMLA). FMLA leave is unpaid.

Employee Eligibility:

To be eligible for FMLA leave, you must:

1. Have worked at least 12 months for the Borough in the preceding seven years (limited exceptions apply to the seven-year requirement).
2. Have worked at least 1,250 hours for the Borough over the preceding 12 months; and
3. Currently work at a location where there are at least 50 employees within 75 miles.

Conditions Triggering Leave:

Leave may be taken for the following reasons:

1. Birth of a child, or to care for a newly born child.
2. Placement of a child with the employee for adoption or foster care.
3. To care for an immediate family member (employee's spouse, child, or parent) with a serious health condition.
4. Because of the employee's serious health condition that makes the employee unable to perform the employee's job.
5. To care for a Covered Service member with a severe injury or illness related to certain types of military service (see Military-Related FMLA Leave for more details); or
6. To manage certain qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on duty under a call or order to active duty in the Uniformed Forces (see Military-Related FMLA Leave for more details).

Duration of Leave:

The maximum amount of FMLA leave that may be taken in a 12-month period for all reasons combined is 12 weeks with one exception. For leave to care for a Covered Service member, the maximum combined leave entitlement is 26 weeks, with leaves for all other reasons constituting no more than 12 of those 26 weeks. FMLA leave after the birth or placement of a child for

Adoption or foster care must be concluded within 12 months of the birth or placement. We encourage employees to see human resources regarding FMLA leave related to pregnancy and care of a newborn, as special rules apply.

Identifying the 12-Month Period:

Connect America measures the 12-month period under the FMLA in which leave is taken by the “rolling” 12-month method beginning on the first day the employee takes leave and ending 12 months after that date; the next and subsequent 12 -month period would begin the first time that FMLA leave is taken after the conclusion of any previous 12 month period.

Using Leave:

Eligible employees may take FMLA leave in a single block of time, intermittently (in separate blocks of time), or by reducing the normal work schedule when medically necessary for the serious health condition of the employee or immediate family member, or in the case of a covered service member, his or her injury or illness. Eligible employees may also take intermittent or reduced-scheduled leave for military qualifying exigencies. Intermittent or reduced leave is not permitted for the birth of a child, to care for a newborn child or for placement of a child for adoption or foster care without the express permission of the Borough Manager. Employees who require intermittent or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt Connect America’s operations.

Definitions:

A “Serious Health Condition” is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job or prevents the qualified family member from participating in the Borough or other daily activities. Subject to certain conditions, the continuing treatment requirement includes an incapacity of more than three full calendar days and two visits to a health care provider or one visit to a health care provider and a continuing regimen of care; an incapacity caused by pregnancy or prenatal visits, a chronic condition, or permanent or long-term conditions; or absences due to multiple treatments. Other situations may meet the definition of continuing treatment.

B “Covered Service member” is a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness. The term “serious injury or illness” means an injury or illness incurred by the

member in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating.

"Qualifying exigencies" include activities such as short-notice deployment, military events, arranging alternative childcare, making financial and legal arrangements related to the deployment, rest and recuperation, counseling, and post-deployment debriefings.

Use of Accrued Paid Leave:

The Borough may require you to use accrued paid leave (vacation, sick, or personal days), concurrently with your FMLA leave. In addition, you will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of an FMLA leave.

Maintenance of Health Benefits:

If you and/or your family participate in our health plan, the Borough will maintain coverage during your FMLA leave on the same terms as if you had continued to work. You must plan to pay your share of health plan premiums while on leave and failure to pay your portion, if any, of the premium may result in loss of coverage. In some instances, the Borough may recover premiums it paid to maintain health coverage or other benefits for you and your family. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of your leave. For more information regarding your health plan benefits, consult human resources.

Notice and Medical Certification:

When seeking FMLA leave, you are required to provide:

1. Sufficient information for us to determine if the requested leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that you are unable to perform job functions; a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. You must also inform the Borough if the requested leave is for a reason for which FMLA leave was previously taken or certified.
2. If the need for leave is foreseeable, this information must be provided 30 days in advance of the anticipated beginning date of the leave. If the need for leave is not foreseeable, this information must be provided as soon as is practicable and in compliance with the Borough's normal call-in procedures, absent unusual circumstances. The notice shall be

given to the human resource department.

3. Medical certification supporting the need for leave due to a serious health condition affecting you or an immediate family member must be provided within 15 calendar days of the Borough's request to provide the certification (additional time may be permitted in some circumstances). If you fail to do so, we may delay the commencement of your leave, withdraw any designation of FMLA leave or deny the leave, in which case your leave of absence would be treated in accordance with our standard absence and attendance policies, subjecting you to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required.
4. Periodic reports as deemed appropriate during the leave regarding your status and intent to return to work; and
5. Medical certification of fitness for duty before returning to work if the leave was FMLA leave due to your serious health condition. The Borough will require this certification to address whether you can perform the essential functions of your position.

Failure to comply with the foregoing requirements may result in delay or denial of leave, or disciplinary action, up to and including termination.

Employer Responsibilities:

To the extent required by law, the Borough will inform employees whether they are eligible under the FMLA. Should an employee be eligible for FMLA leave, the Borough will provide them with a notice that specifies any additional information required as well as the employee's rights and responsibilities. If employees are not eligible, the Borough will provide a reason for the ineligibility. The Borough will also inform employees if leave will be designated as FMLA-protected and, to the extent possible, note the amount of leave counted against the employee's leave entitlement. If the Borough determines that the leave is not FMLA-protected, the Borough will notify the employee.

Job Restoration:

Upon returning from FMLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions.

Personal Leaves of Absence:

The Borough may grant an unpaid leave of absence (LOA) to an employee who is in good standing. Serious health conditions, care of newborn or adopted child, professional development, community service, and personal needs not covered by other leave policies of the Borough may be justifications for such leaves.

A leave of absence will only be considered after all FMLA leave (if applicable), accrued vacation, personal and sick leave have been exhausted. Any request for leave of absence without pay must be submitted in writing as far in advance as possible and will be reviewed on a case-by-case basis by the employee's Department Head and Human Resources Director. The decision to approve or disapprove the request will be based on the specific circumstances including:

1. The reason for the request.
2. The length of time requested.
3. (in cases of serious health conditions) The anticipated recovery/fitness for duty date.
4. The employee's job performance and attendance record
5. The impact the employee's absence will have on the work unit; and
6. The expectation that the employee will return to work when the leave expires.

The Borough reserves the right to approve or deny such leave requests as circumstances merit. Leave of absence for personal reasons may not exceed twenty-six (26) weeks.

Employees on personal leaves of absence may continue their group medical, dental and vision insurance coverage at the same level as if they were working by paying part or the entire premium for continuation coverage. Employees making an application for a personal leave of absence may obtain additional information on benefits continuation from human resources.

Upon expiration of a personal leave of absence, the employee may be returned to his or her former position if available. If the employee's position is not available, the employee may be offered another available position for which he/she is qualified. If no position is available when the employee is able to return to work, the employee will be terminated and may apply for the next available position he or she is qualified for.

Failure to Return After Leave:

Any employee who fails to return to work as scheduled after FMLA leave or exceeds the 12-week FMLA entitlement (or in the case of military caregiver leave, the 26-week FMLA entitlement), will be subject to the Borough's standard absence and attendance policies. This may result in termination if you have no other Borough-provided leave available to you that applies to your continued absence. Likewise, following the conclusion of your FMLA leave, the Borough's obligation to maintain your group health plan benefits ends (subject to any applicable COBRA rights).

The Borough's Concurrent Use of Short-Term Disability and Workers' Compensation:

Employees on Workers' Compensation are required to take FMLA leave concurrently. For example, an employee who is absent from work for four months due to a Workers' Compensation injury will have the first 12 weeks of that absence applied to FMLA leave.

Fraud:

Providing false or misleading information or omitting material information in connection with an FMLA leave will result in disciplinary action, up to and including immediate termination.

Employers' Compliance with FMLA and Employee's Enforcement Rights:

FMLA makes it unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided under FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

While the Borough encourages employees to bring any concerns or complaints about compliance with FMLA to the attention of the human resources department, FMLA regulations require employers to advise employees that they may file a complaint with the U.S. Department of Labor or bring a private lawsuit against an employer.

Further, FMLA does not affect any federal or state law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Limited Nature of This Policy:

This policy should not be construed to confer any express or implied contractual relationship or rights to any employee not expressly provided for by FMLA. The Borough reserves the right to modify this or any other policy as necessary, in its sole discretion to the extent permitted by law.

Military-Related FMLA Leave:

FMLA leave may also be available to eligible employees in connection with certain service-related medical and non-medical needs of family members. There are two forms of such leave. The first is Military Caregiver Leave, and the second is Qualifying Exigency Leave. Each of these leaves is detailed below.

Military Caregiver Leave:

Unpaid Military Caregiver Leave is designed to allow eligible employees to care for certain family members who have sustained serious injuries or illnesses in the line of duty while on active duty. The family member must be a “covered service member,” which means: (1) a current member of the Armed Forces, National Guard or Reserves, (2) who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, (3) for a serious injury or illness that may render him or her medically unfit to perform the duties of the member’s office, grade, rank, or rating.

To be “eligible” for Military Caregiver Leave, the employee must be a spouse, son, daughter, parent, or next of kin of the covered service member. “Next of kin” means the nearest blood relative of the service member, other than the service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the service member by court decree or statutory provisions; brothers and sisters; grandparents; aunts and uncles; and first cousins; unless the service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of Military Caregiver Leave. The employee must also meet all other eligibility standards as set forth within the FMLA Leave policy.

An eligible employee may take up to 26 workweeks of Military Caregiver Leave to care for a covered service member in a “single 12-month period.” The “single 12-month period” begins on the first day leave is taken to care for a covered service member and ends 12 months thereafter, regardless of the method used to determine leave availability for other FMLA-qualifying reasons. If an employee does not exhaust his or her 26 workweeks of Military Caregiver Leave during this “single 12-month period,” the remainder is forfeited.

Military Caregiver Leave applies on a per-injury basis for each service member. Consequently, an eligible employee may take separate periods of caregiver leave for every covered service member, and/or for every serious injury or illness of the same covered service member. A total of no more than 26 workweeks of Military Caregiver Leave, however, may be taken within any “single 12-month period.”

Within the “single 12-month period” described above, an eligible employee may take a combined total of 26 weeks of FMLA leave including up to 12 weeks of leave for any other FMLA-qualifying reason (i.e., birth or adoption of a child, serious health condition of the employee or close family member, or a qualifying exigency). For example, during the “single 12-month period,” an eligible employee may take up to 16 weeks of FMLA leave to care for a covered service member when combined with up to 10 weeks of FMLA leave to care for a newborn child.

An employee seeking Military Caregiver Leave may be required to provide appropriate certification from the employee and/or covered service member and completed by an authorized health care provider within 15 days. Military Caregiver Leave is subject to the other provisions in our FMLA Leave Policy (requirements regarding employee eligibility, appropriate notice of the need for leave, use of accrued paid leave, etc.). Military Caregiver Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations.

Qualifying Exigency Leave:

Eligible employees may take unpaid “Qualifying Exigency Leave” to tend to certain “exigencies” arising out of the duty under a call or order to active duty of a “covered military member” (i.e., the employee’s spouse, son, daughter, or parent). Up to 12 weeks of Qualifying Exigency Leave is available in any 12-month period, as measured by the same method that governs measurement of other forms of FMLA leave within the FMLA policy (with the exception of Military Caregiver Leave, which is subject to a maximum of 26 weeks of leave in a “single 12-month period”). Although Qualifying Exigency Leave may be combined with leave for other FMLA-qualifying reasons, under no circumstances may the combined total exceed 12 weeks in any 12-month period (with the exception of Military Caregiver Leave as set forth above). The employee must meet all other eligibility standards as set forth within the FMLA policy.

Qualifying Exigency Leave is available under the following circumstances:

1. Short-notice deployment. To address any issue that arises out of short notice (within seven days or less) of an impending call or order to active duty.
2. Military events and related activities. To attend any official military ceremony, program, or event related to active duty or a call to active-duty status or to attend a certain family support or assistance program and informational briefings.
3. Childcare and school activities. To arrange for alternative childcare; to provide childcare on an urgent, immediate need basis; to enroll in or transfer to a new school or daycare facility; or to attend meetings with staff at a school or daycare facility.
4. Financial and legal arrangements. To make or update various financial or legal arrangements; or to act as the covered military member's representative before a federal, state, or local agency in connection with service benefits.
5. Counseling. To attend counseling (by someone other than a health care provider) for the employee, the covered military member, or for a child or dependent, when necessary, as a result of duty under a call or order to active duty.
6. Temporary rest and recuperation. To spend time with a covered military member who is on short-term, temporary rest and recuperation leave during the period of deployment. Eligible employees may take up to five of days of leave for each instance of rest and recuperation.
7. Post-deployment activities. To attend arrival ceremonies, reintegration briefings and events, and any other official ceremony or program sponsored by the military for a period of up to 90 days following termination of the covered military member's active-duty status. This also encompasses leave to address issues that arise from the death of a covered military member while on active-duty status; and
8. Mutually agreed leave. Other events that arise from the close family member's duty under a call or order to active duty, provided that Connect America and the employee agree that such leave shall qualify as an exigency and agree to both the timing and duration of such leave.

An employee seeking Qualifying Exigency Leave may be required to submit appropriate supporting documentation in the form of a copy of the covered military member's active-duty orders or other military documentation indicating the appropriate military status and the dates

of active-duty status, along with a statement setting forth the nature and details of the specific exigency, the amount of leave needed and the employee's relationship to the military member, within 15 days. Qualifying Exigency Leave will be governed by, and handled in accordance with, the FMLA and applicable regulations, and nothing within this policy should be construed to be inconsistent with those regulations. Persons who can be ordered to active duty include active and retired members of the Regular Armed Forces, certain members of the retired Reserve, and various other Reserve members including the Ready Reserve, the Selected Reserve, the Individual Ready Reserve, the National Guard, and state military, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, and Coast Guard Reserve.

A call to active duty refers to a federal call to active duty, and state calls to active duty are not covered unless under order of the President of the United States pursuant to certain laws.

Military Reserves or National Guard Leave of Absence

Employees who serve in U. S. military organizations or state national guards may take the necessary time off to fulfill this obligation and will retain all their legal rights for continued employment under existing laws. Employees have the option of taking the leave without pay or applying any accrued personal leave and unused earned vacation time to the leave.

As with any other type of leave, the following applies during the duration of your leave:

Disability Income Benefits: An approved medical Leave of Absence does not automatically qualify you for disability benefits. In every case, you must make a separate application for disability benefits as required by the Disability Income Benefit Plan. It is possible to be eligible for a Medical Leave of Absence, but ineligible for disability income benefits.

Holidays: You are not eligible for holiday pay, or time off with or without pay at a later date, for Company recognized holidays that occur during a Medical Leave of Absence.

No Pyramiding of Benefits: You may not receive compensation for a day of absence under more than one plan or policy of the Borough. For example, you may not receive disability pay and holiday pay (and/or vacation pay) for the same day of absence.

Benefits: During such leave, the Borough will continue to pay its share of the premiums to maintain any health plan coverage that is already in effect. The employee must continue to pay (in advance of the leave) the share of the health benefit costs that he/she paid before the beginning of the leave if he/she wishes such coverage to continue during the leave or risk losing benefit coverage.

Accrual of PTO Benefits: Accrual for Paid Time Off benefits (vacation/personal) will cease during a leave period which extends for a duration longer than thirty (30) days. Upon an employee's return from a specific leave their cumulative balances for the following year will be pro-rated based on the length of absence period.

305. Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for two-week training assignments and shorter absences. The portion of any military leave of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for the purpose of determining benefits based on length of service.

Contact the Human Resources Director for more information or questions about military leave.

306. Holidays and Personal Time

West Chester Borough will grant holiday time off to eligible employees for the holidays listed below:

- New Year's Day
- Martin Luther King Jr. Day
- Presidents Day
- ~~Good Friday~~
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- ~~Thanksgiving Day~~
- Day After Thanksgiving
- Christmas Day

Borough administration will be closed on these holidays. If a holiday falls on a Saturday, the scheduled day off shall be the Friday immediately preceding the holiday. If a holiday should fall on a Sunday, the scheduled day off shall be the first Monday immediately following the holiday.

Non-exempt employees required to work on a holiday shall be paid one- and one-half times their regular pay rate.

Personal Time

In addition to holidays, 40 hours of personal time will be granted to eligible employees during each calendar year, to be taken at a time approved by the employee's Department Head.

The minimum request for paid personal time equals one half day. Personal time cannot be carried forward to the following year.

West Chester Borough will grant paid holiday time off and personal days to regular, full-time employees.

307. Severe Weather and Emergency Closings

At times, emergencies such as severe weather, fires, or power failures can disrupt Borough operations. In extreme cases, these circumstances may require the closing of the facility. If such an emergency occurs during non-working hours, the Borough Manager will attempt to contact all employees via email. Please ensure that as an employee that the Human Resource Director has your most up-to-date contact information for such emergencies.

When the decision to close is made after the workday has begun, employees will receive official notification from their Department Head or the Borough Manager.

Except in cases of extreme weather (in which event you will be notified), we are all expected to work our regular hours. With Borough Manager approval, time taken off due to poor weather conditions can be charged to unused vacation or personal paid leave.

If a severe weather event is known in advance (snow/ice, etc.), and there is a possibility that the Borough may be closed, Department Directors and any essential employee(s) should be prepared to work from home during the event and until the Borough re-opens.

308. Jury Duty

West Chester Borough encourages employees to fulfill their civic responsibilities by serving jury duty when required.

Employees must submit a copy of their jury duty summons to their Department Head as soon as possible so that the Department Head may plan to accommodate their absence. To obtain pay for jury duty service, employees must also submit a receipt of daily appearance (for example, copies of daily payment stubs). Employees who fail to submit proof of service will be compelled to use unused accrued time to cover any undocumented absence. Of course, employees are expected to report for work whenever the court schedule permits or whenever their service is no longer needed.

309. Deferred Compensation Plan

West Chester Borough has established a 457 savings plan to provide employees with the potential for future financial security for retirement.

To be eligible to join the 457 savings plan, you must be 21 years of age or older. Eligible employees may participate in the 457-plan subject to all terms and conditions of the plan.

The 457 savings plan allows you to elect how much salary you want to contribute and direct the investment of your plan account, so you can tailor your own retirement package to meet your individual needs.

Because your contribution to a 457 plan is automatically deducted from your pay before federal withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted will be taxed when they are finally distributed, favorable tax rules typically apply to 457 distributions.

Contact the Human Resources Director for more information about the 457 plan.

310. Longevity Payment

The Borough recognizes that employees who remain with the Borough for a period of years enhance Borough operations with their cumulative skill and knowledge as well as their experience with the public. The Borough therefore wishes to reward longevity with the Borough.

A full-time employee who has accrued at least five (5) years of continuous service with the Borough shall receive the sum of four hundred dollars (400.00) for the first five (5) years of continuous employment and an additional ninety dollars (\$90.00) for each year of service thereafter.

Longevity rewards will be calculated from anniversary dates of hire and paid to employees in active pay status each pay period over the course of the following year.

For this policy, continuous service to the Borough may include an approved leave of absence for a period of six (6) months or less. Active pay status shall be defined as any employee regularly reporting to work for 35 hours per week as applicable and collecting a regular paycheck.

311. Retirement Benefits

West Chester Borough offers a retirement plan for full-time employees to encourage dedicated service to the Borough and to assist employees in planning for retirement.

Non-uniformed employees: the Borough offers a plan to non-uniformed employees hired before 1-1-2013 that currently has the following features:

The plan will require employee contributions of 3.25% of salary. An employee is vested after five (5) years of service.

Full retirement begins after age sixty-five (65) where the employee has twenty (20) years of service.

Retirement pay effective January 1, 1999, is determined by calculating 2.0 percent of the employee's average monthly salary times years of service. "Final Monthly Average Salary" shall mean the Compensation of the Participant averages over the consecutive sixty (60) month period of Employment during the last ten (10) years of Employment preceding retirement or other termination of Employment which produces the greatest average.

An employee is retired when the employee leaves the employment of the Borough having satisfied the applicable pension plan requirement which would enable the employee to collect a monthly pension.

If an employee elects to retire during the first six (6) months of any calendar year, the Borough will provide an added retirement incentive of full payment of any longevity benefit amount the employee would have received for that year plus an additional Two Thousand Five Hundred (\$2,500) Dollars. An employee is retired when the employee leaves the employment of the Borough having satisfied the applicable pension plan requirement which would enable the employee to collect a monthly pension.

Non-Uniformed employees hired after 1-1-2013 will be provided a defined contribution retirement plan with the Borough contributing five (5) percent of salary and the employee may contribute up to limits proscribed by federal law.

The Borough reserves the right to amend, modify or terminate any of the benefits or benefit plans contained herein at any time subject to union negotiations. The information set forth above regarding retirement benefits is for informational purposes only, in the event there is a conflict between the summary information above and the benefits provided in the actual plans, the plans will govern. Information on retirement benefits is available through the Borough Manager's office.

312. Education Assistance/Tuition Reimbursement

The Borough will reimburse non-bargaining unit and AFSCME employees up to one hundred percent (100%) of his or her tuition for a job-related and department head approved education course in which a “B” average or better is attained. Reimbursement will be contingent upon the following conditions:

The employee must have completed his or her probationary period and at least one (1) year of continuous full-time or part-time service with the Borough from the date of successful completion of the probationary period, or when approved by the Borough Manager.

The educational course or courses must be job-related or part of a structured program leading to a degree in a job-related area, subject to the review of the department head and approval of the Borough Manager.

The employee must provide a copy of a transcript or letter certifying that the course or program was successfully completed by a “B” grade or better.

“Pass/Fail” courses will be reimbursed upon receipt of a letter confirming the employee has passed the course.

A maximum benefit of twelve hundred (\$1,200) dollars per employee per calendar year may be provided.

Application:

A Course Selection Approval Form must be submitted to and approved by the department head and Borough Manager prior to commencement of course.

Upon successful completion of the course the employee must submit, along with the transcript, a Request for Tuition Reimbursement form to the Treasurer with receipt for tuition and registration.

If an employee leaves prior to the year anniversary of the course completion, then they are required to repay the amount originally reimbursed by the employer.

400. Health Benefits

401. Health Insurance

West Chester Borough's health insurance plan provides employees and their dependents access to medical, dental, vision and prescription drug insurance benefits.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between West Chester Borough and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy in the next section for more information.

Details of the health insurance plan are described in the Plan Booklets and information on cost of coverage will be provided in advance of enrollment to eligible employees. Plans are subject to change at the beginning of every calendar year. Evidence of dependent eligibility is required.

Contact the Human Resources Director for more information about health insurance benefits.

402. Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under West Chester Borough's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, - or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at West Chester Borough's group rates plus any administration fee. West Chester Borough provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under West Chester Borough's health insurance plan. The notice contains important information about the employees' rights and obligations.

Contact the Human Resources Director for more information about COBRA.

403. Life Insurance

Life insurance offers you and your family important financial protection. West Chester Borough provides a basic life insurance plan for regular, full-time employees.

Eligible employees participate in the life insurance plan subject to all terms and conditions of the agreement between West Chester Borough and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees.

Contact the Human Resources Director for more information about life insurance benefits.

404. Workers Compensation Insurance

West Chester Borough provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment.

Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their Department Head immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

The injured employee should report for diagnosis and treatment to:

Chester County Occupational Health Center
915 Old Fern Hill Road – Bldg. A
West Chester, PA 19380
Telephone 610-738-2450

If the injury is serious or life-threatening, the employee should report immediately to:

Chester County Hospital Emergency Room
701 E. Marshall Street, West
West Chester, PA 19380
Telephone 610-431-5550

Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize an employee's claim. Management needs to be alerted to any condition which could lead to, or contribute to, an employee accident.

405. Short-Term and Long-Term Disabilities

West Chester Borough's short-term disability (STD) benefits plan is optional, and is employer paid but there is a buy-up option available that is employee paid. It is designed to help regular, full-time employees cope with an illness or injury that results in a short-term absence from employment of less than 52 weeks. STD is designed to ensure a continuing income for employees who are disabled and unable to work.

Eligible employees participate in the STD plan subject to all terms and conditions of the agreement between West Chester Borough and the insurance carrier.

STD benefits are offset with amounts received under Social Security or workers' compensation for the same time.

Details of the STD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Director for more information about STD benefits.

West Chester Borough's long-term disability (LTD) benefits plan is optional, and it is employee paid. It is designed to help regular, full-time employees cope with an illness or injury that results in a long-term absence from employment. LTD is designed to ensure a continuing income for employees who are disabled and unable to work.

Eligible employees participate in the LTD plan subject to all terms and conditions of the agreement between West Chester Borough and the insurance carrier.

LTD benefits are offset with amounts received under Social Security or workers' compensation for the same time.

Details of the LTD benefits plan including benefit amounts, and limitations and restrictions are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Director for more information about LTD benefits.

406. Employee Assistance Program

West Chester Borough cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), West Chester Borough provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it.

The Employee Assistance Program (EAP) provides support and resources to help employees, and their family, with a range of issues, including:

- Managing stress, anxiety, and depression
- Improving relationships at home or work
- Getting guidance on legal and financial concerns
- Coping with occupational stress and burnout support
- Addressing substance use issues

This service is provided to all employees at no additional cost.

Representatives for the Employee Assistance Program (EAP) are available 24 hours per day, 7 days per week at 1-888-887-4114.

500. Timekeeping, Payroll, and Expenses

501. Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and state laws require West Chester Borough to keep an accurate record of time worked to calculate employee pay and benefits. Time worked is all the time spent on the job performing assigned duties.

Employees should accurately record the time they begin and end their work. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Nonexempt employees are responsible for reporting to work at their scheduled starting time and may not stay at work after their scheduled stop time without expressed, prior authorization from their Department Head.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The Department Head will review and approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the Department Head must verify the accuracy of the changes by approving the time record.

502. Paydays and Pay Corrections

All employees are paid biweekly every other Thursday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

The Borough utilizes direct deposit functions whereby payroll funds are automatically deposited into each employee's bank account after the employee provides advance written authorization for the Borough to do so. Employees will receive an itemized statement of wages on each pay day.

Administrative Pay Corrections

West Chester Borough takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Human Resources Director, Finance Director, and/or Borough Manager so that corrections can be made as quickly as possible.

503. Pay Advances

West Chester Borough does not provide pay advances on unearned wages to employees.

504. Salary Administration

The salary administration program at West Chester Borough was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, West Chester Borough is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. West Chester Borough periodically reviews its salary administration program and restructures it, as necessary. Merit-based pay adjustments may be awarded in conjunction with superior employee performance documented by the performance evaluation process. The final determination for every employee's pay adjustment will be the responsibility of the Borough Manager.

Employees should bring their pay-related questions or concerns to the attention of their Department Heads, who are responsible for the fair administration of departmental pay practices. The Borough Manager is also available to answer specific questions about the salary administration program.

505. Business Travel Expenses

West Chester Borough will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Borough Manager or Finance Director.

Employees whose travel plans have been approved should make all travel arrangements through the Borough Manager.

When approved, the actual costs of travel, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by West Chester Borough.

Employees are expected to limit expenses to reasonable amounts.

Expenses that will be reimbursed include the following:

- Airfare or train fare for travel in coach or economy class or the lowest available fare.
- Fares for shuttle or airport bus service at destination where available; costs of public transportation for other ground travel at destination when business related.
- Mileage costs for use of personal cars, only when less expensive transportation is not available. Personal vehicle expenses shall be reimbursed at the IRS rate per mile, plus actual expenses for tolls and parking.
- The exact amount paid for gas is supported by receipts when Borough-owned vehicles are approved for use.
- Tolls supported with receipts.
- Tips (maximum of 18 percent)
- Cost of standard, single occupancy accommodations in hotels, motels, or similar lodgings.
- Charges for telephone calls, fax, and similar services required for business purposes.

Cost of Meals

1. Breakfast: Up to \$15.00 + gratuity
2. Lunch: Up to \$20.00 + gratuity
3. Dinner: Up to \$35.00 + gratuity

The listed limits may be exceeded within reason provided the daily total does not exceed a combined total of \$70.00 plus gratuity. Gratuity for satisfactory service is normally eighteen (18) percent. A traveler who stays with relatives or others where no actual lodging expenses are incurred is entitled to reimbursement of \$20.00 per day. Actual laundry expenses will be allowed

only after the seventh consecutive day in travel status.

Other Business Travel Information

Employees who are involved in an accident while traveling on business must promptly report the incident to their Department Head; Vehicles owned, leased, or rented by West Chester Borough may not be used for personal use without prior approval.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their Department Head when travel advances are needed.

When travel is completed, employees should complete and submit the standard West Chester Borough Travel Expense Report within five business days. Reports should be accompanied by receipts for all individual expenses other than meals. Please speak with your Department Head to obtain the standard travel expense report used by the Borough.

Employees should contact their Department Head for guidance and assistance with procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

Purchase of alcohol is not a reimbursable expense.

506. Overtime

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the Department Head's prior authorization.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Nonexempt employees who work more than forty (40) hours per week earn time and one half for those hours worked. Personal, vacation, bereavement, sick leave, and holidays are considered time worked.

Employees who work overtime without receiving prior authorization from their Department Head may be subject to disciplinary action, up to and including possible termination of employment.

507. Rest and Meal Period

All full-time employees are provided with a paid 30-minute meal period each workday.

Employees must make themselves available to address urgent matters within the scope of their positions even during lunch periods as required.

Department Heads will schedule meal periods to accommodate operating requirements, and employees will not be permitted to deviate from the established schedule for any reason. Although flexibility is given to Department Heads to schedule their department's meal periods for each employee, all meal periods for every employee must be between 11:00 AM and 2:00 PM. Exceptions can be made as necessary with prior approval of the Borough Manager. No overtime or other compensation will be made for a missed meal period or any portion thereof. Abuse or misuse of the meal period will be dealt with on a case-by-case basis and may include disciplinary action from counseling up to and including termination.

600. Workplace Behavior

601. Workplace Etiquette

West Chester Borough strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. West Chester Borough encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the Human Resources Director if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- * Replace paper in the copy machine and printer paper trays when they are empty.
- * Retrieve print jobs in a timely manner and be sure to collect all your pages.
- * Keep the area around the copy machine and printers orderly and picked up.
- * Be conscious of how your voice travels and try to lower the volume of your voice when talking on the phone or to others in open areas.
- * All phones must be on vibrate
- * Use earbuds or headphones if listening to music
- * Clean up after yourself and do not leave behind waste or discarded papers.
- * Maintain a clean kitchen/lunchroom. Do not leave dishes in the sink, and wipe clean the countertop, table, and appliances. Remember to remove unnecessary and/or spoiled food from the refrigerator.

602. Work Schedules

Because of the nature of the organization's business, each employee's work schedule may vary depending on job requirements. Evening or weekend work may be required to accomplish work responsibilities. Such evening or weekend work will be scheduled in advance whenever possible. Department Heads will advise employees of their individual work schedules with as much advance notice as possible.

Administrative employees will be afforded the opportunity to work schedules with flexible start times with prior approval of their supervisor. All administrative employees shall be scheduled to work during core business hours of 10am to 3pm, Monday through Friday. Schedules of employees will vary according to the needs of the department, customer service, and managing director or Borough Manager.

Employees are not permitted to work from home on a continuous or recurring basis. Any requests to work from home shall be made to the managing director or Borough Manager and approved on a case-by-case basis. All requests must be approved in advance of working from home.

If approved to work from home, employees are expected to maintain or improve their productivity, performance, communication and are expected to maintain regular work hours and be available during those times.

603. Attendance and Punctuality

To maintain a safe and productive work environment, West Chester Borough expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on West Chester Borough. In therare instances when employees cannot avoid being late for work or are unable to work as scheduled, they should notify their Department Head as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive and shall lead to disciplinary action, up to and including termination of employment.

604. Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image West Chester Borough presents to customers and visitors.

During business hours or when representing West Chester Borough, you are expected to present a clean, neat, and professional appearance as appropriate for your position. This is particularly true if your job involves dealing with residents or visitors in person.

Your Department Head is responsible for establishing a reasonable dress code appropriate to the job you perform. Consult your Department Head if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made for a person with a disability.

There is some attire that is not acceptable, regardless of position within the Borough.

Unacceptable Work Attire

- Slippers
- Slides or shower shoes
- Flip flops
- Pajamas
- Sweatpants
- Sweatshirts/hoodies (for Administrative and Borough Hall employees)
- Tank tops
- Cropped tops
- Tube Tops
- Halter tops, etc.
- Jeans cannot be distressed, have holes, be saggy, low cut or reveal undergarments

Where necessary, reasonable accommodation may be made for a person with a disability.

605. Standards of Conduct and Discipline

West Chester Borough maintains certain standards of conduct which serve as guidelines to enhance employee understanding of what is expected of them at the workplace. These standards are communicated through written policy and through supervisory personnel. They are necessary to ensure a safe efficient government operation; to assure compliance with public law; and to protect the well-being and rights of all employees.

Standards of conduct include behaving professionally, functioning in a problem-solving mode, cooperating with co-workers, using a team approach, and focusing on delivering top-quality service. If an individual's behavior interferes with the orderly and efficient operation of a department or the organization, corrective measures will be taken.

Disciplinary action may include a verbal warning, written warning, suspension and/or discharge. The appropriate disciplinary action imposed will be determined by West Chester Borough in its sole discretion and does not guarantee that one form of action will necessarily precede another.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that will result in disciplinary action, up to and including discharge:

- Violation of the Borough's policies or safety rules.
- Insubordination.
- Unauthorized possession, use or sale of alcohol or controlled substances.
- Unauthorized possession, use or sale of weapons, firearms, or explosives.
- Theft or dishonesty.
- Physical harassment.
- Sexual harassment.
- Poor attendance; and
- Poor performance.

These examples are not all inclusive. Disciplinary and discharge decisions will be based on an assessment of all relevant factors, at West Chester Borough's sole discretion.

This policy is not intended to modify the employment-at-will nature of the employment relationship.

Complaint Resolution

Any employee who believes that a policy herein is being improperly interpreted or applied in a situation directly involving the employee may submit a complaint in accordance with the Grievance Procedures outlined in the following Section.

606. Procedure for Request and Grievances

Grievance Procedures

The following chain of authority and procedure shall be adhered to by any employee presenting a request, grievance, formal complaint, allegation of neglect or abuse by a superior, benefit disputes, and changes to policies and procedures:

- 1) A request or complaint should be reported to the employee's Departmental Head
- 2) In the event of an unsatisfactory disposition or no resolution in Step 1, a meeting may be requested and may be held with Human Resources or the Borough Manager. Where the request or grievance is by an employee(s) against an individual member(s) of the Borough Council, the Borough Manager may appoint a professional mediator to participate in the meeting.
- 3) In the event of an unsatisfactory resolution in Step 2, a meeting may be requested and may be held with the Borough Solicitor. A decision rendered by the Borough Solicitor shall be final.

Filing a Complaint

Notwithstanding the foregoing, in the case of a request, grievance, formal complaint, allegation of neglect or abuse by a superior, benefit disputes, and changes to policies and procedures by a Departmental Head, the following chain of authority and procedure shall be adhered to by all Departmental Heads:

- 1) The request or complaint should be made to Human Resources or the Borough Manager.
- 2) In the event of an unsatisfactory disposition or no resolution at Step 1, a meeting may be requested and may be held with the Borough Manager. Where the grievance or request is by an employee(s) against an individual member(s) of the Borough Council, the Manager may appoint a professional mediator to participate in the meeting.
- 3) In the event of an unsatisfactory or no resolution in Step 2, a meeting may be requested and may be held with the Borough Solicitor. A decision rendered by the Borough Solicitor shall be final.

607. Substance Abuse

West Chester Borough has a vital interest in ensuring a safe, healthy, and efficient working environment for our employees, their co-workers, and the members we serve. The unlawful or improper presence or use of controlled substances or alcohol in the workplace presents a danger to everyone. For these reasons, we have established as a condition of employment and continued employment with West Chester Borough the following substance abuse policy.

Employees are prohibited from reporting to work or working while using illegal or unauthorized drugs. Employees are prohibited from reporting to work or working while intoxicated. Employees are prohibited from reporting to work or working when the employee uses any drugs, except when the use is pursuant to a doctor's orders and the doctor advised the employee that the substance does not adversely affect the employee's ability to safely perform his or her job duties. In addition, employees are prohibited from engaging in the unlawful or unauthorized manufacture, distribution, or sale of illegal drugs and alcohol in the workplace.

Each employee taking a legal drug which could affect job safety or performance is responsible for notifying his/her Department Head and providing a physician's certificate stating the substance will not adversely affect the employee's ability to perform job duties safely and efficiently. It is not necessary for the employee to disclose the identity of the substance. The physician should note any work restrictions. This certificate must be provided to the employee's Department Head before the employee reports to his or her work area. If the Borough and the employee's physician have determined that the substance does not adversely affect the employee's ability to perform the employee's job duties safely and efficiently or determined that a reasonable accommodation can be made, the employee may commence work. An employee may not be permitted to perform his or her job duties unless such a determination or reasonable accommodation is made.

Employment or continued employment with the Borough is conditioned upon an employee's full compliance with the foregoing substance abuse policy. Any violation of this policy may result in disciplinary action up to and including discharge. Furthermore, any employee who violates this policy or who voluntarily seeks assistance may be required, in connection with or in lieu of disciplinary actions, to participate in and successfully complete a Borough approved drug and/or alcohol assistance or rehabilitation program as a condition of continued employment. West Chester Borough assures that any information concerning an individual's drug and/or alcohol use will remain confidential.

Consistent with its fair employment policy, the Borough maintains a policy of nondiscrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having a medical history reflecting treatment for substance abuse conditions. We encourage employees to seek assistance before their drug and/or alcohol use renders them unable to perform their essential

job functions or jeopardizes the health and safety of themselves, or others. West Chester Borough will attempt to assist its employees through referrals to rehabilitation, appropriate leaves of absence, and other measures, if these measures do not impose an undue hardship upon the Borough, and if they do not jeopardize the employee's health and safety, or the health and safety of co-workers or others.

The Borough further reserves the right to take any and all appropriate and lawful actions necessary to enforce this substance abuse policy including, but not limited to, the inspection of company issued lockers, desks or other suspected areas of concealment, as well as an employee's personal property when the Borough has reasonable suspicion to believe that the employee has violated this substance abuse policy.

This policy represents management guidelines only and should not be interpreted as a contract of employment, nor does it change the at-will nature of the employment relationship.

608. Municipal Communications Policy

As communications technology has rapidly advanced it has become necessary for West Chester Borough to adopt an updated policy for the use of Borough communications devices. The primary purpose of this policy is to assure the proper use of those communications devices without unduly restricting employee access to the internet or compromising the security of official communications and documents. Lastly, this policy provides guidance to employees about their use of social media.

The Borough believes this purpose can be achieved with due regard for the privacy of employees' personal communications. To achieve the stated purpose of this policy, reasonable restrictions are imposed upon employees' use of West Chester Borough-owned communications equipment. The policy guidance for employee use of social media, both within and outside the workplace, is intended to protect both the Borough and its employees from civil and criminal liability.

Use of West Chester Borough Communications Equipment

Subject to certain limited exceptions, employees may use Borough owned computers and other communications devices only for official purposes. Such use includes voice communications, emails, documents and Internet access over desktop computers, laptops, cell phones, smart phones, and tablet computers. All employees must use these devices in discharging their official duties in a professional, lawful, and ethical manner. Failure of any employee to do so may result in disciplinary action, up to and including termination. Especially egregious conduct may also expose the violator to criminal prosecution or civil liability. So that all employees are fully aware of what is required of them, West Chester Borough has imposed certain restrictions on the use of West Chester Borough-owned communications equipment. Nothing in this section prohibits employees from discussing terms and conditions of employment.

Prohibited Uses

West Chester Borough communications equipment may not be used to disseminate, view, or store destructive code (e.g., viruses, self-replicating programs, etc.), pornographic text or images, or any other offensive or potentially harmful materials. Employees may not use that equipment to download games, movies, or other entertainment software (including screen savers), or to play games over the Internet. Additionally, you may not use that equipment to display, store or send (by email or any other form of electronic communication such as bulletin boards, chatrooms, Usenet groups, etc.) material that is fraudulent, harassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful (as defined by the Borough's harassment/discrimination policy). Anyone receiving such materials should notify the Borough Manager immediately.

Use and Installation of Software

No one is permitted to install software on, or make any software or hardware modifications to, his or her Borough communications equipment. Our information systems personnel will do all installations or modifications. If you would like to have specialized software on your computer, contact the Borough Manager. The software will be installed for you, but only if it is needed for official business and if its installation will not adversely impact the performance of any West Chester Borough communications equipment or the associated computer network. The Borough Manager will resolve any dispute regarding special software needs.

Illegal Copying and Recording

Users may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright laws and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. Unless otherwise noted, all software on the Internet should be considered copyrighted work. Therefore, users are prohibited from downloading software and/or modifying any such files without permission from the copyright holder. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of the Borough Manager or his designee.

It is illegal to record a conversation or meeting without the consent of both/all parties involved. Such action will be subject to discipline, up to and including termination.

Communication of Trade Secrets

Unless expressly authorized to do so, users are prohibited from sending, transmitting, or otherwise distributing proprietary information, data, trade secrets or other such privileged and/or confidential information belonging to the Borough. Unauthorized dissemination of such material may result in severe disciplinary action as well as substantial civil and criminal penalties under state and federal laws.

The Internet does not guarantee the privacy and confidentiality of information. Sensitive material transferred over the Internet is always at risk of detection by a third party. Users must exercise caution and care when transferring such material in any form. The truth and accuracy of information on the Internet and in email should be considered suspect until confirmed by a separate or other reliable source.

Business v. Personal Use

All personnel are encouraged to take full advantage of the technological resources of West Chester Borough, including its computer network, to perform their official duties. All the Borough communications equipment is West Chester Borough property, and its purpose is to facilitate official business. While this technology may not be used for any purpose other than official business, incidental and limited unofficial use of the communications equipment – for example, to create and store personal documents in an employee’s home directory, or to send or receive electronic mail messages of a personal nature – is acceptable, if not abused, as with the case of personal phone calls. Employees are expected to demonstrate responsibility, however, in all uses of West Chester Borough technology. Any personal use should not interfere with the conduct of business at the Borough or distract from an employee’s work duties. Nothing in this policy, however, is intended to prevent employees from engaging in concerted activity protected by law. If you have any questions regarding this policy, please ask your Department Head or Human Resources before acting.

Outside Access to West Chester Borough Communications Equipment

Only West Chester Borough personnel are permitted general access to the Borough communications equipment and its applications, including electronic communications, Internet access, research tools, and word processing applications. If you have a specific need for a third party to use any such communications equipment on our premises, special arrangements must be made with the Borough Manager. As much advance notice as possible of any special situation will enable the Borough to address your needs consistent with the protection of confidential information.

You should not divulge your network password to others. If you are a remote user, you should not divulge any of the Borough’s access information.

With the approval of your department head, you may upload or download information to or from removable media (e.g., thumb drives), but caution must be exercised to prevent virus infiltration. All such media must be scanned for virus protection before being used on the system. While this will automatically be done through the scanning software, please do not use any media that you believe may be infected with a virus.

Electronic Communications – General

Electronic communications (including our email system, desktop faxing and Internet access) allow us to communicate among ourselves and with others outside West Chester Borough. Because these systems permit users to send a message instantaneously to a large number of recipients or groups, however, they can create problems if users fail to act responsibly, to observe proper precautions,

or to use good judgment.

You should take great care in sending electronic communications to ensure that you do not improperly reveal confidential Borough information. You must be careful in addressing messages to make sure that communications are not inadvertently sent to unintended recipients. Should mistakes occur, as with any other similar situation, promptly act to address the problem, including advising and consulting immediately with your Department Head.

Sending email messages may result in a permanent record of your communications because they are stored in the network. Messages that recipients open or forward to others are likely to be stored and backed up on other systems. Even if you are careful, you have no control over what others may do, and it is common for a message to be forwarded, sometimes to large groups or many times, with the consequence that strangers may have ready access to what you have written.

It is critical, therefore, to keep the potential permanence of an email message in mind in considering its content and tone. In composing a message, do not let the opportunity for an instantaneous comment or response cloud your judgment in a situation in which you may later regret what you wrote or said. Attempts at humor can often be misinterpreted, and messages intended for one recipient may be forwarded to others who may not understand the context of the message.

Under no circumstances should West Chester Borough communications equipment be used for sending, accessing, receiving or storing any material of an offensive, discriminatory, or harassing nature, or that is of a threatening, obscene or defamatory nature, for chain letters or for any other purpose that is illegal, or otherwise violates the Borough's harassment/discrimination policy. The Borough communications equipment should not be used to send or receive messages related to any business other than that of West Chester Borough or to transmit copies of documents in violation of copyright laws. Any misuse of electronic communications as discussed above should be reported promptly to the Borough Manager.

Internal Email "Clutter" and Other Issues

Email can be an efficient communications mode within the Borough, but it can also be misused. We want to minimize extraneous "clutter" on our email system, and therefore, sending internal email messages to large groups should be limited to official business and only when a mass message makes sense.

Think about the appropriateness of a group email message before sending. There are many situations, particularly where time is short, where a large group email is the best alternative. But there are other situations in which a message to all in-house users in our systems (e.g., the "Everyone" group) makes little sense. In using email, please adhere to the following principles:

1. Group messages not about West Chester Borough business (e.g., “classified ads,” publicity for personal projects, and the like) should not be sent via email.
2. Address each message to as small a group as practical. Some examples:
 - a. Routine questions should be directed to specific administrative or other staff who can guide the sender to the right answer; pursue answers in this fashion instead of resorting to group emails; and
 - b. Always include a detailed subject description so that recipients can determine the content and the importance of the message.

Nothing in this policy, however, is intended to prevent employees from engaging in concerted activity protected by law. If you have any questions regarding this policy, please ask your Department Head or Human Resources before acting.

External Email Communications

External access through electronic communication increases and facilitates opportunities for contact with others outside the Borough. As with any other official communications, however, they require particular care. Transmission of sensitive or confidential information through electronic communications should be undertaken with caution. Remember that messages and attached files may be saved and read by individuals other than the intended recipient, may sometimes be retrieved after “deletion,” may be forwarded to others, and, on the Internet, are subject to interception. Encryption should be considered for any sensitive information, after consultation with the Borough Manager.

Internet Use

Incidental personal use of West Chester Borough Internet access is acceptable, but it is a privilege that may not be abused. No one should obtain Internet access for sexually oriented, obscene, threatening, harassing, or for any other purpose that is illegal, against or violates West Chester Borough policy.

Access to and Disclosure of Electronic Information

West Chester Borough communications equipment and computer network are provided to conduct official business. The Borough does not, as a matter of routine, review or monitor email messages, telephone information, or computer-generated documents, official or unofficial. However, all such information, including email messages, may be accessed to protect West Chester Borough official interests and to assure compliance with this policy.

The Borough has the right to inspect, review, and monitor uses of its communications equipment, including electronic mail, telephone systems, Internet access, and any other aspect of its

communications systems, and it may do so in the discretion of management for a variety of reasons. Those reasons may include, by way of example only, the following: a need for information when an employee who normally has access is unavailable; a need to locate substantive information that is not more readily available by some other less intrusive means; legitimate outside requests for information; auditor requests; security or access review or audits; request for law enforcement purposes; potential or actual litigation; and concern that West Chester Borough property is being used in an unauthorized manner.

Although incidental and occasional personal use of West Chester Borough communications equipment to send, receive, and store information is permitted, it is important to understand that personal information cannot be treated differently from other information. Thus, if the Borough accesses or discloses information stored on its computers, including email, personal information may be included. West Chester Borough will make reasonable efforts to limit such activities to not intrude unnecessarily into information of a purely personal nature. Stated differently, employees should be aware that they cannot expect the use of West Chester Borough communications equipment to be private. Use of that equipment constitutes an employee's consent to West Chester Borough's right to access and review information stored on that communications equipment and to disclose that information to others under appropriate circumstances.

Please also understand that the Borough may monitor usage patterns for all communications (voice and data), which includes sites accessed, call length, and time of call, for purposes of cost analysis, business planning, or compliance with this policy.

It is against this policy for any employee to access e-mail or voice mail communications of others without a business purpose. Other than routine access for system maintenance and operational needs of the Borough, requests for access to, or disclosure of, the Borough Manager must approve the contents of such communications.

No Expectation of Privacy

Users are given West Chester Borough communications devices to assist them in the performance of their jobs. Users should have no expectation of privacy in anything they create, store, send or receive using this equipment.

Waiver of Privacy Rights

Users expressly waive any right of privacy in anything they create, store, send or receive using West Chester Borough communications equipment. Users consent to allow West Chester Borough personnel access to- and review of all materials created, stored, sent, or received by users via West Chester Borough's communications equipment or computer network.

Monitoring

The Borough has the right to monitor and log all aspects of its communications system including, but not limited to, monitoring Internet sites visited by users, monitoring chat and newsgroups, monitoring file downloads, and all communications sent and received by users.

Blocking Sites with Inappropriate Content

The Borough has the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.

Employee Use of Social Media

The following is West Chester Borough's social media and Social Networking Policy. The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. Consult with your Department Head if you are uncertain. Violation of this policy by any employee may result in disciplinary action up to and including immediate discharge.

Online "social media" generally includes web-based communities, hosted services and application and social networking sites (such as Facebook), video sharing sites (such as YouTube and Hulu), photo sharing sites (such as Instagram), wikis (such as Wikipedia), blogs (both personal and employer-sponsored), microblogs (such as Twitter), business networking sites (such as LinkedIn and Plaxo) and recommendation sites.

Scope and Purpose of the Policy

This policy complements the Borough's Internet and Email Policies within the Municipal Communications Policy which governs employee use of office computers and phones. As such, it concerns employee use of online social media both in and outside of the workplace, on duty or off, and applies to personal computers and hand-held devices as well as office communications equipment. The principal purpose of this policy is to protect West Chester Borough, its officials, employees and members of the public from the many liability risks that often arise when online Social Media is used to invade the privacy of others, unlawfully defame them and tarnish their reputations, or knowingly subject them to abuse, harassment or intimidation. West Chester Borough therefore takes their online Social Media policy very seriously and it will be strictly enforced in cases of egregious misconduct.

All employees are expected to know and follow the Borough's Social Media policy. Nothing in this policy, however, is intended to prevent employees from engaging in concerted activity protected by law. If you have any questions regarding this policy, please ask your Department

Head or Human Resources before acting. Any violations of this policy are grounds for disciplinary action, up to and including immediate termination of employment.

Prohibited Use of Social Media at the Workplace or While on Duty

Employees may not access online social media using any communications devices, including, but not limited to, computers and smart phones, at the workplace or while otherwise engaged in official municipal business.

The only exceptions to the above prohibition are when employees are directed to access online social media by their Department Head or where obtaining such access is required by their job. If an employee is requested, as part of his or her job, to access social media while at work, the employee's access shall not exceed the scope necessary to complete the task at hand.

Use of Social Media Outside Workplace or While Off Duty

How employees use social media outside the office while off-duty reflects not only on their character but West Chester Borough as well. Employees should be aware that most social media postings are "public" in the broadest sense of the word and will remain in the public domain for an exceedingly long time. These restrictions are not intended to violate the First Amendment rights of any employees, but to protect the Borough and all its personnel from social media postings which violate the rights of others, including their right to privacy. Where appropriate, employees will be held fully accountable for knowingly engaging in any of the following misconduct involving their use of social media:

- Posting harassing, threatening or discriminatory comments about other municipal employees or officials.
- The transmission of messages or images (including videos) that are offensive, derogatory, defamatory, off-color, sexual in content, where such messages or images are plainly associated with, or directed at, West Chester Borough or its personnel.
- Posting any information or conducting any online activity that may violate local, state, or federal laws or regulations.
- Unauthorized disclosure of any confidential or proprietary information in the possession of West Chester Borough, including, but not limited to, confidential police investigations, and privileged legal opinions, and personnel matters. Sharing this type of information, even unintentionally, may result in legal action against you, West Chester Borough, and/or Borough officials and personnel. When in doubt about the nature of such information, employees should consult their Department Head.

- Posting comments or images that misrepresent municipal policies and actions.
- Posting messages or images on social media which defame, harass other municipal personnel, or otherwise create a hostile work environment for them.
- Posting statements or images on behalf of West Chester Borough or using West Chester Borough's name or email address, unless expressly authorized by the Borough Manager.
- Posting confidential details of any official investigations such that disclosure of that information would violate state or federal law, or otherwise expose West Chester Borough to legal liability.
- Posting statements or images that otherwise violate the West Chester Borough Standard of Conduct.

Disclaimer. West Chester Borough is not responsible for material viewed or downloaded from the internet by municipal employees. Employees using social media do so solely at their own risk.

No Expectation of Privacy

Employees have no expectation of privacy in anything they create, store, send or receive on West Chester Borough's communications equipment or systems, including, but not limited to, email, telephone, voice mail, computer, Internet, and facsimile. All municipal employees should recognize that all communications, whether in writing or electronic, including messages sent via email or voice mail, to or from social media, or the Internet, are not confidential communications and are subject to review, monitoring, or interception by the Borough. West Chester Borough has an important, vested interest in assuring that it and its personnel do not violate any laws and the Borough reserves the right to monitor and/or intercept all communications at any time or from time to time. All employees should further be aware that passwords and deletion functions do not prevent West Chester Borough from accessing any communications at any time over West Chester Borough's communications systems.

609. Care of Equipment

Equipment essential in accomplishing job duties is often expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify your Department Head if any equipment, machines, or tools appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The Department Head can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in disciplinary action, up to and including termination of employment.

Property may not be removed from the premises without the proper authorization of management.

700. Safety in the Workplace

701. Employee Responsibility

Safety can only be achieved through teamwork at West Chester Borough. Each employee, Department Head, and Borough Manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Please observe the following precautions:

- Notify your Department Head of any emergency situation. If an employee is injured or becomes sick at work, no matter how slightly, he or she must inform their supervisor immediately.
- Only if an employee is trained and qualified, he or she may use, adjust, and repair machines and equipment.
- Know the proper lifting procedures. Get help when lifting or pushing heavy objects.
- Employees should understand their jobs fully and follow instructions. If he or she is unsure, ask your Department Head.
- Know the locations, contents, and use of first aid and firefighting equipment.
- Wear personal protective equipment in accordance with the job being performed.

A violation of a safety precaution is an unsafe act. A violation may lead to disciplinary action, up to and including termination.

702. Good Housekeeping

Good work habits and a neat place to work are essential for job safety and efficiency. Employees are expected to keep his or her place of work always organized and materials in good order. Report anything that needs repair or replacement to your Department Head.

703. Safety Committee

To have the safest working environment possible, the West Chester Borough Safety Committee meets on an as needed basis but no less than twice a year. The purpose of the committee is to continue to improve safety standards whenever possible and ensure the most up-to-date processes regarding employee and Borough safety.

The Safety Committee is an internal committee and comprised of West Chester Borough employees only. There is no minimum or maximum number of employees on the committee at one time, but ideally the committee would consist of at least one person per department. Any employee with safety suggestions or who has any interest in the Safety Committee please contact Safety Committee Chairperson or any committee member for further inquiry.

704. Visitors in the Workplace

To provide for the safety and security of employees and the facilities at West Chester Borough, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter a West Chester Borough Municipal facility at the main entrance or reception area where applicable. Authorized visitors must be escorted to their destination and accompanied by an employee when practicable. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on West Chester Borough's premises, employees should immediately notify their Department Head or, if necessary, direct the individual to the reception area.

705. Emergency Response Procedures

Borough emergencies are defined as events that have the potential to cause harm, personal injury, significant disruption or damage to Borough property, personnel, or operations.

Appropriate and timely responses to all emergencies are essential to protect the safety of the Borough and its employees. How you react in the event of an emergency depends on how well you have prepared for an emergency.

Therefore, all Borough employees are responsible for familiarizing themselves with the emergency operations plan.

706. Workplace Violence Policy

Violence Prevention

West Chester Borough is committed to preventing workplace violence and maintaining a safe work environment for employees. The Borough has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours on Borough premises.

Prohibited Workplace Behavior

The Borough does not tolerate any type of workplace violence committed by or against employees. All employees should always be treated with courtesy and respect. Employees are prohibited from making threats or engaging in violent activities as the Borough has a zero-tolerance policy.

Prohibited Conduct

Conduct that threatens, intimidates, or coerces another employee, a resident, or member of the public at any time, including off duty periods, will not be tolerated. This prohibition comprises all acts of harassment, including harassment that is based on an individual's sex, religion, race, age, disability, or any characteristic protected by federal, state, or local law. The following list provides additional examples of prohibited behavior:

1. causing physical injury to another person
2. making threats of violence
3. aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
4. intentionally damaging Borough property or property of another employee

Reporting Threats

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to a department head or any other member of management. This includes threats by employees as well as threats by residents, vendors, solicitors, or other members of the public. When reporting a threat of violence, employees should be as specific and detailed as possible and confirm the report in writing. The Borough will keep all information reported as confidential as possible.

Individual Situations

While the Borough does not expect employees to be skilled at recognizing and identifying problems the threat of potential violence, employees are expected to exercise good judgment and to inform their department director if any employee exhibits behavior, which could be a sign of a potentially dangerous situation. Such behavior includes:

1. discussing weapons or bringing them to the workplace where the employee does not use weapons in their job.
2. displaying overt signs of extreme stress, resentment, hostility, or anger
3. making threatening remarks
4. sudden or significant deterioration of performance
5. displaying irrational or inappropriate behavior

Reporting Suspicious Activities

All suspicious individuals or activities should also be reported as soon as possible to your Department Head. Employees should not place themselves in peril. Employees who witness or suspect a commotion or disturbance near their workstation should not intercede or see what is happening.

Investigation of Reports

The Borough will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities and then will take appropriate action. The identity of the individual making a report will be protected as much as is practical.

Disciplinary Action

Employees determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including, termination of employment.

Resolution of Disputes

The Borough encourages employees to bring their disputes or differences with other employees to the attention of their Department Head or the Borough Manager before the situation escalates into potential violence. The Borough is eager to assist in the resolution of employee disputes.

707. Tobacco Free Workplace

Background

Tobacco smoke contains a mixture of toxic pollutants that adversely impact human health and the environment. The Pennsylvania Clean Indoor Air Act (Act 27 of 2008) currently prohibits smoking indoors at public venues and in workplaces (including employer-owned vehicles). There are a limited number of exceptions to the law for certain commercial establishments such as bars and smoke shops. Mouth tobacco is associated with increased risk of oral cancer, driving up employee medical expenses and absenteeism. Electronic cigarettes produce vapor emissions which adversely impact indoor air quality.

Definition: Tobacco and tobacco-related products include cigarettes, cigar, pipe, smokeless/electronic cigarettes, chewing tobacco, snuff, dip, and any other product that contains tobacco components such as nicotine solutions used in electronic cigarettes.

West Chester Borough will not allow the use of tobacco and tobacco-related products inside any Borough-owned buildings or inside Borough-owned vehicles. Tobacco and tobacco-related products are also prohibited on external Borough property, including public parks.

Failure to comply with all the components of this policy will result in disciplinary action that can lead up to and include employment termination.

708. Municipal Vehicle Operations Policy

Any vehicle that is owned by West Chester Borough or leased, rented, or borrowed by West Chester Borough is considered a “Municipal Vehicle.” This includes equipment that does not require a driver's license but will be operated on a public street and includes mobile equipment and trailers while being carried or towed by a municipal vehicle.

Driver’s License Requirements

1. Prospective and current employees, whose job duties include the operation of a municipal vehicle, must be in possession of a valid and current Pennsylvania driver's license and such license shall include the appropriate class of commercial license for the vehicle being operated. Under no circumstances shall a municipal employee whose license has expired or been cancelled, revoked, or suspended operate a municipal vehicle.
2. Municipal employees, whose duties include the operation of a municipal vehicle, must produce a valid and current Pennsylvania driver’s license upon request by West Chester Borough.
3. An employee, whose job duties includes the operation of a municipal vehicle, shall immediately, within 24 hours, notify his/her department head (or delegated official) of any change in the status of his/her driver's license or the receipt of any citation for a moving violation in the operation of a motor vehicle where the penalty for the violation is revocation or suspension of driving privileges, or where the disclosure of the violation is otherwise required by law. Failure to immediately report a driver's license revocation, suspension, or cancellation, as required by this paragraph, shall result in disciplinary action in accordance with applicable personnel policies and procedures. Disciplinary actions shall include those described below.
4. An employee who fails to report a change in the status of their driver's license or the receipt of any citation for a moving violation shall be subject to one or more of the following disciplinary actions:
 - Letter of reprimand.
 - Suspension without pay.
 - Revocation of driving privileges and transfer/demotion to a job not requiring the ability to drive; or
 - Termination of employment.

5. Payment of any traffic citations and parking tickets received while operating a Borough Vehicle will be the responsibility of the employee.

~~5.6.~~ Any employee involved in an ‘at fault’ accident in a Borough owned vehicle or any employee

who damages property while operating Borough equipment will be subject to an alcohol and drug test. The employee will be driven to the Occupational Health Center or Emergency Room (after hours) by a supervisor or designated employee. The employee will remain off duty until results are returned. In the event that the alcohol and/or drug test results are positive, the employee will be disciplined up to and including termination. For those employees with a valid Pennsylvania Medical Marijuana Card, a positive result for THC greater than 10 nanograms per milliliter will be considered a positive result.

Motor Vehicle Record (MVR) Requirements:

Subject to any other requirements imposed by law, West Chester Borough adopts the following:

1. An applicant for a position with the Borough, whose job duties include driving a municipal vehicle, will have his/her current MVR reviewed, prior to being employed, by the Borough Manager or so delegated official. Unless the applicant can prove satisfactory resolution of any excessive point accumulation, applicants with six or more points for traffic violations or a conviction or pending charge for driving under the influence during that period, will be disqualified from consideration for the position in question.
2. Each employee authorized to operate a municipal vehicle shall sign an authorization form, allowing the municipality to conduct random motor vehicle record (MVR) checks. Any information obtained by the municipality will be treated as confidential.
3. If a current employee whose job description includes the operation of a municipal vehicle, has, at any time, an MVR that shows greater than six (6) points according to the points scale for the PA Department of Transportation, that employee shall be required to attend a defensive driving course.
4. The employee who is identified as having an MVR greater than six (6) points will be given 90 days from the date of notification to present a certificate from a school of defensive driving to the appropriate department head, or the employee's driving duties will be suspended until such certification is presented.
5. Any current employee arrested for driving under the influence of alcohol or drugs will be immediately prohibited from operating municipal vehicles. If they are found not guilty of driving under the influence of alcohol or drugs, their driving duties will be restored immediately. In addition to any penalty imposed by law upon a finding of guilt, the municipality may also permanently discontinue the employee's driving duties or suspend them for a period of time as determined by the municipality.

Seat Belt Use

Seat belt use is mandatory in all municipal vehicles. This applies to both the driver and all

passengers in seating locations equipped with seat belts.

Use of Municipal Vehicles for Personal and Official Purposes

The Borough Manager shall be allowed to use a Borough-owned vehicle for official duties and personal use, subject to any restrictions adopted by the Board.

Generally speaking, every other employee approved for municipal vehicle use will only operate those municipal vehicles during their specific work hours.

Other West Chester Borough employees may be approved for the assignment of a “take home” vehicle under one or more of the following conditions:

1. Employees who have primary responsibility or accountability for emergency management/response functions.
2. On-call employees who are regularly called upon to respond to an after-hours emergency condition from their homes; or
3. Any other employees as determined by the Borough Manager.

All final decisions regarding an employee’s ability to operate a municipal vehicle are at the discretion of the Borough Manager.

Texting and Use of Hand-Held Cell Phones While Driving

Using a hand-held mobile telephone while driving has been repeatedly shown through research to be a potentially dangerous activity that can distract drivers and increase the risk of a crash, near-crash, unintended lane departure and other unsafe driving actions. It has also been shown to decrease a driver’s ability to make decisions and react to unexpected roadway conditions.

To reduce the number of serious injuries and fatalities linked to the use of wireless communication devices while driving, the Federal Motor Carrier Safety Administration has issued rules banning texting and using hand-held cell phones while driving commercial motor vehicles. These regulations are codified as 49 CFR §392.80 and §392.82, respectively.

Furthermore, the Commonwealth of Pennsylvania in November 2011 signed into law Senate Bill 314 which imposes a state-wide ban on using interactive wireless communication devices to send, read or write text messages by any vehicle driver, whether a commercial or passenger vehicle.

This policy defines what West Chester Borough expects of employees and volunteers as a result of these legislative developments. Copies of relevant regulations are attached for reference.

Policy

Drivers shall not engage in text messaging or use of a handheld cell phone while driving a West Chester Borough-owned vehicle or while using their personal vehicle for West Chester Borough authorized purposes. A rule of thumb is that if the vehicle is moving or in gear, texting and speaking on a hand-held cell phone are prohibited. Phone calls and other communications requiring the operator to manipulate a wireless interactive communication device or hand-held cell.

phone shall not be responded to until the vehicle is parked in a safe location and no longer in motion.

Exceptions to the aforementioned policy are below:

1. Law enforcement, fire, emergency medical services and equivalent personnel responsible for immediately responding to time-critical, official communications shall be exempt from the prohibition on texting and using a hand-held cell phone while driving. These employees/volunteers shall receive additional training on safe communication practices while operating a vehicle (e.g., as a component of an Emergency Vehicle Operator Course).
2. Volunteers and employees who use a handheld cell phone in the event of an emergency shall be exempt from the prohibition on using a hand-held cell phone while driving. The prohibition on texting while driving shall remain. Drivers shall use extreme caution when making an emergency call on a hand-held cell phone while their vehicle is in motion. While entering a phone number or dialing 911, drivers should maintain their speed or slow down, avoid lane changes and/or other complex driving maneuvers.
3. This prohibition does not apply to the use of “hands-free” communication technology which may be initiated by single button activation/termination. Examples of such communication technology include button activated radios, Push-To-Talk phones, certain hands-free “Bluetooth” systems and “voice dial” communication devices.

709. Personal Protection Equipment Hazard Assessment

GENERAL SAFETY RULES AND PPE HAZARD ASSESSMENT

This Standard Operating Guidelines (SOG) detail the general safe work practices and personal protection equipment (PPE) required to prevent or minimize the severity of workplace accidents and illnesses.

Responsibilities

Management is responsible for communicating the contents of this SOG to all employees at the time of hire when an employee transfers in from another department or when compliance concerns are identified. Management shall be responsible for enforcing compliance with this procedure and for ensuring that contractors also follow this SOG.

Employees and contractors are responsible for complying with the requirements of this SOG.

Procedures

1. Employees shall be fit for duty and stay focused on the job. Fatigue, thirst, hunger, uncontrolled medical conditions, and personal problems can distract from safely performing the job and can contribute to injuries.
2. Employees shall dress properly for work and use personal protective equipment (PPE). Long sleeves, long pants, and substantial work shoes are most appropriate for typical working conditions. Other personal protective equipment may be required for specific operations. See the attached PPE Hazard Assessment for department and task specific PPE requirements.
3. Employees shall dress for traffic exposures. For general utility work where employees are exposed to vehicle traffic, employees shall wear high visibility clothing or a traffic safety vest that meets ANSI/ISEA-107 Class II visibility standards (ANSI/ISEA 207 Class II for Public Safety employees). If the employee will be a flagger for a highway work zone, clothing meeting ANSI/ISEA 107 Class III standards is preferred. The employer shall provide this personal protective equipment. In addition to work zone signage, a shadow vehicle in advance of highway work zones shall be used whenever feasible.
4. Employees shall plan work before doing it. Think about the risks and obtain appropriate safety equipment and tools before starting work. Know how to get out of the area in the event of an emergency and where to go to be accounted for. Know where the nearest fire extinguisher and eyewash is and pay attention during training to use the equipment properly.

5. Employees shall watch how much and how they lift. Limit lifting to under 51 pounds. When lifting, bend at the knees not at the waist. Also, never twist at the waist while handling a load. Back injuries are a leading cause of injuries in the workplace.
6. Employees shall not smoke inside any buildings or in shared work vehicles. Only smoke in safe outside areas where there are no flammable vapors or other potential fuel sources. Place cigarette butts in appropriate receptacles since these can easily start a fire.
7. Employees shall read the label on chemical containers. MSDS are also useful if more information is required. Follow PPE and work practice recommendations to prevent injuries and illnesses.
8. Employees shall label all secondary chemical containers with the name of their contents and any hazard warnings.
9. Employees shall use grounding and bonding to prevent static fires when dispensing flammable liquids such as solvents or gasoline.
10. Employees shall not ignore obvious safety hazards. Take positive action to clean up spills, place cones around slip, trip, fall hazards or contact appropriate parties to correct physical hazards.
11. Employees shall not perform any job which they are not qualified to do. If employees are unsure about the safe way to perform a task, they shall ask for job training. Do not operate a lift truck if not specifically authorized to do so. Do not enter a confined space or attempt to make electrical repairs unless specifically authorized to do so.
12. Employees shall keep their work area in a neat and orderly condition. Among other things, this reduces slip, trip and fall injuries and fire hazards.
13. Employees shall avoid using compressed air for general cleaning as doing so can cause eye injuries. If compressed air must be used, make sure the air pressure at the tip is reduced to below 30 psi to reduce the risk of skin injection-type injuries.
14. Air-supplying respirators may be required when there is a potential for inadequate oxygen levels. Air-purifying respirators may be required when there is a potential for unhealthy inhalation exposure to hazardous materials. Tight-fitting respirators shall only be worn by employees who have been medically cleared, trained and fit-tested.
15. Employees shall wash up after working and before touching anything that enters their mouth. Hazardous materials used in your work can enter the body in this manner and can cause injury/illness.
16. Employees shall report unsafe conditions and all injuries and illnesses immediately to their Department Head. Failure to report injuries and illnesses immediately can delay treatment and make an injury or illness worse.

PERSONAL PROTECTIVE EQUIPMENT HAZARD ASSESSMENT

This table describes the default PPE required for specific work tasks.

DEPARTMENT/ ACTIVITY	HAZARD	PPE REQUIRED
GENERAL		
Employees operating municipal vehicles	Collisions and roll-overs	Seat belt
Employees operating ride-on mowers equipped with roll-over protection systems	Roll-over	
Employees working out of bucket truck at height	Fall	Full body harness Shock absorbing fall prevention lanyard
Employees exposed to traffic	Collision with vehicles	ANSI/ISEA 107 Class II traffic safety vest at a minimum
ELECTRIC		
Exposure to energized electrical circuits	Electric current, arc blast and arc flash	PPE depends on the type of live electrical work performed. See NFPA 70E.
PARK MAINTENANCE		
Blade Grinding	Thrown debris	Wrap around eye protective
Herbicide Application	Chemical exposure	Spot-treatment - Safety glasses with side shields and impermeable gloves per MSDS. Area-treatment – Same as spot-treatment but add NIOSH-approved air

		purifying pesticide respirator per MSDS
Mowing	Rotating mower blade	Safety footwear (boots preferred for ankle protection)
	Noise	Hearing protection
	Thrown debris	Wrap-around eye protection
String Trimming	Noise	Hearing protection
	Thrown debris	Wrap-around eye protection or goggles
	Poison plants	Long pants
Tree Removal/Clearing Storm Debris	Mechanical and noise hazards associated with operation of chain saws and chippers	Chain saw chaps Chain saw headgear (provides head, hearing, and face protection) Tight fitting work gloves ANSI/ISEA 107 Class II traffic safety vest if traffic exposures
PLANT MAINTENANCE		
Adjusting pH with Liquid Acid or Base	Exposure to corrosive chemicals	Wrap-around eye protection or goggles Rubber gloves
Handling Compressed Gas Cylinders	Crush injuries	Safety footwear
PUBLIC SAFETY		
Firefighters during fire fighting operations	Flame, high temperatures, chemicals	Turn-out gear (head protection, coat, pants, and protective footwear). SCBA during firefighting operations and overhaul

Police during law enforcement operations	Gun fire	Bullet resistant vest
Police, Fire, EMS, Crossing Guards when exposed to vehicle hazards	Vehicle collisions	ANSI/ISEA 207 High visibility traffic safety vest (minimum Class II) Note: Vest not required during tactical situations or other exigent circumstances where the vest places employee/volunteer at elevated risk of injury or death.
Police, Fire, EMS when exposed to infectious individuals	Exposure to bloodborne pathogens and other infectious agents	Protective eyewear and disposable face shield <u>or</u> protective eyewear and minimum NIOSH-approved N-95 rated respirator if victim/suspect has TB or other communicable disease) Impermeable nitrile gloves
PUBLIC WORKS		
Paving/patching/sealing	Thermal burns from hot asphalt and molten tar	Wrap around eye protection Long sleeves and long pants Safety footwear (boots preferred to protect the ankles)
Tree removal and storm clean-up	Mechanical and noise hazards associated with operation of chain saws and chippers	Chain saw chaps Chain saw headgear providing head, hearing, and face protection Tight fitting work gloves ANSI/ISEA 107 Class II traffic safety vest if work involves exposure to traffic

Working near traffic	Exposure to vehicle traffic Flagging	ANSI/ISEA 107 High visibility traffic safety vest (minimum Class II) ANSI/ISEA 107 High visibility traffic safety vest (minimum Class II; Class III preferred) Hard hat Stop/slow paddle or orange flag if work zone involves an intersection
Vehicle maintenance	Exposure to automotive fluids and projectiles	Wrap-around safety eyewear Long pants Substantial work shoes Nitrile gloves
Welding	Exposure to ultraviolet light, molten metal welding fumes and	Welding clothing Welder's face shield with lenses selected for the type of welding to be performed Welder's gloves Local exhaust or NIOSH approved air-purifying welding respirator
REFUSE		
Collecting Refuse	Exposure to traffic hazards, sharp objects, and hazardous liquids	ANSI/ISEA 107 Class II high visibility traffic safety vest Long pants Safety footwear (boots preferred for ankle protection) Substantial work gloves

WATER/WASTEWATER		
Work involving corrosive liquids	Chemical burns to mucous membranes and skin	Wrap-around eye protection or goggles Rubber gloves Rubber apron and rubber boots if handling bulk quantities
Work involving potential contact with sewage or biosolids	Exposure to pathogenic agents	Wrap-around eye protection or face shield Impermeable nitrile gloves Rubber or nitrile boots Disposable, liquid-resistant protective clothing if entering sanitary sewer

800. Receipt of Policy Manual

801. Employee Acknowledgement Form

I have this day received a copy of the West Chester Borough Employee Policy Manual, and I understand that I am responsible for reading the personnel policies and practices described within it. I understand that this handbook replaces all prior handbooks, policies, and practices of West Chester Borough.

I agree to abide by the policies and procedures contained therein. I understand that the policies and benefits contained in this manual may be added to, deleted, or changed at any time. I understand that neither this manual nor any other written or verbal communication by a management representative is intended, in any manner, to create a contract of employment. I also understand that my employment with the organization is “at-will.” West Chester Borough or the employee may terminate the employment relationship at any time, for any reason. The organization will not modify the employment-at-will nature of relationship in any case.

If I have questions regarding the content or interpretation of this employee handbook, I will bring them to the attention of my Department Head.

NAME _____ DATE _____
(Please Print)

EMPLOYEE SIGNATURE _____



Borough of West Chester
401 East Gay Street West Chester, Pennsylvania 19380

Borough Council

Nicole Scimone, President
Bernie Flynn, Vice President
Bryan Travis
Brian McGinnis
Stephen Marvin
Jerome Szczepaniak
Lisa Kearns

Mayor

Lillian L. DeBaptiste

Borough Manager

Sean Metrick

August 12, 2026

To: Borough Council
From: Kris Hines, Director of Human Resources
Subject: 2026 Personnel Policy Recommendations

After reviewing the current policy manual, the following items are recommended to be entered into the policy and approved by Council:

1. **Section 204** – Probationary Period – In the last paragraph, remove *‘on the first of the month following the month in which they complete one full month of continuous employment with the Borough’* and replace with *‘after they have successfully completed probation.’* The last sentence would then read as Probationary employees become eligible to receive Borough paid benefit coverage after they have successfully completed probation.
2. **Section 208** – Performance Evaluation and Pay Adjustments – Pay Adjustments- Add last sentence to read, Depending on the date for new hires, new employees may be eligible for a pay adjustment at six (6) months and again may be eligible at one (1) year of employment to provide cost of living increase.
3. **Section 301** – Vacation – Add -Vacation time is paid according to the bi-weekly payroll schedule, any vacation scheduled towards the end of the calendar year will be paid out the following calendar year.
4. **Section 306** – Holidays – Replace Good Friday with the Day after Thanksgiving.
5. **Section 307** – Severe Weather and Emergency Closings – Add – If a severe weather event is known in advance (snow/ice. Etc.), and there is a possibility that the Borough may be closed, Department Directors and any essential employee(s) should be prepared to work from home during the event and until the Borough re-opens.
6. **Section 601** – Workplace Etiquette – Add – All phones must be on vibrate and use earbuds or headphones if listening to music.
7. **Section 602** – Work Schedules - Add last sentence – If approved to work from home, employees are expected to maintain or improve their productivity, performance, communication, and are expected to maintain regular work hours and be available during those times.

8. **Section 604** – Personal Appearance – Add a list of Unacceptable Attire- Slippers, slides or shower shoes, flip flops, pajamas, sweatpants, sweatshirts/hoodies for Administrative and Borough Hall employees, tank tops, cropped tops, tube tops, halter tops, etc., jeans cannot be distressed, have holes, be saggy, low cut or reveal undergarments. Where necessary, reasonable accommodation may be made for a person with a disability.
9. **Section 708** – Municipal Vehicle Operations Policy – Add - #6 Any employee involved in an ‘at fault’ accident in a Borough owned vehicle or any employee who damages property while operating Borough equipment will be subject to an alcohol and drug test. The employee will be driven to the Occupational Health Center or Emergency room (after hours) by a supervisor or designated employee. The employee will remain off duty until results are returned. In the event that the alcohol and/or drug test results are positive, the employee will be disciplined up to and including termination of employment. For those employees with a valid Pennsylvania Medical Marijuana card, a positive result for THC greater than 10 nanograms per milliliter will be considered a positive result.
10. **Miscellaneous:** Grammatical and punctuation corrections throughout policy manual.

These are items that we believe are important and should be added to the updated policy.

Respectfully,

Kris Hines
HR Director