TOWN OF PAONIA, COLORADO

Personnel Policy Manual & Employee Handbook

Adopted by the Board of Trustees by Resolution No. [CONFIRM] on [CONFIRM date]

Prepared as a model for the Town by Transparent Towns. Independent of Town government; to be reviewed by the Town Attorney and CIRSA and formally adopted by the Board before it takes effect.

How to use this manual

This manual is the Town of Paonia's single reference for personnel policies. Employees and supervisors should read the section that covers their question and ask the Town Administrator or their department head if anything is unclear. The sections are organized to follow the arc of employment, from the ground rules and classifications through hiring, pay, benefits, leave, conduct, safety, performance, grievances, and separation, followed by the acknowledgment form and appendices.

Quick reference: at-will employment and not a contract. All employment with the Town of Paonia is at-will. Either the employee or the Town may end the employment relationship at any time, for any reason or no reason, with or without cause, and with or without advance notice. This manual is a statement of current policy. It is not a contract of employment and is not a promise of any kind. Only the Board of Trustees may change an employee's at-will status, and only in a writing signed by an authorized representative of the Board. Nothing in this manual creates a contractual right, a guarantee of continued employment, or any right to a particular process or outcome.

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1. Introduction and General Provisions

This manual explains how the Town of Paonia ("the Town") manages its employees and what employees can expect from the Town. It is written to be clear and useful so that everyone who works for the Town, and everyone who supervises Town employees, can find the rules in one place and apply them consistently. This first section covers the ground rules that govern the whole manual: who it covers, the at-will nature of Town employment, the fact that the manual is not a contract, who has authority to adopt and change it, and how it interacts with the law.

The Town is a Colorado statutory town governed by a Board of Trustees, with day-to-day operations led by a Town Administrator. The provisions below reflect that structure.

1.1 Purpose and Scope

The Town adopts this manual to give employees and supervisors a single, reliable statement of the Town's personnel policies. Its purpose is to promote fair and consistent treatment, to help the Town comply with applicable law, and to provide clear guidance on the rights, responsibilities, and expectations that come with Town employment.

This manual applies to all employees of the Town in every department, including Administration, Public Works and Utilities (including the airport), Police, and Parks and Recreation, except where a specific provision states otherwise or where the law requires different treatment.

This manual generally does not apply to:

• Elected and appointed officials, including members of the Board of Trustees and the Mayor.
• Volunteers, including volunteer firefighters, except where a provision is expressly made applicable to them.
• Independent contractors and the employees of independent contractors.
• Municipal judges and other positions whose terms are set by separate appointment, contract, or law. [CONFIRM: how the Municipal Court judge and any court staff are engaged, and which positions are appointed versus employed]

Seasonal, temporary, and part-time employees are covered by this manual, but their eligibility for specific benefits may differ. Those differences are described in Section 2 (Employment

Classifications and Workweek) and in the benefits sections. [CONFIRM: which benefits and policies apply to seasonal, temporary, and part-time employees]

Some departments may have additional rules that address the particular needs of their work. For example, the Police Department may maintain its own operational policies and standards of conduct. Department rules may supplement this manual, but they may not contradict it. If a department rule conflicts with this manual, this manual controls unless the law or a written policy approved by the Board of Trustees provides otherwise. [CONFIRM: existing department-specific policy manuals, especially Police, that should be cross-referenced here]

This manual is a guide. It does not describe every situation that may come up, and it cannot answer every question. Employees with questions about a policy should ask their supervisor, their department head, or the Town Administrator.

1.2 At-Will Employment

This is the most important provision in the manual, and it is stated in plain terms so there is no confusion.

All employment with the Town is at-will. This means that either the employee or the Town may end the employment relationship at any time, for any reason or no reason, with or without cause, and with or without advance notice. Nothing in this manual, and nothing said or written by any Town supervisor, manager, department head, or other representative, changes the at-will nature of employment or creates any promise or guarantee of continued employment.

No person has the authority to alter the at-will status of any employee, to promise employment for a fixed period, or to enter into any agreement guaranteeing employment, except the Board of Trustees. Any change to an employee's at-will status is valid only if it is approved by the Board of Trustees and set out in a writing signed by an authorized representative of the Board. No oral statement, past practice, course of conduct, or informal assurance can change at-will status.

The references in this manual to discipline, performance review, grievance procedures, and similar processes do not change at-will employment and do not create any right to those processes or to any particular outcome. Where the manual describes a process, the Town may follow it, modify it, combine or skip any step, or decline to use it at all, in the Town's sole discretion. Employment is not conditioned on cause, and nothing in this manual should be read to require cause for any employment decision.

This at-will provision controls over any other language in this manual. If any other provision could be read to conflict with at-will employment, this Section 1.2 governs.

1.3 Not a Contract

This manual is a statement of the Town's current personnel policies. It is not a contract of employment, and it is not a promise of any kind.

Nothing in this manual is intended to create, and nothing in it should be construed to create, an express or implied contract of employment, a guarantee of continued employment, or any contractual right between the Town and any employee or applicant. The policies and benefits described here are not vested rights. They reflect the Town's current practices and may change.

The Town reserves the right, in its sole discretion, to interpret, apply, modify, suspend, revoke, add to, or eliminate any provision of this manual, in whole or in part, at any time, with or without notice. The most current version adopted by the Board of Trustees governs.

To make sure this point is clear and conspicuous, the at-will and not-a-contract statements are repeated in the acknowledgment form that each employee signs, and the Town includes the at-will disclaimer in its offer letters. [CONFIRM: that offer letters and the signed acknowledgment form both restate the at-will and not-a-contract language]

1.4 Amendment Authority

Two roles share responsibility for this manual.

The Board of Trustees adopts this manual and is the only body that may amend it. Amendments take effect when the Board approves them, by motion or resolution, unless the Board sets a different effective date. [CONFIRM: whether the Board adopts and amends the manual by motion or by resolution, and the form the Town prefers]

The Town Administrator administers and interprets this manual on a day-to-day basis and resolves questions about how it applies. The Town Administrator may issue supplemental administrative procedures, forms, and guidance that carry out this manual, as long as they are consistent with it and with the law. Administrative procedures issued under this section do not amend the manual and may not conflict with it. Where an administrative procedure conflicts with this manual, this manual controls. (The Town Administrator currently also serves as Town Treasurer; references to the Town Administrator in this manual mean the person holding the Administrator role.) [CONFIRM: current title and scope of the combined Administrator/Treasurer position, and whether any personnel authority is delegated to department heads]

Department heads administer this manual within their departments under the direction of the Town Administrator.

1.5 Conflicts with Law

The Town intends this manual to comply with all applicable law. If any provision of this manual conflicts with federal law, Colorado law, the Town's governing statutes and ordinances, or any applicable collective bargaining agreement, then the law, statute, ordinance, or agreement

controls, and the conflicting provision of this manual does not apply. The remaining provisions of the manual stay in full force and effect.

Because Paonia is a Colorado statutory town, the Town has only the powers granted to it by state statute under Title 31 of the Colorado Revised Statutes, and this manual is administered within that authority. [CONFIRM: Paonia is a statutory town, not home rule, so this manual references the Town's statutory authority and municipal code rather than a home rule charter]

This manual reflects, among other laws, the Colorado Anti-Discrimination Act [CADA, C.R.S. 24-34-401 et seq.], the Colorado Wage Act [C.R.S. 8-4-101 et seq.], the Colorado Overtime and Minimum Pay Standards (COMPS) Order, the Healthy Families and Workplaces Act [HFWA, C.R.S. 8-13.3-401 et seq.], the Colorado Family and Medical Leave Insurance program [FAMLI, C.R.S. 8-13.3-501 et seq.], and the Colorado Equal Pay for Equal Work Act [C.R.S. 8-5-101 et seq.]. Where the law sets a standard more protective of employees than this manual, the law applies. [CONFIRM: whether any collective bargaining agreements cover Town employees]

1.6 Severability

If any provision of this manual, or its application to any person or situation, is held to be invalid or unenforceable by a court or other authority of competent jurisdiction, that holding does not affect the rest of the manual. All remaining provisions continue in full force and effect, and the invalid provision is applied to the fullest extent the law allows.

1.7 Supersedes Prior Policies and Practices

This manual replaces and supersedes all prior personnel policies, employee handbooks, manuals, memoranda, rules, regulations, and any informal or past practices of the Town relating to the subjects it covers, whether written or unwritten, effective on the date the Board of Trustees adopts it.

No prior policy, statement, or past practice survives adoption of this manual unless this manual expressly preserves it or the Board of Trustees expressly preserves it in writing. Going forward, the written policies in this manual, as adopted and amended by the Board, are the Town's personnel policies. Past inconsistent practices do not create any right or expectation and may not be relied upon.

[CONFIRM: list of specific prior personnel documents, handbooks, or resolutions that this manual supersedes, so they can be named and formally repealed on adoption]

1.8 Definitions Cross-Reference

To keep the manual readable, most terms are defined where they are used. Employee classifications, including full-time, part-time, seasonal and temporary, introductory, exempt, and non-exempt, are defined in Section 2 (Employment Classifications and Workweek). Leave and

benefit terms are defined in the sections that establish those benefits. Where a term has a special meaning throughout the manual, that meaning is given the first time the term appears.

Adoption

Adopted by the Board of Trustees of the Town of Paonia, Colorado.

[CONFIRM: adopting action (motion or resolution number) and adoption date]

2. Employment Basics

This section defines the employment categories, classifications, and baseline rules that the rest of this manual builds on. Your classification and your FLSA status together determine your eligibility for benefits and how overtime works for you. Getting these labels right, and applying them the same way to everyone, is one of the most important things the Town does as an employer. Past inconsistency in how positions were classified and how personnel actions were documented created confusion and disputes. This section is written to prevent that going forward.

Nothing in this section changes the at-will nature of employment with the Town. As explained in Section 1, every employee of the Town is employed at-will, regardless of classification, FLSA status, length of service, or completion of any introductory period. Either the employee or the Town may end the employment relationship at any time, with or without cause and with or without notice, except as otherwise required by law.

2.1 Employment Classifications

Your classification determines your benefits eligibility and how the Town schedules and pays you. Here is how the Town groups positions. Each employee is assigned a classification in writing at the time of hire, and the Town Administrator (or the department head, as applicable) is responsible for keeping that classification accurate.

Full-time. A full-time employee is regularly scheduled to work [CONFIRM: hours/week threshold, e.g., 40] or more hours per week. Full-time employees are eligible for the full range of Town benefits, subject to the terms and waiting periods of each benefit plan. (See Section [CONFIRM: benefits section number] for benefits.)

Part-time. A part-time employee is regularly scheduled to work fewer than [CONFIRM: hours/week threshold] hours per week. Benefits eligibility for part-time employees is determined by [CONFIRM: the Town's policy and the terms of each benefit plan; specify which benefits, if any, prorate for part-time staff].

Seasonal and temporary. A seasonal or temporary employee is hired for a position of limited or defined duration, such as Parks and Recreation summer staff, election support, or a specific

Public Works or airport project. Seasonal and temporary employees are generally not eligible for Town benefits, except for those benefits required by law regardless of classification. Those legally required benefits include paid sick leave under the Colorado Healthy Families and Workplaces Act [HFWA, C.R.S. 8-13.3-401 et seq.] and coverage under the Colorado Family and Medical Leave Insurance program [FAMLI, C.R.S. 8-13.3-501 et seq., subject to the Town's coverage election described in Section [CONFIRM: leave section number]]. A seasonal or temporary assignment does not become full-time, part-time, or permanent simply because it lasts longer than expected, and continuing in such a role does not create any expectation of continued employment.

On-call and intermittent. [CONFIRM: Does the Town use an on-call or intermittent category, for example Police reserve officers or on-call Public Works/Utilities coverage? If so, describe how these positions are scheduled, how on-call and call-back time is treated for pay purposes under Section 4 (Compensation), and any benefits eligibility. If the Town does not use this category, delete this entry.]

Classification does not change at-will status. Every classification described above is at-will. No classification, and no change in classification, creates an employment contract, a term of employment, or any guarantee of continued employment.

2.2 FLSA Status (Exempt vs. Non-Exempt)

Your FLSA status determines whether you earn overtime. It is separate from your classification in Section 2.1. A position can be full-time and still be non-exempt (overtime eligible), and the two labels answer different questions. Every position is designated as either non-exempt or exempt at the time of hire, and that designation is based on the duties of the position and on federal and Colorado law, not on job title or on whether the employee is paid a salary or an hourly wage.

Non-exempt. Non-exempt employees are entitled to overtime pay. Under the federal Fair Labor Standards Act [FLSA, 29 U.S.C. 201 et seq.] and Colorado wage and hour standards, non-exempt employees earn one and one-half times their regular rate of pay for hours worked over 40 in a workweek. Most Town positions are non-exempt.

Exempt. Exempt employees are not eligible for overtime. To be exempt, a position must satisfy both a duties test and a salary test under federal and Colorado law. The exemptions generally available to the Town are the executive, administrative, and professional exemptions. An employee paid a salary is not automatically exempt; the duties of the position must also qualify. [CONFIRM: list which Town positions are designated exempt, for example Town Administrator, department heads, and any others.]

Colorado salary threshold. Colorado's Overtime and Minimum Pay Standards (COMPS) Order [7 CCR 1103-1] sets a salary threshold for the executive, administrative, and professional exemptions that is often higher than the federal threshold and that increases each year. As a

guideline, a position should not be treated as exempt unless the employee is paid at least the current Colorado threshold (in addition to meeting the duties test). [CONFIRM: current COMPS Order number and salary threshold for the applicable year; the COMPS Order is updated annually.]

Overtime. Non-exempt employees earn overtime at one and one-half times their regular rate for hours worked over 40 in a workweek. As a matter of Town policy, the Town also follows the Colorado COMPS standard of paying overtime for hours worked over 12 in a workday or over 12 consecutive hours of work, whichever calculation results in the greater payment. [CONFIRM: confirm with the Town Attorney whether the Town adopts the Colorado daily-overtime standard as policy or follows the federal weekly standard only; the Town is a municipal corporation and is not bound by COMPS daily overtime by force of law, so this is a Board policy choice.] Detailed rules on timekeeping, overtime approval, meal and rest breaks, compensatory time, and pay periods are in Section 4 (Compensation). [CONFIRM: pay period schedule and overtime pre-approval procedure.]

2.3 Introductory Period

When you start a new position, your first months on the job are an introductory period. This is a time for you and your supervisor to get to know each other and to confirm that the position is a good fit on both sides. It is not a guarantee of continued employment, and completing it does not change your at-will status.

Length. The introductory period is generally [CONFIRM: length, typically 6 months] from the date of hire or, for an employee moving into a new position, from the date of the new assignment. For sworn Police Department positions, the introductory period is generally longer, [CONFIRM: length for police, e.g., 12 months], in recognition of POST certification, field training, and the additional time needed to assess a peace officer.

Purpose. The introductory period allows the supervisor and the employee to assess job fit, performance, attendance, and conduct, and gives the employee time to learn the role.

At-will status is unchanged. Completing the introductory period does not change your at-will status, does not create an employment contract, and does not guarantee continued employment. You remain employed at-will at all times, both during and after the introductory period. The Town may end employment at any time during or after the introductory period, in its sole discretion, with or without cause and with or without notice. The introductory period is not a probationary period that an employee must "pass" in order to gain any protected or permanent status, and no such status is created by this manual.

Extension. The Town may extend an employee's introductory period at any time, in its sole discretion, for any reason, including to allow more time to assess fit or performance.

Benefits during the introductory period. [CONFIRM: state whether any benefit waiting periods run during the introductory period, and confirm that introductory employees still receive all benefits required by law from day one, including HFWA sick leave accrual.]

2.4 Personnel Records and Privacy

The Town keeps records about your employment. This subsection explains what those records contain, who can see them, and your right under Colorado law to inspect your own file. The goal is consistency and integrity: every personnel action affecting an employee should be documented accurately, at the time it happens, and placed in that employee's file, so the record reflects what actually occurred.

What the file contains. An employee's personnel file generally includes the employment application and resume, offer and classification documents, performance evaluations, records of personnel actions such as promotions or transfers, records of any discipline or corrective action, payroll and timekeeping records, and benefits elections. [CONFIRM: designate the official custodian of personnel files, for example the Town Administrator or a designated Clerk.]

Integrity of the file. Entries in a personnel file must be accurate and made close to the time of the event they describe. The Town does not backdate entries or add documentation to a file in order to justify a personnel action after the fact. When a document that reflects on an employee is added to that employee's file, the employee will generally be given a copy or notice and an opportunity to submit a written response that is kept with the document.

Your right to inspect your own file. Colorado law gives current and former employees the right to inspect and obtain a copy of their own personnel file. [C.R.S. 8-2-129.] To exercise this right, submit a written request to [CONFIRM: title of custodian, e.g., the Town Administrator]. The Town will make the file available for inspection at a mutually agreeable time during regular business hours, at least annually upon request for a current employee and once after separation for a former employee, as the statute provides. The Town may charge a reasonable fee to cover the actual cost of duplicating any copies you request. [CONFIRM: copying fee amount, if any.] The Town may require that inspection take place in the presence of a Town representative and may redact information that the statute does not require to be disclosed.

Confidentiality. The Town treats personnel files as confidential and limits access to the employee, the custodian, the employee's supervisor and department head, the Town Administrator, and others with a legitimate business or legal need to know, except as disclosure is required or permitted by law.

How personnel records interact with CORA. The Colorado Open Records Act [CORA, C.R.S. 24-72-200.1 et seq.] governs public access to Town records. Personnel files are generally not open to public inspection. [C.R.S. 24-72-204(3)(a)(II).] However, CORA treats certain employment information as public even though it relates to a personnel file. That public information generally includes an employee's name, position or job title, salary or pay rate, and

dates of employment, as well as job applications, employment agreements, and performance ratings, to the extent the statute and courts require. When the Town receives a CORA request that touches employment records, it will produce what the law makes public and withhold what the law protects, such as home address, personal phone number, and personal financial information. (See Section [CONFIRM: cross-reference to any CORA/public-records section, if the manual includes one] for how records requests are handled.)

Medical records. Records relating to an employee's medical condition, disability, or fitness for duty, including records created under the Americans with Disabilities Act [ADA, 42 U.S.C. 12101 et seq.] and the Family and Medical Leave Act, are kept in a separate, confidential file apart from the general personnel file, and access is limited as those laws require.

I-9 forms. Form I-9 records are kept separately from the personnel file, as described in Section 2.6.

Keeping your information current. You are responsible for keeping your contact information, emergency contacts, tax withholding, and benefits beneficiary information up to date. [CONFIRM: how employees update this information, for example through the Town Administrator's office or a designated payroll contact.]

2.5 Employment of Relatives (Nepotism)

The Town hires based on qualifications, and it works to avoid favoritism, conflicts of interest, and even the appearance of either. Relatives may work for the Town, but they may not be placed in situations where one relative can influence the employment or pay of another. This protects employees and protects public confidence in how the Town spends public money.

Who is a relative. For purposes of this policy, a "relative" includes [CONFIRM: scope, e.g., spouse, partner in a civil union, parent, child, sibling, grandparent, grandchild, and the in-law and step equivalents of each, and any member of the employee's household].

Supervision and chain of command. Relatives may be employed by the Town, but a relative may not directly supervise another relative, and relatives may not be placed in the same direct chain of command where one would have authority over the other's work, performance evaluation, discipline, or pay.

Decisions affecting a relative. No employee may participate in, recommend, or influence a decision to hire, promote, transfer, evaluate, discipline, set the pay of, or terminate a relative. An employee who is asked to take part in such a decision must disclose the relationship and step aside so that a different, neutral decision-maker handles the matter. This rule applies to elected officials and the Town Administrator as well as to staff. This policy works together with the conflict of interest provisions in Section 3 (Standards of Conduct) and with Colorado law governing the conduct of local government officials and employees [see C.R.S. 24-18-101 et seq.].

Relationships that develop during employment. If two employees become relatives during their employment (for example, by marriage), and the relationship would violate this policy, they must notify the Town Administrator. The Town will attempt to resolve the conflict, which may include reassignment or a change in reporting relationship, in its discretion.

Existing related employees. [CONFIRM: state whether any current employees who are relatives are grandfathered under this policy, and how any existing reporting conflicts will be handled.]

2.6 Employment Eligibility (I-9)

Federal law requires the Town to verify that everyone it hires is legally authorized to work in the United States. This applies to every new employee without exception.

Form I-9. Every new employee must complete Section 1 of Form I-9 on or before their first day of work and must present acceptable documentation establishing identity and work authorization so that the Town can complete its part of the form within three business days of the start of work. An employee who cannot provide acceptable documentation within the time the law allows may not continue in employment.

E-Verify. [CONFIRM: state whether the Town participates in the federal E-Verify program. E-Verify is optional in Colorado and is not mandated statewide. If the Town participates, describe how and when it is used; if not, delete this entry.]

Colorado note. Colorado's former state-specific employment verification affirmation law (HB 06-1343) was repealed effective 2016. The Town's obligation today is the federal Form I-9 requirement described above; there is no separate Colorado affirmation form to complete.

Reverification. The Town will reverify work authorization when required by law, for example when an employee's temporary work authorization is set to expire.

Separate retention. Completed Form I-9 records and any supporting documentation are retained separately from the personnel file, in accordance with federal requirements (generally three years after the date of hire or one year after employment ends, whichever is later), and are made available to authorized government agencies upon proper request.

3. Equal Employment and Respectful Workplace

The Town of Paonia wants every employee to work in a place that is fair, safe, and free of discrimination and harassment. This section explains the conduct the Town expects, the accommodations employees can ask for, and exactly how to raise a concern and what happens after you do. The Town builds these rules on Colorado law, including the Protecting Opportunities and Workers' Rights Act (POWR) and the Colorado Anti-Discrimination Act (CADA). If anything in this section conflicts with current law, the law controls.

Nothing in this section changes the at-will nature of Town employment described elsewhere in this manual. The Town may take, combine, skip, or decline any step described here in its sole discretion.

3.1 Equal Employment Opportunity

The Town is an equal opportunity employer. The Town wants hiring and every other employment decision to turn on a person's qualifications and conduct, never on who they are.

The Town does not discriminate against any employee or applicant for employment because of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, age, national origin, ancestry, marital status, or any other status protected by applicable federal, state, or local law. [CADA, C.R.S. 24-34-402]

Under the Colorado CROWN Act, "race" includes hair texture and protective hairstyles such as braids, locs, and twists. [CROWN Act, HB20-1048; C.R.S. 24-34-301]

This policy applies to all terms and conditions of employment, including recruitment, hiring, placement, job assignment, training, promotion, compensation, benefits, discipline, transfer, layoff, recall, leaves of absence, and separation.

Any employee or applicant with a question or concern about discrimination is encouraged to raise it through any of the channels in Section 3.7. An employee may also file a charge with the Colorado Civil Rights Division (CCRD) or the federal Equal Employment Opportunity Commission (EEOC). Charges to the CCRD generally must be filed within the deadline set by law. [CADA, C.R.S. 24-34-402, et seq.]

3.2 Disability Accommodation and the Interactive Process

The Town provides reasonable accommodations to qualified individuals with disabilities so they can apply for jobs and perform the essential functions of their positions. The Town does this through a good-faith, back-and-forth conversation called the interactive process.

The Town complies with the Americans with Disabilities Act (ADA) and applicable Colorado law. The Town provides reasonable accommodations to qualified applicants and employees with disabilities, unless doing so would impose an undue hardship on the Town. [ADA, 42 U.S.C. 12101 et seq.; CADA, C.R.S. 24-34-402]

An employee or applicant who needs an accommodation should notify their supervisor, their department head, or the Town Administrator. No special words are required to start the process. Once a request is made, the Town will generally:

1. Acknowledge the request and begin the interactive process promptly.

2. Request documentation from a health care provider when reasonably needed to confirm the disability and the functional limitations.
3. Work with the employee to identify possible accommodations and assess how well each would work.
4. Select an effective accommodation, giving consideration to the employee's preference where more than one option would be effective.
5. Document the process and review the accommodation periodically.

Reasonable accommodations may include modified work schedules, leave, assistive equipment, job restructuring, or reassignment to a vacant position for which the employee is qualified. An accommodation does not require the Town to eliminate an essential job function or lower a performance or production standard.

Medical and disability information the employee provides is kept confidential and stored separately from the personnel file, and is shared only with those who have a legitimate need to know. [ADA confidentiality requirements]

3.3 Religious Accommodation

The Town accommodates the sincerely held religious beliefs and practices of its employees where it can reasonably do so.

An employee who needs an accommodation for a sincerely held religious belief or practice, such as a schedule adjustment for observance or a modification to a dress or grooming standard, should notify their supervisor, their department head, or the Town Administrator. The Town will engage in the same kind of interactive process described in Section 3.2 and will provide a reasonable accommodation unless doing so would impose an undue hardship. [Title VII, 42 U.S.C. 2000e et seq.; CADA, C.R.S. 24-34-402]

3.4 Pregnancy Accommodation

Pregnant employees and employees recovering from childbirth have a right to reasonable accommodations under Colorado law. The Town honors that right.

The Town provides reasonable accommodations for an employee's health conditions related to pregnancy, childbirth, physical recovery from childbirth, and related conditions, unless doing so would impose an undue hardship. The Town uses the interactive process in Section 3.2 for these requests and will not require an employee to take leave if another reasonable accommodation would let the employee keep working. [Colorado Pregnant Workers Fairness Act, C.R.S. 24-34-402.3]

Reasonable accommodations may include more frequent or longer breaks, a place to sit, limits on lifting, modified work schedules, light duty, or modified equipment.

The Town provides written notice of these rights to new employees at hire and to existing employees, and posts the required notice in the workplace. [C.R.S. 24-34-402.3]

3.5 Lactation Accommodation

The Town supports nursing employees with both time and a private place to express breast milk.

The Town provides reasonable break time and a private space, other than a restroom, that is shielded from view and free from intrusion, for an employee to express breast milk for up to one year (and longer where required) after the child's birth. The Town coordinates this accommodation with the employee's supervisor and with the leave provisions elsewhere in this manual. [PUMP Act, 29 U.S.C. 218d; C.R.S. 8-13.5-104]

[CONFIRM: location of the designated lactation space in Town facilities, by building.]

3.6 Respectful Workplace and Anti-Harassment

The Town expects everyone to treat coworkers, residents, applicants, and the public with respect. Harassment and discrimination have no place at the Town, and the standard below is intentionally broad: conduct does not have to be a crime, or be "severe or pervasive," to violate this policy.

The Town prohibits harassment of any employee, applicant, or other covered person based on disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, religion, age, national origin, ancestry, marital status, or any other protected status.

Under Colorado's POWR Act, harassment is conduct directed at an individual because of a protected status that the individual subjectively perceives as offensive and that a reasonable person who shares that protected status would also find offensive. Conduct can be harassment under this policy even if it is not severe and even if it is not pervasive. Whether conduct violates the policy is judged in light of the totality of the circumstances. [POWR Act, SB 23-172; C.R.S. 24-34-402]

Sexual harassment is prohibited. It includes unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal, visual, or physical conduct of a sexual nature when submission is made a term or condition of employment, is used as a basis for an employment decision, or meets the harassment standard above.

Other prohibited conduct includes slurs, jokes, epithets, derogatory comments, name-calling, mockery, intimidation, threats, unwelcome touching, and the display or circulation of offensive material, when based on a protected status. This policy applies in the workplace and at work-related settings such as Board meetings, training, travel, and Town events, and to conduct through phone, email, text, and social media that affects the workplace.

Every supervisor and department head who learns of possible harassment, discrimination, or retaliation, whether through a complaint or otherwise, is required to report it promptly to the Town Administrator (or to an alternate channel under Section 3.7 if the concern involves the Administrator). Supervisors may not ignore or sit on a concern.

The Town provides training on this policy to all employees, and additional training to supervisors and department heads. [CONFIRM: training cadence, for example at hire and annually thereafter.]

3.7 How to Report a Concern (Complaint Procedure)

The Town wants employees to come forward, and it deliberately offers more than one place to go so that no employee has to report a problem to the very person the problem is about. An employee does not have to use the chain of command first.

An employee or applicant who believes they have experienced or witnessed discrimination, harassment, or retaliation may report it through any of the following channels:

• Their immediate supervisor;
• Any other supervisor or department head they are comfortable approaching;
• The Town Administrator;
• [CONFIRM: a named alternate contact for complaints that involve the Town Administrator, for example the Mayor or a designated Trustee, or outside HR/legal counsel retained by the Town.]

Reports may be made verbally or in writing, and there is no special form required to make one. The Town encourages prompt reporting so that it can act while the facts are fresh, but a delay will not by itself cause the Town to disregard a report.

After a report, the Town will generally:

1. Acknowledge the report and treat it seriously.
2. Conduct a prompt, fair, and as-confidential-as-possible investigation appropriate to the circumstances. The Town will share information only with those who have a need to know.
3. Take appropriate corrective action where the investigation warrants it.
4. Inform the reporting employee, to the extent appropriate, that the matter has been addressed.

The Town keeps the choice of investigator, the scope of the investigation, and any resulting action within its discretion. Because the Town does not currently have a dedicated human resources office, the Town Administrator coordinates this process and may engage outside investigators or counsel where appropriate. [CONFIRM: whether the Town will designate or retain a third-party intake/investigation resource.]

3.8 Recordkeeping

The Town keeps records of complaints so that patterns are visible and so the process is accountable, not just on paper.

The Town keeps a record of each written or oral complaint of discrimination, harassment, or retaliation. Each record includes, to the extent known, the identity of the complainant, the identity of the alleged wrongdoer, the date of the complaint, the substance of the complaint, and any action the Town took. The Town retains these records for at least five years from the date of the complaint or the personnel action involved, whichever is later. [POWR Act, C.R.S. 24-34-407]

Medical and accommodation records are kept confidential and separate from the personnel file (Section 3.2). The Town stores complaint records securely and limits access to those with a legitimate need.

3.9 Anti-Retaliation

No one should ever have to choose between reporting a problem and keeping their job. Retaliation is prohibited, and it is treated as its own violation.

The Town prohibits retaliation against any person who, in good faith, reports discrimination, harassment, or retaliation, requests an accommodation, opposes conduct they reasonably believe is unlawful, or participates in an investigation or proceeding. [POWR Act, C.R.S. 24-34-402; CADA]

Retaliation includes any materially adverse action that would deter a reasonable person from coming forward, such as termination, demotion, undesirable reassignment, exclusion, or harassment because of the protected activity. An employee who believes they have experienced retaliation should report it through any channel in Section 3.7. Retaliation is itself a violation of this policy and may result in discipline, up to and including termination, in the Town's discretion. A good-faith report that is not substantiated will not result in discipline of the reporting employee.

3.10 Confidentiality and Limits on Nondisclosure Agreements

Colorado law protects an employee's ability to talk about discrimination and harassment. The Town will not use confidentiality terms to silence that.

The Town will keep complaints and investigations as confidential as it reasonably can, consistent with conducting a thorough investigation and complying with law. Employees should understand that complete confidentiality cannot be guaranteed and that some records may be subject to disclosure under the Colorado Open Records Act. [CORA, C.R.S. 24-72-201 et seq.]

The Town will not require, as a condition of employment, any nondisclosure or nondisparagement provision that limits an employee's or applicant's ability to disclose or discuss

conduct they reasonably believe to be discriminatory or an unfair employment practice. Any such provision the Town does enter must meet the strict conditions Colorado law requires, including that it apply mutually to the Town and the employee and that it preserve the employee's right to disclose the underlying facts. A provision that does not meet those conditions is void and unenforceable. [POWR Act, C.R.S. 24-34-407]

4. Recruitment, Hiring, and Onboarding

The Town of Paonia hires the people who keep the community running, and it does so through a fair, open, and consistent process. This section explains how the Town recruits, evaluates, and hires applicants, the checks it runs before an offer becomes final, and how new employees are brought on board. A consistent process protects applicants, protects the Town from claims of favoritism or discrimination, and gives residents confidence that public jobs are filled on merit. The Town follows all applicable federal and Colorado law, including the Colorado Equal Pay for Equal Work Act and the Colorado Chance to Compete Act.

Nothing in this section creates a contract of employment or a guarantee of any specific hiring procedure. Employment with the Town is at-will, as stated in Section 1. The Town may adapt, combine, or decline any step of the process described here in its sole discretion when it determines doing so serves the Town's needs, consistent with law.

4.1 Equal Opportunity Recruitment

The Town is an equal opportunity employer. The Town recruits, evaluates, and selects employees based on job-related qualifications and the needs of the Town, without regard to race, color, religion, creed, national origin or ancestry, sex (including pregnancy, childbirth, and related conditions), sexual orientation, gender identity or expression, transgender status, disability, age (40 and over), marital status, military or veteran status, genetic information, or any other status protected by federal, state, or local law. [Colorado Anti-Discrimination Act, C.R.S. 24-34-401 et seq.; Title VII; ADA; ADEA]

The Town makes reasonable efforts to recruit from a broad applicant pool so that qualified people from across the community have a fair opportunity to apply. Selection decisions are documented, and the criteria used to evaluate candidates are job-related and applied consistently to all applicants for a position.

The Town provides reasonable accommodations to qualified applicants with disabilities during the application and selection process, and reasonable accommodations related to religion or to pregnancy and related conditions, unless doing so would impose an undue hardship. An applicant who needs an accommodation to apply or interview should contact the Town Administrator's office. Accommodation in employment is addressed further in Section 3.

4.2 Job Postings and Announcements

The Town generally posts open positions so that interested applicants, including current employees, have notice and a fair opportunity to apply. The Town's goal is an open and competitive process for every regular position. The Town may use a different process for short-term, seasonal, emergency, or temporary needs in its discretion.

Posting content. Each posting for a position with the Town will include, consistent with the Colorado Equal Pay for Equal Work Act [EPEWA, C.R.S. 8-5-101 et seq.]:

• The hourly rate or salary, or a good-faith range, the Town reasonably expects to pay for the position. [C.R.S. 8-5-201]
• A general description of the benefits and any other compensation offered for the position (for example, health coverage, retirement contributions, paid leave, and any bonuses or allowances).
• The date the application window closes, or a statement that applications will be accepted on an ongoing basis until the position is filled.

Notice of promotional opportunities. The Town will make reasonable efforts to announce, post, or otherwise make known each opportunity for promotion to all current employees on the same calendar day, and before the Town makes a promotion decision. [EPEWA, C.R.S. 8-5-201] The Town encourages qualified employees to apply for posted openings and supports promotion from within where it serves the Town's needs. Internal candidates are evaluated on the same job-related criteria as external candidates.

No salary history. The Town does not ask about, and does not rely on, the wage or salary history of an applicant when deciding whether to hire the applicant or what to pay the applicant. [EPEWA, C.R.S. 8-5-102] An applicant may volunteer information about their pay expectations, but the Town will not require it and will set pay based on the established range for the position and the applicant's job-related qualifications and experience.

Application content. The Town's employment application will not request information that Colorado law prohibits the Town from asking on an initial application, including criminal history (see 4.4), age or date of birth, or dates of attendance at or graduation from an educational institution. [Job Application Fairness Act, C.R.S. 8-2-131; Chance to Compete Act, C.R.S. 8-2-130] The Town will keep its application form current with these requirements. [CONFIRM: the Town's current application form is reviewed and updated to comply with Ban the Box and the Job Application Fairness Act.]

Recordkeeping. The Town keeps records of the job description and the wage-rate history for each employee for the duration of the employee's employment plus two years after employment ends, as the Colorado Equal Pay for Equal Work Act requires. A failure to keep these records creates a rebuttable presumption against the Town in a wage claim covering the time for which records were not kept. [EPEWA, C.R.S. 8-5-101 et seq.]

4.3 Hiring Authority

Clear hiring authority prevents the confusion and reversals the Town has experienced when it was unclear who could make an offer. This subsection states who holds the authority to hire for Town positions. All offers are subject to the checks in 4.4 and 4.5 and to available budget.

• Positions appointed by the Board of Trustees. Certain officers and positions are appointed by, and serve at the pleasure of, the Board of Trustees as provided by Colorado statute and Town ordinance. [CONFIRM: which positions the Board appoints, for example the Town Administrator, Town Clerk, Town Treasurer, Town Attorney, Municipal Judge, and Chief of Police, and the statutory or ordinance basis for each.]
• Positions hired by the Town Administrator. The Town Administrator generally has the authority to hire employees of the Town who are not appointed by the Board, and may delegate parts of the recruitment and selection process to department heads. [CONFIRM: the scope of the Town Administrator's hiring authority as set by the Board, including any positions that require Board ratification.]
• Department roles. Department heads typically recruit, screen, and recommend candidates for positions within their departments, within budget and policy, and make selections in coordination with the Town Administrator. [CONFIRM: which selections department heads may finalize and which require the Town Administrator's approval.]

No employee may extend a final or binding offer of employment, or promise any term of employment, unless that employee holds hiring authority for the position under this subsection. Final offers are made in writing and identify pay, classification (exempt or non-exempt), and the at-will nature of the employment.

4.4 Background Checks

The Town runs background checks appropriate to the position to protect the public, the Town's employees, and Town assets, and to reduce the risk of negligent hiring. The type and scope of the check depend on the duties of the position. Background checks are completed, and results reviewed, before a final offer becomes effective, or as a condition of continued employment where law allows.

Ban the box. Consistent with the Colorado Chance to Compete Act, the Town does not state in any job advertisement that a person with a criminal history may not apply, and does not ask about criminal history on the initial application. [C.R.S. 8-2-130] The Town may inquire into and consider criminal history later in the hiring process, after the initial application stage. When the Town considers criminal history, it considers whether the record is job-related, the nature and seriousness of the offense, the time that has passed, and the duties of the position. A criminal record does not automatically disqualify an applicant.

Consumer reports and consent. When the Town obtains a background check, motor vehicle record, or other consumer report from a third-party agency, it first provides the applicant with the required written disclosure and obtains the applicant's written authorization. If the Town intends

to take adverse action (such as withdrawing an offer) based in whole or in part on a report, it follows the pre-adverse and adverse action procedures, including providing the applicant a copy of the report and the summary of rights, and a reasonable opportunity to respond. [Fair Credit Reporting Act, 15 U.S.C. 1681 et seq.]

Driving records. For positions that require driving a Town or personal vehicle for Town business, the Town may obtain and review a motor vehicle record, with the applicant's consent, and may require a valid driver's license and an acceptable driving record as a condition of hire and of continued employment.

Fingerprint-based checks. For police positions and certain other sensitive positions, the Town may require a fingerprint-based criminal history check through the Colorado Bureau of Investigation. [C.R.S. 24-72-305.3] These checks are run where authorized or required by law for the position.

Scope by position. The Town maintains a list of which positions require which checks (criminal history, motor vehicle record, fingerprint, or credit, where job-related and lawful) so the scope is consistent and known in advance, rather than decided case by case. [CONFIRM: which Town positions require which background checks and the scope of each; current background-check vendor, if any; whether any credit check is used and for which finance-handling positions.]

Confidentiality. Background check results are confidential personnel records, generally not subject to public disclosure under the Colorado Open Records Act, and are kept separate from the main personnel file. [C.R.S. 24-72-204(3)(a)(II)] See Section 9 for personnel records and privacy.

4.5 Employment Eligibility (I-9)

Federal law requires the Town to verify that every new employee is authorized to work in the United States. Each new employee must complete Section 1 of Form I-9 no later than their first day of work, and must present acceptable documents establishing identity and work authorization so the Town can complete Section 2 within three business days of the start date. [Immigration Reform and Control Act, 8 U.S.C. 1324a] An employee who cannot provide acceptable documentation within the time the law allows may not continue in employment.

Completed I-9 forms are stored separately from personnel files for all employees and are retained for the later of three years after the date of hire or one year after the date employment ends, consistent with federal law.

The Town does not use the state employment-verification affirmation form, which Colorado repealed in 2016. [Former C.R.S. 8-2-122, repealed] [CONFIRM: whether the Town uses E-Verify in addition to the Form I-9; E-Verify is optional in Colorado.]

4.6 Onboarding and Orientation

A consistent onboarding process gives new employees a fair start, sets clear expectations, and creates the records the Town needs. Every new employee participates in an orientation before or during their first days of work.

Orientation. Orientation introduces the new employee to the Town, their department, and their job. It generally covers Town policies and safety practices, benefits enrollment, payroll and tax withholding forms, the Form I-9 (see 4.5), and the new employee's duties and reporting relationships. [CONFIRM: standard onboarding checklist content and who conducts orientation, for example the Town Administrator's office and the department head.]

Manual acknowledgment. Each new employee receives a copy of this Personnel Policy Manual, or instructions for accessing it, and signs an acknowledgment confirming that they received it, that they are responsible for reading and following it, that the Town may change it at any time, and that their employment is at-will. The signed acknowledgment is placed in the employee's personnel file. Signing the acknowledgment does not create a contract of employment. The Town requires the signed acknowledgment because past new hires reported receiving little orientation and no acknowledgment on file.

Introductory period. New employees generally serve an introductory period during which the Town and the employee assess fit for the position. The introductory period is a tool to evaluate performance and does not change the at-will nature of employment; the Town may end employment at any time during or after the introductory period, with or without cause, and may extend the period in its discretion. The introductory period and employee classifications are defined in Section 2. [CONFIRM: introductory period length and whether it applies to all positions or differs by position.]

4.7 Career Progression Disclosure

The Town tells employees what it takes to advance, so that opportunity is transparent and not left to who knows whom. Consistent with the Colorado Equal Pay for Equal Work Act, the Town discloses to its employees the requirements for career progression and advancement, including, for the positions to which an employee may advance, the position itself, the compensation and benefits associated with it, and the qualifications and steps required to qualify. [EPEWA, C.R.S. 8-5-201; CDLE INFO #9] This information is made available to all employees, and updated as positions and requirements change. [CONFIRM: where career-progression information is maintained and how employees access it, for example job descriptions and pay grades kept by the Town Administrator's office.]

4.8 Nepotism and Employment of Relatives

In a small town, relatives often work for the same employer, and without a clear policy this can fuel real or perceived favoritism. The Town's policy on the employment of relatives, including limits on supervising or participating in personnel decisions affecting a relative, is set out in full

in Section [CONFIRM: cross-reference to the Conflicts of Interest / Nepotism section number]. Hiring decisions under this Section 4 are made consistent with that policy. [CONFIRM: whether any relatives are currently employed by the Town in a reporting relationship the nepotism policy must account for.]

Cross-references: Section 1 (at-will employment and equal employment opportunity), Section 2 (employee classifications and introductory period), Section 3 (accommodation and anti-discrimination), Section 5 (compensation, pay ranges, and pay transparency), Section 9 (personnel records and privacy), and the Conflicts of Interest / Nepotism section.

5. Compensation

This section explains how the Town classifies positions, how the Board sets pay, and the mechanics of getting paid: the workweek, paydays, timekeeping, overtime and compensatory time, meal and rest periods, pay statements, reimbursements, and the deductions the Town takes from pay. It also states the wage-and-hour rules that protect employees under federal and Colorado law. The Town's goal is simple. Employees should be paid accurately, on time, and in full for all time worked.

Nothing in this section changes the at-will nature of employment described in Section 2. References to pay ranges, increases, and benefits describe how the Town generally administers compensation and do not create a contract, a guarantee of continued employment, or a guarantee of any particular wage, increase, or benefit. The Board of Trustees sets and may revise compensation in its discretion, subject to law and the annual budget.

5.1 Position Classification

Every position is classified as either non-exempt or exempt for wage-and-hour purposes. This classification controls whether the position is entitled to overtime, not how important the position is, how much it pays, or whether it is paid by salary or by the hour.

The Town classifies each position under the federal Fair Labor Standards Act [FLSA, 29 U.S.C. 201 et seq.], which is the wage-and-hour law that binds the Town. As a Colorado municipal corporation, the Town is not bound by the Colorado Overtime and Minimum Pay Standards (COMPS) Order [7 CCR 1103-1] by force of law. The Town nonetheless adopts the COMPS salary threshold for the executive, administrative, and professional exemptions as a benchmark, so that a position is generally not treated as exempt unless it meets both the FLSA duties test and at least the salary figure the COMPS Order sets for the applicable year. Non-exempt positions are eligible for overtime and compensatory time as described in Section 5.5. Exempt positions are not eligible for overtime and are generally paid a fixed salary that does not vary based on the quantity or quality of work performed, consistent with the salary-basis rules of the FLSA.

The Town Administrator, or the Administrator's designee, assigns the classification of each position based on its actual duties and the applicable legal tests. A title alone does not make a position exempt. Employees who believe their position is misclassified should raise the concern with their department head or the Town Administrator, who will review the duties against the legal standards.

[CONFIRM: which Paonia positions are classified exempt. Likely candidates include the Town Administrator, the Police Chief, department heads, and the Town Clerk if the role meets the duties and salary tests. Confirm the full list and document it in the pay plan.]

5.2 Pay Plan and Salary Administration

Pay for each position is set by the Board of Trustees. The Town does not negotiate individual wages outside the structure the Board adopts.

The Board of Trustees adopts a pay plan (also called a salary schedule or compensation plan) that establishes the pay range or pay rate for each position. That plan, and the annual budget the Board adopts, govern compensation. The figures are not reproduced here so that this manual stays accurate as the Board updates pay. Employees may obtain the current pay plan for their position from the Town Administrator or their department head.

[CONFIRM: whether Paonia uses a formal step-and-grade pay plan with defined ranges, or sets salaries individually by position. Describe the actual structure here once confirmed.]

Where the pay plan provides for step, range, or merit increases, those increases are generally tied to the performance review described in Section 4 and to available budget. Increases are not automatic. An employee's placement within a pay range, and any movement within it, is determined under the pay plan and remains subject to the Board's budget decisions and the Town's discretion.

[CONFIRM: how increases work in Paonia. Step increases on a schedule, merit increases tied to evaluation, cost-of-living adjustments approved by the Board, or a combination. State the actual practice once confirmed.]

5.3 Workweek, Paydays, and Pay Periods

The Town pays employees on a regular schedule so that pay is predictable.

For wage-and-hour purposes, the Town's standard workweek is a fixed and recurring period of 168 consecutive hours (seven consecutive 24-hour periods). The workweek is the same for all employees in a department unless a different schedule is required by the nature of the work, such as the schedules worked by sworn police officers.

[CONFIRM: Paonia's workweek definition, including the day and time it begins (for example, the workweek begins at 12:00 a.m. Sunday and ends at 11:59 p.m. the following Saturday).]

Employees are paid on a regular, recurring schedule. [CONFIRM: pay frequency (for example, biweekly with 26 pay periods per year, or semi-monthly with 24), the length of each pay period, and the regular payday.] If a payday falls on a weekend or a Town-recognized holiday, employees are generally paid on the last business day before that weekend or holiday.

Direct deposit is the Town's standard method of payment. [CONFIRM: whether direct deposit is required as a condition of employment or offered as an option, and the alternative pay method, if any, for employees who do not use direct deposit.] Employees are responsible for keeping their banking and mailing information current with the Town's payroll contact.

5.4 Timekeeping

Accurate time records protect employees. They are how the Town makes sure every hour worked is paid and that overtime is paid correctly.

Non-exempt employees must accurately record all time actually worked, including the start and end of each work period and each unpaid meal period, using the Town's timekeeping system. [CONFIRM: the timekeeping system Paonia uses, such as a time clock, an electronic timesheet, or a paper timesheet, and the deadline for submitting and approving time each pay period.]

Non-exempt employees may not perform work off the clock. All work must be recorded, including work performed before or after a scheduled shift, work performed remotely, and work-related communication such as calls, texts, or email that takes meaningful time. Supervisors may not request, encourage, or permit off-the-clock work. An employee who is directed or pressured to work off the clock should report it to the Town Administrator.

Each employee is responsible for the accuracy of the employee's own time records, and supervisors are responsible for reviewing and approving them. Knowingly falsifying a time record, recording time not worked, or recording another employee's time is a serious matter and may result in discipline up to and including termination, in the Town's sole discretion. Honest, good-faith errors should simply be corrected.

5.5 Overtime and Compensatory Time

Federal law requires the Town to pay overtime after 40 hours in a workweek. As a matter of Town policy, the Town also pays overtime after long single days. This subsection explains how overtime is earned and how the Town may grant compensatory time in place of overtime pay.

Overtime eligibility and rate. Non-exempt employees are paid overtime at one and one-half times their regular rate of pay for all overtime hours. The legal requirement that binds the Town is the FLSA standard: a non-exempt employee earns overtime for hours worked over 40 in a

workweek [FLSA, 29 U.S.C. 207]. As a matter of Town policy, the Town also pays overtime for hours worked over 12 in a workday, or over 12 consecutive hours regardless of when the workday begins and ends, applying whichever calculation results in the greater payment. This daily-overtime provision follows the Colorado COMPS standard, but the Town is a municipal corporation and is not bound by COMPS by force of law, so it is a Board policy choice rather than a legal requirement. [CONFIRM: confirm with the Town Attorney whether the Town adopts the Colorado daily-overtime standard as policy or follows the federal weekly standard only.] Overtime is calculated on actual hours worked. Paid leave hours, such as holiday, vacation, or sick leave, are generally not counted as hours worked for overtime purposes unless law requires otherwise.

Advance approval. Overtime must be approved in advance by the employee's supervisor or department head. Working unauthorized overtime may result in discipline. The Town will, however, pay a non-exempt employee for all overtime actually worked, even overtime that was not approved in advance. Approval is a workplace rule, not a condition of payment.

Compensatory time in place of overtime. As a public employer, the Town may, where permitted by law and by agreement reached before the work is performed, grant compensatory (comp) time to a non-exempt employee in place of overtime pay [FLSA, 29 U.S.C. 207(o)]. Comp time accrues at one and one-half hours for each hour of overtime worked. A non-exempt employee may accrue up to 240 hours of comp time. A non-exempt employee engaged in public safety activity, such as a sworn police officer, may accrue up to 480 hours. Once the cap is reached, additional overtime is paid in cash. An employee who requests to use accrued comp time must be allowed to do so within a reasonable period that does not unduly disrupt Town operations. Unused comp time is paid out at separation at the rate required by law.

[CONFIRM: whether Paonia offers compensatory time at all, to which non-exempt positions it is offered, and the form of the required written agreement that must be in place before comp time may be earned in place of cash overtime.]

Police schedules. The FLSA allows a public employer to adopt a partial overtime exemption for law enforcement personnel that sets overtime based on a designated work period rather than a single 40-hour week [FLSA, 29 U.S.C. 207(k)]. Where the Town has adopted the daily-overtime policy described above, the Town applies it to sworn police officers consistent with the work period the Town designates. The Town's treatment of sworn police officer schedules and overtime is administered consistent with the FLSA and any daily-overtime policy the Board has adopted.

[CONFIRM: whether Paonia has adopted a 207(k) work period for sworn police officers, the length of that work period, and the overtime threshold that applies to it.]

5.6 Meal and Rest Periods

As a matter of Town policy, the Town provides employees a meal break and paid rest breaks. The Town adopts the meal and rest standards in the Colorado COMPS Order as the Town's own standards, even though, as a municipal corporation, the Town is not bound by the COMPS Order by force of law. The Town expects supervisors to schedule work so employees can take these breaks.

Meal periods. A non-exempt employee who works a shift of more than five consecutive hours is provided an uninterrupted, duty-free meal period of at least 30 minutes, consistent with the COMPS standard the Town adopts [see COMPS Order, 7 CCR 1103-1, Rule 5.1]. A meal period is unpaid only when the employee is completely relieved of all duties. If the nature of the work prevents an employee from being relieved of all duties, or the employee is required to remain on duty or on call during the meal period, the meal period is treated as time worked and is paid.

Rest periods. A non-exempt employee is provided a paid, 10-minute rest period for every four hours worked, or major fraction of four hours, consistent with the COMPS standard the Town adopts [see COMPS Order, 7 CCR 1103-1, Rule 5.2]. Rest periods count as time worked and are paid. Whenever practical, the rest period should fall in the middle of each four-hour work segment.

Rest periods may not be combined to extend a meal period, to arrive late, to leave early, or to shorten the workday, unless the employee and the supervisor agree in advance and the arrangement is permitted by law. The Town will not pressure an employee to skip a rest or meal period.

5.7 Pay Statements

Every employee should be able to see exactly how their pay was calculated.

As a matter of Town practice, the Town provides each employee an itemized pay statement for every pay period in which the employee is paid. The pay statement shows, at a minimum, the employee's gross wages earned, the total hours worked in the pay period (for non-exempt employees), all deductions taken, net wages paid, the inclusive dates of the pay period, the employee's name or identifying number, and the name and address of the Town as employer. The Colorado Wage Act governs the Town's wage-payment obligations, including the timing and content of final pay [Colorado Wage Act, C.R.S. 8-4-101 et seq.].

Employees should review each pay statement promptly and report any suspected error to the Town's payroll contact or the Town Administrator as soon as possible. The Town will investigate and correct any verified error.

5.8 Travel, Mileage, and Expense Reimbursement

Employees who spend their own money on approved Town business are reimbursed. This subsection explains how.

Pre-approval. Travel and other reimbursable expenses must be approved in advance by the employee's department head or the Town Administrator. The Town reimburses reasonable, necessary, and properly documented expenses incurred in the course of approved Town business. The Town does not reimburse personal expenses, expenses without a receipt where a receipt is required, or expenses that were not approved.

Mileage. When an employee is authorized to use a personal vehicle for Town business, the Town reimburses mileage at [CONFIRM: the IRS standard mileage rate in effect at the time of travel, or a Town-set per-mile rate adopted by the Board]. Mileage for the normal commute between home and the employee's regular worksite is not reimbursable.

Meals, lodging, and per diem. For overnight or out-of-area travel on Town business, the Town reimburses reasonable lodging and meal costs. [CONFIRM: whether Paonia reimburses actual documented meal costs with receipts, pays a fixed per diem for meals and incidental expenses, and the applicable rates (for example, the federal GSA per diem rates for the travel location).]

Documentation and timing. Employees must submit an expense report with itemized receipts within [CONFIRM: the number of days, for example 30 days] after the expense is incurred or the travel is completed. The Town may decline to reimburse expenses submitted without required documentation or submitted after the deadline. A Town purchasing card or direct billing may be used in place of personal payment where the Town has authorized it.

5.9 Deductions and Garnishments

Some deductions from pay are required by law, some are chosen by the employee, and some are ordered by a court. This subsection explains each.

Required deductions. The Town withholds from pay all deductions required by law, including federal and state income tax withholding, Social Security and Medicare taxes where applicable, and contributions to the employee's retirement plan. [CONFIRM: Paonia's retirement plan and whether covered employees participate in the Colorado Public Employees Retirement Association (PERA) or in Social Security, since participation determines which payroll taxes and contributions are withheld.] [CONFIRM: whether Paonia's Board has elected to participate in or decline the Colorado Family and Medical Leave Insurance program (FAMLI, C.R.S. 8-13.3-501 et seq.), which determines whether FAMLI premiums are withheld.]

Voluntary deductions. With the employee's written authorization, the Town may make voluntary deductions, such as for elected benefit plan premiums, supplemental retirement contributions, or other programs the Town offers. The employee may change or revoke a voluntary deduction in writing, subject to the rules of the applicable plan.

Garnishments and other legal withholding orders. The Town will honor valid garnishments, child support withholding orders, tax levies, and other legal orders that direct it to withhold from an

employee's pay, as required by law. Colorado and federal law limit the amount that may be garnished from earnings and protect employees from termination because of a single garnishment for one debt [C.R.S. 13-54.5-101 et seq.; 15 U.S.C. 1673]. The Town will notify the affected employee when it receives such an order. Employees with questions about a withholding order should consult the issuing court or agency, or their own attorney, because the Town cannot give legal advice about a personal debt.

Improper deduction safe harbor for exempt employees. The Town prohibits improper deductions from the salary of an exempt employee. An exempt employee who believes an improper deduction has been made should report it promptly to the Town Administrator. The Town will review the matter and reimburse any deduction it determines was improper.

Final pay. Pay at separation, including any payout of accrued leave or compensatory time, is governed by the Colorado Wage Act [C.R.S. 8-4-101 et seq.] and is addressed in the separation section of this manual. See Section [CONFIRM: cross-reference to the Separation from Employment section number] for final-pay timing and what is included.

6. Benefits

The Town of Paonia offers a range of benefits to help employees stay healthy, plan for retirement, and weather an injury or a loss of work. This section explains what the Town offers, who is eligible, and the legal framework behind each benefit. It describes structure and law, not exact dollar amounts. Premiums, contribution levels, carriers, and plan terms are set by the Board of Trustees and by the plan documents, and they change from time to time.

Plan documents control. This section is a plain-language summary for convenience only. The official plan documents, Summary Plan Descriptions, insurance contracts, PERA rules, and governing law control in all cases. If anything in this section conflicts with a plan document or with the law, the plan document or the law governs. The Town may add, change, reduce, or discontinue any benefit at any time, in its sole discretion, except where a benefit is required by law. Nothing in this section is a contract, a promise of any particular benefit or benefit level, or a guarantee of continued employment. Employment with the Town remains at-will.

6.1 Overview and Eligibility

What benefits you receive depends on your employment category. Categories are defined in Section 2 (Employment Basics). In general, the more regular and full-time your position, the more benefits you are eligible for.

Policy.

1. The benefits described in this section are available to regular full-time employees unless a benefit states otherwise.

2. Regular part-time employees who work [CONFIRM: threshold, e.g., 20 or more hours per week] may be eligible for prorated or limited benefits [CONFIRM: which benefits and proration method].

3. Temporary, seasonal, and variable-hour employees are generally not eligible for Town benefits, except as required by law. Required coverage may include PERA membership where PERA rules apply, workers compensation coverage, unemployment insurance, and statutory leave such as paid sick leave under the Healthy Families and Workplaces Act [HFWA, C.R.S. 8-13.3-401 et seq.] and Colorado Paid Family and Medical Leave [FAMLI, C.R.S. 8-13.3-501 et seq.]. Leave benefits are addressed in Section 7 (Leave).

4. Eligibility for each benefit is governed by the applicable plan document, carrier rules, statute, and category definitions in Section 2. Where a plan document and this section differ, the plan document controls.

5. Nothing in this section guarantees any particular benefit or benefit level. Benefits may change, and eligibility rules may change with them.

6.2 Health, Dental, Vision, and Life Insurance

The Town offers eligible employees access to health coverage and related insurance. The specifics, including which plans are offered, what they cost, and what they cover, are set out in the plan documents.

Policy.

1. The Town offers eligible employees access to the following coverage [CONFIRM: which of these are actually offered]:
   • Medical (health) insurance [CONFIRM: plans, carrier, and tiers offered]
   • Dental insurance [CONFIRM]
   • Vision insurance [CONFIRM]
   • Basic life insurance [CONFIRM: coverage amount and whether voluntary/supplemental life is offered]

2. Town contribution. The Town pays a share of the premium for eligible employees and, where offered, for dependent coverage [CONFIRM: Town contribution and employee premium share by coverage tier]. Contribution levels are set by the Board of Trustees during the annual budget process and may change.

3. Eligibility and waiting period. Coverage is available to regular full-time employees and to regular part-time employees who meet the threshold in Section 6.1, subject to any waiting period in the plan documents [CONFIRM: waiting period, e.g., the first of the month following the date of hire].

4. Plan documents control. The Summary Plan Descriptions, insurance contracts, and benefit summaries provided by the carriers control the terms of coverage, including eligibility, covered services, exclusions, and claims procedures. Employees should consult those documents and may request copies from the Town Administrator's office.

5. Insurance pool participation. The Town participates in the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for certain coverages and may obtain employee health and related benefits through an intergovernmental pool, a benefit trust, or a commercial carrier [CONFIRM: whether health benefits are provided through CIRSA, the Colorado Employer Benefit Trust, another pool, or a commercial carrier]. Note that CIRSA primarily provides property, liability, and workers compensation coverage to Colorado local governments; health coverage may be sourced separately [CONFIRM].

6. Changes. The Town may change carriers, plans, plan designs, and contribution levels at any time. Where required, the Town will provide notice of changes consistent with the plan documents and applicable law.

6.3 Retirement (PERA)

Most Town employees participate in the Colorado Public Employees' Retirement Association (PERA) instead of Social Security. This is an important difference from many private-sector jobs, so please read this section carefully and review the materials PERA provides.

Policy.

1. PERA membership. Eligible Town employees are members of PERA, participating in the Local Government Division [CONFIRM: division and specific plan]. PERA is the plan administrator. Vesting, retirement eligibility, contribution rates, and benefit calculations are governed by PERA rules and Colorado law [C.R.S. 24-51-101 et seq.], not by the Town.

2. PERA generally replaces Social Security. For PERA-covered wages, the Town and the employee generally do not pay into Social Security. This means your PERA membership takes the place of Social Security for most purposes. Medicare tax still applies to covered wages. Because PERA replaces Social Security, decisions about your PERA account can affect your long-term retirement and any Social Security benefits you earned through other employment. Employees are encouraged to review PERA's materials and consider independent financial advice.

3. Contributions. Employee and employer contribution rates are set by statute and by PERA, and they may change [CONFIRM: current employee and employer contribution rates]. Employee contributions are deducted from pay automatically.

4. Eligibility. Whether a position is PERA-eligible is determined by PERA rules and the nature of the position. Some temporary, seasonal, or limited positions may or may not be covered depending on PERA's rules [CONFIRM: which positions are PERA-eligible].

5. Deferred compensation. The Town may offer one or more optional retirement savings plans, such as a 401(k) or 457(b) deferred compensation plan, that let employees set aside additional pre-tax or Roth savings [CONFIRM: whether a 401(k) and/or 457(b) plan is offered, and any Town match]. Participation in any such plan is voluntary unless stated otherwise.

6. Plan documents control. PERA's membership materials, plan rules, and statutes control all retirement benefits. This section is a summary only.

6.4 Workers Compensation

If you are hurt on the job, workers compensation covers your medical care and a portion of your lost wages. Coverage is automatic for all employees, and it is required by law.

Policy.

1. Mandatory coverage. The Town carries workers compensation insurance covering all employees, as required by the Workers Compensation Act of Colorado [C.R.S. 8-40-101 et seq.]. Coverage applies to injuries and occupational illnesses arising out of and in the course of employment.

2. Report injuries immediately. Report all work-related injuries and illnesses to your supervisor as soon as possible, no matter how minor they seem. Colorado law requires written notice to the employer within four days of an injury for full benefits, although a claim may still proceed if notice is late [C.R.S. 8-43-102]. Prompt reporting protects your benefits and helps the Town keep the workplace safe.

3. Carrier and claims. The Town's workers compensation coverage is provided through [CONFIRM: carrier, e.g., Pinnacol Assurance or the CIRSA workers compensation pool]. The carrier and applicable law govern eligibility, medical providers, and benefit levels.

4. No retaliation. The Town will not retaliate against an employee for filing a good-faith workers compensation claim. Retaliation is prohibited by law.

5. Fraud. Filing a false or fraudulent workers compensation claim, or misrepresenting an injury, is grounds for discipline up to and including termination, and may carry legal penalties.

6. Cross-reference. Injury prevention, reporting procedures, and the Town's safety program are addressed in Section 9 (Health, Safety, and Substance Policy). Leave related to a work injury is addressed in Section 7 (Leave).

6.5 Unemployment Insurance

If you lose your job through no fault of your own, you may qualify for unemployment benefits through the state. The Town participates in Colorado's unemployment insurance system.

Policy.

1. Coverage. The Town participates in unemployment insurance under the Colorado Employment Security Act [C.R.S. 8-70-101 et seq.]. The program is administered by the Colorado Department of Labor and Employment (CDLE).

2. Eligibility is set by the state. Whether a former employee qualifies for unemployment benefits, and the amount of any benefit, is determined by CDLE, not by the Town. The Town responds to claims and provides required information but does not control eligibility decisions.

3. How to apply. Employees who separate from the Town and wish to seek benefits should file a claim directly with CDLE.

6.6 COBRA and State Continuation

When your Town health coverage ends, you may be able to keep it for a limited time by paying the full premium yourself. The rules depend on the size of the employer and the type of coverage.

Policy.

1. Federal COBRA. Federal COBRA continuation coverage applies to employers with 20 or more employees [Consolidated Omnibus Budget Reconciliation Act, 29 U.S.C. 1161 et seq.]. If the Town meets the COBRA threshold, eligible employees and their covered dependents who lose group health coverage because of a qualifying event (such as separation from employment or a reduction in hours) may elect to continue that coverage for a limited period by paying the premium plus any allowed administrative fee.

2. Colorado state continuation. If the Town is below the federal COBRA threshold, Colorado's state continuation law may instead allow eligible employees to continue group health coverage for a limited time [CONFIRM: applicability given the Town's current employee count]. The Town will apply whichever continuation right is required for its size.

3. Timelines and notices. Election deadlines, notice requirements, the length of continuation coverage, and premium amounts are governed by law and by the plan documents. Watch for, and respond promptly to, any continuation notice you receive, because deadlines are strict.

4. Administration. Continuation coverage may be administered by a third-party administrator on the Town's behalf [CONFIRM: COBRA / continuation administrator, if any]. Questions about

continuation should be directed to the Town Administrator's office or to the administrator identified in your continuation notice.

6.7 Other Benefits

From time to time the Town may offer additional benefits beyond those described above. These benefits are discretionary.

Policy.

1. Employee Assistance Program (EAP). The Town may offer an Employee Assistance Program that provides confidential counseling and referral services for personal, family, financial, or work-related concerns [CONFIRM: whether an EAP is offered and through which provider].

2. Wellness program. The Town may offer a wellness program or wellness-related incentives [CONFIRM: whether a wellness program is offered].

3. Additional benefits. The Town may from time to time offer other benefits such as tuition or training reimbursement, uniforms or uniform allowances, equipment, or a cell phone stipend [CONFIRM: which additional benefits, if any, are offered, and their terms].

4. Discretionary. All benefits described in this subsection are discretionary. The Town may add, change, reduce, or discontinue them at any time, in its sole discretion, except where a benefit is required by law. Offering a discretionary benefit at one time does not create a right to that benefit in the future.

Cross-references: Section 2 (Employment Basics), Section 7 (Leave), Section 9 (Health, Safety, and Substance Policy).

7. Leave

This section lays out every kind of time off available to Town of Paonia employees. Some leave is a benefit the Town chooses to offer (for example holidays, vacation, and bereavement leave). Some leave is a legal right that no Town policy can take away (for example paid sick leave under Colorado's Healthy Families and Workplaces Act, jury leave, voting leave, and military leave). Where a law sets a minimum, this manual follows that minimum, and where the policy says so the Town may provide more.

Leave benefits in this section are part of the Town's overall compensation. Except for leave guaranteed by statute, the Town may change, add to, or discontinue leave benefits, consistent with applicable law and with the at-will nature of Town employment described in Section 1. Nothing in this section is a contract or a guarantee of continued employment or continued benefits.

Unless a specific policy says otherwise, eligibility and accrual depend on an employee's classification (regular full-time, regular part-time, seasonal, or temporary) as defined in Section 2. Seasonal and temporary employees generally do not earn paid holidays or vacation, but they are covered by every leave the law requires for all employees regardless of size or classification, including paid sick leave under the Healthy Families and Workplaces Act.

A note on how the leaves work together. When more than one type of leave could apply to the same absence, the Town applies leave consistent with law. Where the law allows two leaves to run at the same time (for example, FAMLI wage-replacement running alongside an unpaid leave of absence, or HFWA paid sick leave used during a qualifying absence), the Town generally runs them concurrently. The Town will not require an employee to use a leave type in a way the law prohibits, and the Town will not retaliate against any employee for requesting or using any leave described in this section.

How to request leave. Employees should request leave as far in advance as practical and follow the procedure their department head sets. For planned leave such as vacation, give advance notice so the department can maintain coverage. For unplanned leave such as sudden illness, notify your supervisor as soon as possible, in the manner the law allows for that leave type. Leave accrues and is reported on the Town's regular pay schedule. [CONFIRM: Town pay-period schedule (for example, biweekly), minimum leave increment, how holidays falling during a paid-leave period are counted, and whether part-time accrual is prorated.]

7.1 Holidays

The Town observes a set of paid holidays each year. Regular full-time employees receive their regular pay for these days. Because some employees, such as police officers and public works and utilities staff, may be required to work on a holiday, this section also covers how holiday work is handled.

1. Observed holidays. The Town observes the following paid holidays each calendar year:

[CONFIRM: exact Town holiday list and total number, to be adopted by the Board of Trustees. A common Colorado municipal list includes New Year's Day; Martin Luther King Jr. Day; Presidents' Day; Memorial Day; Juneteenth; Independence Day; Labor Day; Veterans Day; Thanksgiving Day; the day after Thanksgiving; and Christmas Day. Confirm whether the Town provides any floating or personal holiday and how Juneteenth is treated.]

2. Eligibility. Regular full-time employees are eligible for paid holidays. [CONFIRM: whether regular part-time employees receive prorated holiday pay, and the proration method.] Seasonal and temporary employees generally do not receive paid holidays.

3. Holiday on a weekend. When a holiday falls on a Saturday, the Town generally observes it on the preceding Friday. When a holiday falls on a Sunday, the Town generally observes it on the

following Monday. [CONFIRM: practice for departments that operate seven days a week, such as Police.]

4. Holiday pay while on leave. To receive holiday pay, an employee generally must be in paid status (at work or on approved paid leave) on the employee's scheduled workdays immediately before and after the holiday, unless otherwise approved.

5. Working on a holiday. Employees in positions that require coverage on a holiday (for example, Police and certain Public Works and Utilities functions) are compensated for hours worked on a holiday as set by Town practice. [CONFIRM: holiday-worked compensation (for example, holiday pay plus regular pay, or compensatory time), and how this interacts with the Police Department's work schedule and any FLSA Section 207(k) work period.]

6. Religious observance. An employee who wishes to observe a religious holiday not on the Town's list may request to use vacation or other available leave, or to adjust the work schedule. The Town will provide reasonable accommodation for sincerely held religious practice as required by law. [Title VII; Colorado Anti-Discrimination Act, C.R.S. 24-34-401 et seq.]

7.2 Vacation Leave

The Town provides paid vacation so employees can rest and attend to personal matters. Vacation is something the employee earns by working. Under Colorado law, earned vacation is treated as wages, and the Town cannot make an employee forfeit vacation the employee has already earned.

1. Eligibility. Regular full-time employees accrue paid vacation. [CONFIRM: whether regular part-time employees accrue prorated vacation, and the proration method.] Seasonal and temporary employees do not accrue vacation.

2. Accrual rates. Vacation accrues each pay period based on length of continuous service. [CONFIRM: the Town's accrual schedule, to be adopted by the Board, for example:

- 0 through 4 years of service: [CONFIRM] days per year;
- 5 through 9 years of service: [CONFIRM] days per year;
- 10 or more years of service: [CONFIRM] days per year.]

3. When vacation may be used. Employees may use accrued vacation after [CONFIRM: any introductory or waiting period, for example after completing the introductory period in Section 2]. Vacation is scheduled in advance with department-head approval and is granted based on operational needs. [CONFIRM: minimum increment in which vacation may be used, for example one hour or one-half day.]

4. Maximum accrual (cap), not forfeiture. An employee may accrue vacation up to a maximum balance of [CONFIRM: cap amount, for example two times the employee's annual accrual]. The Town uses an accrual cap, not a "use it or lose it" forfeiture rule. Reaching the cap stops further

accrual until the balance drops below the cap. It does not cause the employee to lose vacation already earned. Once an employee reaches the cap, the employee simply stops earning more vacation until some is used and the balance falls below the cap. A cap on future accrual is allowed under Colorado law; forfeiting earned vacation is not. [Colorado Wage Act, C.R.S. 8-4-101 et seq.; *Nieto v. Clark's Market, Inc.*, 488 P.3d 1140 (Colo. 2021).]

5. Payout at separation. When employment ends for any reason, the Town pays the employee for all earned and unused vacation in the employee's final pay, at the employee's final rate of pay, because earned vacation is a wage under Colorado law. The Town will not enforce any rule that forfeits earned vacation upon separation, including any rule that conditions payout on the manner of departure or on advance notice. [C.R.S. 8-4-101 (vacation pay as wages); C.R.S. 8-4-109 (final pay timing); *Nieto v. Clark's Market, Inc.*, 488 P.3d 1140 (Colo. 2021).] Final-pay timing is addressed in Section 12.

6. No forfeiture. The accrual cap limits how much vacation an employee can build up, but it never takes away vacation the employee has already earned. Any prior Town practice or document suggesting that earned vacation can be forfeited is superseded by this policy.

7.3 Paid Sick Leave (Healthy Families and Workplaces Act)

Colorado law requires the Town to provide paid sick leave to every employee. This is a legal right, not a discretionary benefit, and it applies to full-time, part-time, seasonal, and temporary employees alike. The Healthy Families and Workplaces Act (HFWA) expressly covers municipal employers. [HFWA, C.R.S. 8-13.3-401 et seq.; CDLE INFO #6B.]

1. Coverage. All Town employees accrue and may use paid sick leave under this section, regardless of classification, beginning when employment begins.

2. Accrual. Employees accrue one hour of paid sick leave for every 30 hours worked. Exempt employees are assumed to work 40 hours per week for accrual purposes, unless their normal workweek is less, in which case accrual is based on the normal workweek.

3. Annual cap on use. The Town is not required to allow an employee to use more than 48 hours of paid sick leave in a year. An employee may use paid sick leave as it is accrued.

4. Carryover. Employees may carry over up to 48 hours of unused accrued paid sick leave from one year to the next. Carryover does not raise the amount an employee may use in a year above 48 hours. Because of the carryover and use caps, and because HFWA does not require it, the Town does not pay out unused paid sick leave at separation.

5. Permitted uses. An employee may use paid sick leave for any of the following reasons, for the employee or for a family member as defined by HFWA:

a. The employee or family member has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment of such a condition; or needs preventive medical care.

b. The employee or a family member has been the victim of domestic abuse, sexual assault, stalking, or harassment, and the employee needs leave for related medical attention, mental health care or counseling, victim services, legal services, or relocation. This is commonly called "safe leave."

c. A public official has ordered the closure of the employee's place of business, or of the school or place of care of the employee's child, due to a public health emergency, and the employee needs to be absent to care for the child or for another family member.

6. Family member. "Family member" has the broad meaning given by HFWA, including relationships by blood and by close affinity. [C.R.S. 8-13.3-402.]

7. Pay and increments. Paid sick leave is paid at the employee's regular rate of pay and may be used in the smallest increment the Town's payroll system allows, up to one hour. [CONFIRM: smallest payroll increment.]

8. Notice. When the need for paid sick leave is foreseeable, the employee should make a good-faith effort to give advance notice and to schedule the leave so as not to unduly disrupt operations. When the need is not foreseeable, the employee should give notice as soon as practical.

9. Documentation. The Town may require reasonable documentation that leave was used for a permitted purpose only when an employee is absent for four or more consecutive workdays. The Town will not require documentation that is unreasonable to obtain, and for safe leave the Town will accept the forms of documentation the statute allows. The Town keeps all health and safe-leave information confidential.

10. No retaliation. The Town will not retaliate against an employee, and will not count protected sick-leave use against an employee under any attendance policy, for requesting or using paid sick leave or for exercising any right under HFWA.

11. Recordkeeping. The Town keeps records of the hours worked and the paid sick leave accrued and used for each employee for at least two years. [HFWA, C.R.S. 8-13.3-401 et seq.; CDLE INFO #6B.]

12. Notice and posting. The Town gives employees written notice of their rights under HFWA and displays the poster the Colorado Department of Labor and Employment requires in a place where employees can see it. [HFWA, C.R.S. 8-13.3-401 et seq.; CDLE INFO #6B.]

7.4 Paid Family and Medical Leave Insurance (FAMLI)

Colorado's Paid Family and Medical Leave Insurance program (FAMLI) provides partial wage replacement for employees who need time off to bond with a new child, care for a seriously ill family member, address their own serious health condition, handle needs arising from a family member's military deployment, or address safe-leave needs related to domestic violence, sexual assault, or stalking. FAMLI is a state-administered insurance program funded by payroll premiums and provides up to 12 weeks of benefits (16 in certain pregnancy or childbirth situations). [FAMLI, C.R.S. 8-13.3-501 et seq.; administered by the CDLE FAMLI Division.]

1. Local government participation is a Board choice. FAMLI allows a local government, by a vote of its governing body, to decline ("opt out") of the state program. Most Colorado local governments have opted out. Whether the Town of Paonia participates in FAMLI is a decision of the Board of Trustees, made at a public meeting, with at least 180 days' written notice to employees before declining, and revisited at least every eight years. [C.R.S. 8-13.3-522.]

[CONFIRM: whether the Board of Trustees has voted to participate in FAMLI or to decline it, the effective date, and the employee notice given. This section must be finalized to state the Town's actual election. Confirm from Board minutes and the FAMLI employer portal before adoption.]

2. If the Town participates. If the Town participates in FAMLI, eligible employees apply for benefits directly through the State's FAMLI Division, and the Town deducts the employee share of the premium and remits premiums as the program requires. An employee who has worked for the Town for at least 180 days has job protection during FAMLI leave (return to the same or an equivalent position) and continuation of any employer-sponsored health benefits during leave on the same terms as if working, with the employee continuing to pay the employee's share.

3. If the Town has opted out, employees may still elect coverage individually. If the Town has declined to participate, an individual employee may choose on their own to participate in FAMLI through the State by paying the employee-share premium, and the Town will facilitate the payroll deduction and remittance as the law requires. Important: an employee who elects coverage after the Town has opted out may draw the FAMLI wage-replacement benefit but does not receive FAMLI job-protection (job-restoration) rights. The Town will provide employees the notice the FAMLI Division requires about this individual-election right. [C.R.S. 8-13.3-522; FAMLI Division guidance for local governments.] [CONFIRM: the Town's process for handling individual employee FAMLI elections if the Town has opted out.]

4. Coordination with other leave. Where it applies, FAMLI provides wage replacement from the State. It does not by itself require the Town to also pay the employee for the same hours. Where the law allows, FAMLI runs concurrently with other applicable leave, such as an unpaid leave of absence. [CONFIRM: whether the Town will allow or require employees to supplement FAMLI benefits with accrued paid leave, consistent with FAMLI rules.]

7.5 Family and Medical Leave (Federal FMLA)

The federal Family and Medical Leave Act (FMLA) provides up to 12 weeks of job-protected unpaid leave for certain family and medical reasons. A public agency is always a covered employer under the FMLA, but an individual employee is eligible only if the employer has 50 or more employees within a 75-mile radius (and the employee has worked at least 1,250 hours in the prior 12 months). [FMLA, 29 U.S.C. 2601 et seq.]

1. Coverage. Because the Town of Paonia employs about 22 full-time employees plus seasonal and part-time staff, the Town's employees generally do not meet the 50-employees-within-75-miles eligibility test, so FMLA leave is generally not owed and this manual does not promise FMLA leave or FMLA job-restoration rights. [CONFIRM: current headcount within 75 miles, including seasonal Parks and Recreation staff, to verify the eligibility test. If the Town's workforce ever meets the FMLA threshold, the Town will comply with the FMLA and adopt a conforming policy.]

2. What employees still have. Even though the FMLA generally does not apply, Town employees still have meaningful family and medical leave rights through Colorado's FAMLI program (Section 7.4), paid sick leave under HFWA (Section 7.3), and the Town's unpaid leave of absence policy (Section 7.11). The Town also provides reasonable accommodation for disability and for pregnancy and related conditions as required by law. [Americans with Disabilities Act; Colorado Pregnant Workers Fairness Act, C.R.S. 24-34-402.3.]

7.6 Bereavement Leave

The Town provides paid time off when an employee experiences the death of a family member, so the employee can grieve, make arrangements, and attend services.

1. Amount. A regular full-time employee may take up to [CONFIRM: number, for example three] paid days of bereavement leave per occurrence for the death of an immediate family member, and up to [CONFIRM: number, for example one] paid day for the death of an extended family member. [CONFIRM: proration for part-time employees and any additional unpaid time allowed for travel.]

2. Immediate family. For this section, immediate family generally includes [CONFIRM: definition, for example spouse or partner, child, parent, sibling, grandparent, grandchild, and the equivalent in-law and step relationships]. The department head may extend bereavement leave or apply it to other close relationships in the department head's discretion.

3. Use with other leave. An employee may request to use vacation, or paid sick leave where it qualifies (for example, for a family member's end-of-life care), in addition to bereavement leave. Paid sick leave under HFWA does not cover bereavement itself, but may cover related needs the statute allows.

7.7 Jury and Witness Leave

Serving on a jury or testifying when legally required is a civic duty, and the Town supports employees who are called. Colorado law protects an employee's pay and job during jury service.

1. Jury pay. When a regular employee is summoned for jury duty, the Town pays the employee regular wages of up to fifty dollars per day for the first three days of regularly scheduled work lost to jury service, as Colorado law requires. The Town may, in its discretion, continue regular pay for additional days. [C.R.S. 13-71-126.]

2. Job protection. The Town will not threaten, discharge, or penalize an employee because the employee receives a jury summons or serves on a jury. [C.R.S. 13-71-134; C.R.S. 18-8-614.]

3. Notice and return to work. The employee should give the supervisor a copy of the jury summons as soon as it is received. If the employee is released from jury service during a workday with enough of the workday remaining, the employee is expected to return to work or to contact the supervisor.

4. Witness leave. When an employee is subpoenaed to appear as a witness (other than as a party in the employee's own personal matter), the employee may use vacation or other available leave so the employee does not lose the time without pay. [CONFIRM: whether the Town pays for witness appearances, and how court appearances by Town staff in the course of their duties, such as Police testimony, are handled as paid work time.]

7.8 Military Leave (USERRA and Colorado Law)

The Town honors the service of employees who are members of the uniformed services. Federal and state law protect these employees' jobs, benefits, and reemployment rights, regardless of the size of the employer.

1. Federal protections. Employees who serve in the uniformed services have reemployment, anti-discrimination, and benefit-continuation rights under the Uniformed Services Employment and Reemployment Rights Act. The Town complies with USERRA, including reinstatement and continuation of health-plan rights as the law requires. [USERRA, 38 U.S.C. 4301 et seq.]

2. Colorado annual military leave. An employee who is a member of the National Guard or a reserve component is entitled to a leave of absence for active service, field training, or instruction. Colorado law provides for up to 15 days of leave per year for such duty without loss of pay, seniority, or other benefits. [C.R.S. 28-3-601 et seq.; C.R.S. 28-3-609.] [CONFIRM: whether the Town pays full salary, the difference between military and Town pay, or follows the statutory minimum, during the protected period.]

3. Notice and documentation. The employee should give the supervisor advance notice of military duty when possible and provide a copy of the orders. The employee should give notice of intent to return to work within the timeframes USERRA sets, based on the length of service.

4. No retaliation. The Town will not deny employment, reemployment, promotion, or any benefit because of an employee's membership in or obligation to the uniformed services.

7.9 Voting Leave

Colorado law protects an employee's right to take time off to vote. The Town encourages employees to vote and provides paid time to do so when the law requires.

1. Entitlement. An employee who does not have three or more consecutive nonworking hours while the polls are open may take up to two hours of paid leave to vote on election day. [C.R.S. 1-7-102.]

2. Notice and scheduling. The employee should request voting leave before election day. The Town may specify the hours during which the employee takes the time, except that the Town must allow the time at the beginning or end of the shift if the employee requests it.

3. Mail ballots. Many Colorado elections are conducted primarily by mail ballot. Where an employee has adequate time and means to return a mail ballot, paid voting leave may not be necessary, but the Town will follow the statute in all cases.

7.10 Administrative Leave

Administrative leave is paid time off that the Town places an employee on at the Town's own initiative. It is not a disciplinary action, and it is not a benefit an employee may request as of right.

1. Discretionary and paid. The Town, generally acting through the Town Administrator or a department head, may place an employee on paid administrative leave in its sole discretion. Common reasons include allowing time to conduct an investigation, addressing a workplace safety or operational concern, or other circumstances in which the Town determines an employee should be away from the workplace while a matter is reviewed.

2. Not discipline, no findings implied. Placing an employee on administrative leave is a neutral step and does not by itself imply any finding of wrongdoing. It is not progressive discipline and does not create any right to a hearing or any property interest in continued employment.

3. Conditions during leave. While on administrative leave, an employee remains a Town employee, continues to receive regular pay and benefits, and may be directed to remain available during business hours, to refrain from entering Town facilities or accessing Town systems, and to cooperate with any review. The Town may end administrative leave at any time.

4. Town discretion. The Town may grant, decline, extend, condition, or end administrative leave in its sole discretion, consistent with the at-will nature of Town employment. Administrative leave coordinates with the investigation provisions in Section 10.

7.11 Unpaid Leave of Absence

When an employee needs extended time off and has no applicable paid leave or legal entitlement that covers the absence, the employee may request an unpaid leave of absence. This leave is granted at the Town's discretion.

1. Eligibility and request. A regular employee who has exhausted applicable paid leave may request an unpaid leave of absence for a personal, medical, or family reason. The request should be in writing, state the reason and expected duration, and be submitted in advance when the need is foreseeable.

2. Discretionary approval. The Town, generally through the Town Administrator with input from the department head, may grant, deny, or limit an unpaid leave of absence in its sole discretion, based on the reason for the request and the Town's operational needs. Granting one request does not obligate the Town to grant another. [CONFIRM: maximum duration of an unpaid leave of absence, and the approval authority by position.]

3. Use of paid leave first. The Town may require an employee to use available accrued paid leave before or during an unpaid leave of absence, except where doing so would conflict with a leave the law guarantees.

4. Benefits during unpaid leave. [CONFIRM: how health and other benefits are handled during an unpaid leave of absence, including whether and how the employee may continue coverage and pay the premium, and any limits on accrual of vacation and other benefits while on unpaid leave.]

5. Return to work. An unpaid leave of absence does not guarantee that the same position will be available on return. The Town will make reasonable efforts to return the employee to the same or a comparable position consistent with operational needs and with any reinstatement rights the law provides (for example, under USERRA or, where it applies, FAMLI). Failure to return at the end of an approved leave, without an approved extension, may be treated as a voluntary resignation.

6. Required accommodations preserved. Nothing in this section limits any leave or accommodation the Town must provide as a reasonable accommodation for a disability or for pregnancy, or any leave guaranteed by statute. [ADA; C.R.S. 24-34-402.3.]

7.12 Public Health Emergency Leave

In addition to ordinary paid sick leave, the Healthy Families and Workplaces Act requires supplemental paid leave during a declared public health emergency. This is a dormant statutory obligation: it does not provide a standing, everyday benefit, but it reactivates automatically whenever a federal, state, or local public health emergency is declared. The Town will provide this supplemental leave whenever a qualifying public health emergency is in effect. [HFWA, C.R.S. 8-13.3-405.]

1. When it applies. When a public health emergency is declared, each employee becomes entitled to supplemental paid leave on top of any accrued paid sick leave. No supplemental leave is owed when no public health emergency is in effect.

2. Amount. An employee who normally works 40 or more hours per week is entitled to up to 80 hours of supplemental paid leave. An employee who normally works fewer than 40 hours per week is entitled to the greater of the amount the employee is scheduled to work, or actually works on average, over a 14-day period. Any unused accrued paid sick leave counts toward these amounts, so the total available is at least the amount above.

3. Permitted uses. Supplemental public-health-emergency leave may be used for the emergency-related reasons HFWA specifies, including the employee's own symptoms, testing, or diagnosis; isolation or quarantine orders or recommendations; caring for a family member in those circumstances; inability to work because the workplace or a child's school or place of care is closed due to the emergency; and being at higher risk if the employee contracts the illness.

4. Duration of availability. Supplemental leave is available while the public health emergency is in effect and for four weeks after the official declaration ends.

7.13 Domestic Violence and Safe Leave

Employees who are victims of domestic violence, stalking, sexual assault, or harassment may need time off to protect themselves and their families. The Town provides this leave through two channels: HFWA "safe leave," which is available to every Town employee regardless of the Town's size, and a separate Colorado statute that applies only to larger employers. The Town keeps all such matters confidential.

1. HFWA safe leave (available to all Town employees). As described in Section 7.3, every Town employee may use accrued paid sick leave as "safe leave" for needs related to domestic abuse, sexual assault, stalking, or harassment, including medical attention, mental health care or counseling, victim services, legal services, and relocation. This coverage applies to the Town regardless of its number of employees.

2. Statutory domestic-violence leave (larger-employer statute). Colorado's separate domestic-violence leave statute allows an employee who has worked for the employer for at least 12 months to take up to three working days of leave in a 12-month period to seek a civil protection order, obtain medical care or mental health counseling, make the home secure or find

new housing, or seek legal assistance, when the leave relates to domestic abuse, stalking, sexual assault, or other domestic violence. By its terms this statute applies to employers with 50 or more employees, so it may not currently apply to the Town. [C.R.S. 24-34-402.7.] [CONFIRM: current employee count, which determines whether this statute applies; regardless, HFWA safe leave in paragraph 1 applies to the Town.]

3. Use of paid leave. Where this leave applies, the employee may use available accrued vacation or paid sick leave, and HFWA safe leave covers many of these needs. Where the employee has no paid leave available, leave under the statute in paragraph 2 may be unpaid.

4. Notice and documentation. Except in cases of imminent danger, the employee should give the Town advance notice of the leave. The Town may require reasonable documentation that the leave was for a permitted purpose, such as a police report, court document, or documentation from a service provider, and will keep that documentation confidential.

5. No retaliation. The Town will not retaliate against an employee for requesting or taking leave under this section or under the HFWA safe-leave provisions.

8. Standards of Conduct

Working for the Town of Paonia is public service. Residents trust Town employees with their tax dollars, their personal information, their safety, and the day to day operation of the community. This section sets clear, fair expectations for how employees act on the job and, in a few defined situations, off the job, so that the public's trust is protected and so that every employee knows the rules.

These standards apply to all Town employees in every department: Administration, Public Works and Utilities (including the airport), Police, Parks and Recreation, and Municipal Court staff. Some standards are stricter for sworn police officers because of the nature of their work. Where that is the case, this section says so and points to the Police Department Addendum (Appendix A).

A note on your rights. The Town is a government employer, which means the Constitution limits how far the Town can reach into an employee's private life and private speech. The rules in this section, especially the social media policy (Section 8.7) and the political activity policy (Section 8.9), are written to be narrow on purpose. They are meant to protect legitimate Town operations, not to silence employees who speak or act as private citizens. Nothing in this section should be read to restrict speech or activity that the law protects.

Nothing in this section changes the at will nature of employment with the Town. Violating any standard of conduct may lead to corrective action up to and including termination, in the Town's sole discretion and in any order the Town chooses, consistent with Section 10. The Town may also address conduct not specifically listed here.

8.1 Code of ethics, conflicts of interest, and gifts

Public employees serve the public, not themselves. The core rule is simple: do not use your Town job, or the things you learn or control because of your Town job, for private gain, and avoid even the appearance that you might. When in doubt, disclose the situation to your supervisor or the Town Administrator and let the Town decide how to handle it.

Standards of conduct and conflicts of interest. Colorado law sets minimum standards of conduct for local government officers and employees. An employee may not perform an official act that directly and substantially affects, to its economic benefit, a business or other undertaking in which the employee has a substantial financial interest or is engaged as counsel, consultant, representative, or agent. [Law: Colorado standards of conduct for public officers and employees, C.R.S. 24-18-101 et seq., including C.R.S. 24-18-108 and 24-18-109]

In plain terms, an employee must:

- Not use the position, or confidential information acquired through the position, to obtain private gain for the employee, a relative, or a business the employee is associated with.
- Disclose any personal, family, or financial interest that could conflict with Town duties, and step back (recuse) from any decision, recommendation, purchase, inspection, permit, or enforcement action where the employee or a relative has a financial interest. Disclose the interest in writing to your supervisor and the Town Administrator.
- Not act as the Town's representative in any matter in which the employee has a personal or financial interest.

Interests in Town contracts. An employee generally may not have a personal or private interest in a contract made by the Town in which the employee participates, except as allowed by law and after full public disclosure. Any potential interest in a Town contract must be disclosed in writing before the contract is made. [Law: C.R.S. 24-18-201 (interests in contracts); C.R.S. 24-18-108.5]

Gifts. The Colorado Constitution limits the gifts that government employees may accept. As a general rule, an employee may not accept money, or a gift, fee, loan, service, entertainment, food, beverage, or other thing of value, from a person seeking to do business with the Town, regulated by the Town, or trying to influence the employee's official action, unless the law allows it. The Colorado Constitution sets a dollar limit, adjusted over time, on gifts that public employees may accept from a single source in a calendar year, with specific exceptions (for example, items given to all employees, awards of nominal value, campaign contributions reported as required by law, and gifts from relatives or personal friends on special occasions). [Law: Colorado Constitution Article XXIX (Amendment 41); C.R.S. 24-18-104] [CONFIRM] the current Amendment 41 gift dollar limit as adjusted by the Independent Ethics Commission, and whether the Town wishes to state a stricter internal threshold.

Employees should never solicit a gift, and should politely decline or return gifts that exceed what the law allows. If you are unsure whether you may accept something, ask the Town Administrator before accepting it.

Use of Town position and resources. Employees may not use Town time, equipment, supplies, vehicles, facilities, or staff for personal benefit or for the benefit of any private person, business, candidate, or cause, except as this manual specifically allows (for example, limited personal use of technology under Section 8.6).

[CONFIRM] whether the Town has adopted a separate code of ethics, a conflict of interest policy, or a gift acceptance policy by resolution or ordinance that this section should cite and incorporate.

8.2 Outside employment

The Town does not own your free time, and many employees hold a second job, run a small business, or do seasonal work. That is allowed. The only requirements are that outside work must not interfere with your Town job, must not create a conflict of interest, and must be disclosed and approved in advance so the Town can make sure those conditions are met.

Policy. An employee may hold outside employment or operate an outside business if all of the following are true:

• It does not interfere with the employee's work schedule, performance, availability, or required overtime or call out for the Town.
• It does not create an actual or apparent conflict of interest with the employee's Town duties (for example, working for a vendor, applicant, or party the employee deals with on the Town's behalf, or doing private work that the employee also inspects, permits, or enforces for the Town).
• It does not involve the use of Town time, equipment, vehicles, supplies, facilities, uniforms, or confidential information.
• It does not damage the reputation of the Town or create a safety or fitness for duty concern.

Disclosure and approval. Before beginning outside employment, and when the nature of existing outside work changes, an employee must disclose it in writing and obtain approval. [CONFIRM] the Town's outside employment disclosure form and the approval authority (likely the department head with notice to, or approval by, the Town Administrator).

The Town may decline to approve, or may withdraw approval of, outside employment that conflicts with these requirements, in its discretion. Approval may be revisited if the employee's Town duties or the outside work change.

Special rules for sworn police officers. Off duty law enforcement work, security work, and similar outside employment by sworn officers carries added legal and liability concerns. Such work

requires advance written approval consistent with the Police Department Addendum (Appendix A). [CONFIRM] the Police Department's secondary and off duty employment rules.

8.3 Attendance and punctuality

The Town runs on people showing up. Utilities have to flow, snow has to be plowed, the office has to be open, calls have to be answered, and court has to be staffed. When one person is unexpectedly absent, coworkers and residents feel it. Reliable attendance is a basic expectation of every position.

Policy. Employees are expected to report to work on time, be ready to work for their full scheduled shift, and return promptly from breaks and meal periods. Employees who will be late or absent must notify their supervisor as far in advance as possible, and no later than the time and method their department requires. [CONFIRM] each department's call in procedure, deadline, and designated contact.

Requesting and using approved leave under Section 7 is not an attendance problem. This policy addresses absences and tardiness that are not covered by approved leave.

A "no call, no show" (failing to report and failing to notify the supervisor) is a serious matter. The Town may treat an unexplained absence of [CONFIRM: number of] consecutive scheduled workdays without notice as a voluntary resignation, in its discretion. Patterns of tardiness, unexcused absence, leaving early without approval, or abuse of break and meal periods may lead to corrective action up to and including termination, consistent with Section 10. The Town may use any step, or none, in its sole discretion. Use of legally protected leave will not be counted against an employee.

8.4 Dress and appearance

How employees present themselves affects safety and public confidence. A Public Works crew member, a police officer, an office staff member, and a parks worker all face different conditions, so the standards differ by department. The shared rule is that employees dress safely, cleanly, and appropriately for their work and for dealing with the public.

General standard. Employees must maintain a clean, neat, and professional appearance appropriate to their job duties and to public contact. Clothing must be safe for the work being performed and must not display offensive, discriminatory, or political messages while on duty.

Department standards and required safety equipment. Each department sets specific dress and uniform standards and provides or requires personal protective equipment (PPE) as the work demands. Where the job requires PPE, wearing it correctly is mandatory, not optional, and is also a safety requirement under Section 9.

• Administration and Municipal Court: business or business casual attire appropriate for an office and public service setting.
• Public Works and Utilities (including the airport): durable work clothing and all required PPE, which may include high visibility apparel, hard hats, safety footwear, eye and hearing protection, gloves, and any task specific protective gear. [CONFIRM] the Public Works and Utilities PPE list and any uniform or boot allowance.
• Police: the uniform and equipment standards set by the Police Department, consistent with the Police Department Addendum (Appendix A). [CONFIRM] the Police Department uniform and grooming standards.
• Parks and Recreation: work appropriate clothing and any PPE required for grounds, maintenance, aquatics, or program duties. [CONFIRM] Parks and Recreation uniform and PPE requirements.

Accommodation. The Town will consider reasonable accommodations to dress, grooming, and appearance standards for sincerely held religious beliefs and for disability, consistent with Sections 3.2 and 3.3, except where an accommodation would create a genuine safety hazard that cannot otherwise be addressed. Under the Colorado CROWN Act, "race" includes hair texture and protective hairstyles such as braids, locs, and twists, and the Town's grooming and appearance standards may not discriminate on that basis. [CROWN Act, HB20-1048; C.R.S. 24-34-301]

[CONFIRM] whether the Town provides uniforms, a uniform or clothing allowance, or laundry service for any department.

8.5 Town property, equipment, and vehicles

The tools, vehicles, devices, and facilities the Town provides belong to the public. Employees are expected to use them only for Town business, take reasonable care of them, and return them when employment ends or when asked.

General care and use. Employees must use Town property, equipment, supplies, fuel cards, credit cards, and facilities only for authorized Town purposes, operate them safely and lawfully, report loss or damage promptly, and protect them from theft or misuse. Personal use of Town property is not allowed except where this manual specifically permits limited personal use (see Section 8.6 for technology).

Town vehicles. Only authorized employees with a valid and appropriate driver's license (and a commercial driver's license where the vehicle requires one) may operate Town vehicles. Drivers must obey all traffic laws, wear seat belts, and may not use a Town vehicle while impaired. Distracted driving rules apply, including limits on handheld device use while driving. Drivers must report any accident, citation, or change in license status promptly. [CONFIRM] the Town's motor vehicle use policy, driver eligibility and motor vehicle record check standards, and accident reporting procedure.

Take home vehicles and personal use tax. Some positions are assigned a Town vehicle to take home, typically because the job requires on call response (for example, certain Public Works and Utilities on call staff and police). A take home vehicle is provided for Town business and authorized commuting, not for personal errands or family use, except as specifically allowed.

The personal use of a government provided vehicle, including commuting, can be a taxable fringe benefit under IRS rules. The Town will track and report the value of any personal use as required by law, and the affected employee's pay may reflect the resulting taxable amount. [Law: Internal Revenue Code fringe benefit rules on personal use of employer provided vehicles, 26 U.S.C. 61 and 132 and the related Treasury regulations] [CONFIRM] which positions are assigned take home vehicles, the commuting and personal use rules for those vehicles, and how the Town calculates and reports the personal use value (for example, the IRS commuting valuation rule).

Fuel cards and purchasing. Fuel cards and Town purchasing cards may be used only for authorized Town expenses, with receipts and documentation as the Town requires. Personal purchases are prohibited. [CONFIRM] the Town's fuel card and purchasing card procedures.

Return of property. All Town property (keys, access cards, devices, phones, tools, uniforms, vehicles, identification, and credentials) must be returned on or before the last day of employment or whenever the Town requests. The Town cannot withhold final wages, but it may pursue other lawful means to recover unreturned property. Cross reference Section 12.5. [Law: Colorado Wage Act limits on deductions, C.R.S. 8-4-105]

8.6 Technology and acceptable use

The Town provides computers, phones, email, internet access, software, and network and data systems so employees can do Town work. These systems are Town property. Use them mainly for Town business, use them responsibly, and understand that they are not private.

Acceptable use. Town technology must be used primarily for Town business. Limited, occasional personal use is permitted only if it is brief, does not interfere with work, does not consume meaningful Town resources, does not involve prohibited content or activity, and does not create cost or risk for the Town. Prohibited uses include, without limitation: accessing or sending harassing, discriminatory, threatening, or sexually explicit material; running a private business; political campaigning (see Section 8.9); unauthorized disclosure of confidential or private information; installing unauthorized software or hardware; bypassing security controls; and any unlawful activity.

No expectation of privacy on Town systems. Employees should have no expectation of privacy in anything created, sent, received, stored, or accessed on Town systems, devices, accounts, or networks, including email, messages, files, internet history, and location data from Town devices and vehicles. The Town may access, monitor, review, and disclose this information, with or without notice, for legitimate work related reasons such as system maintenance, security,

investigations, legal holds, and responding to public records requests. Because the Town is a government employer, any search of an employee's Town accounts or devices will be conducted for a legitimate, work related purpose and will be reasonable in scope. The Town does not use system access or monitoring to retaliate against an employee for protected activity (see Sections 8.11, 3.8, and the Town's electronic monitoring practices), and monitoring is not a substitute for the corrective action process in Section 10. [Law: O'Connor v. Ortega and City of Ontario v. Quon (Fourth Amendment standard for public employer searches); Electronic Communications Privacy Act (ECPA), 18 U.S.C. 2510 et seq.] [CONFIRM] whether the Town has adopted a separate electronic monitoring and video surveillance policy (camera locations, audio capture, notice, retention limits, and a ban on retaliatory or undisclosed disciplinary use) that this section should reference.

Security. Employees must protect passwords and credentials, follow the Town's security and acceptable use rules, use only authorized accounts and devices for Town data, and report suspected security incidents or lost devices promptly. [CONFIRM] the Town's information technology and acceptable use policy, password and multifactor authentication standards, and any rules for using personal devices for Town work (bring your own device).

Records. Email, messages, and electronic documents created or received in the course of Town business may be public records subject to disclosure and must be retained as required. See Section 8.8 and the Town's records retention schedule.

The Town may ask employees to sign a separate acknowledgment of this policy (Section 13.2).

8.7 Social media

Employees have the same First Amendment right as any citizen to speak out on matters of public concern. This policy does not take that away. What it does is draw a narrow line: when you speak as a private citizen on your own time, your speech is yours and is protected; when you speak for the Town, or in a way that genuinely disrupts Town operations or discloses confidential information, the Town may act.

Your rights as a citizen. Employees may use personal social media on their own time and may comment, as private citizens, on matters of public concern, including the operation of their own government. This policy is read narrowly and consistently with the First Amendment, and it does not restrict speech the law protects. When the Town considers whether to act on an employee's speech, it weighs the employee's interest in speaking as a citizen on a matter of public concern against the Town's interest in the efficient operation of public services, as the law requires. This policy also does not restrict employees' rights under Colorado law to discuss wages, hours, and working conditions, to address the Board of Trustees, or to organize or take part in protected concerted activity. [Law: First Amendment; Pickering v. Board of Education and Connick v. Myers (balancing test for public employee speech); Garcetti v. Ceballos (speech made as part of official duties); Protections for Public Workers Act (PROPWA), C.R.S. 29-33-101 et seq.]

The narrow limits. Consistent with that balance, an employee using social media (personal or Town):

• May not claim or imply that the employee speaks for the Town or represents the Town's official position unless authorized to do so.
• May not disclose confidential or legally protected information (see Sections 8.8 and 8.1), including personnel, medical, attorney client, law enforcement investigative, and protected resident information.
• May not post content that is unlawful (for example, harassment of a coworker that violates Section 3, true threats, or speech integral to criminal conduct).
• May not use Town time, equipment, or accounts for personal social media beyond the limited personal use allowed in Section 8.6.

Speech that is part of an employee's official job duties, rather than speech as a citizen, is not protected by the First Amendment in the same way and remains subject to Town direction.

Official Town accounts. Only authorized employees may post on official Town social media accounts, and only consistent with the Town's communications guidance. [CONFIRM] who is authorized to manage official Town social media accounts and any Town communications or social media guidance document.

Sworn officers. Sworn police officers are held to heightened standards because online conduct can undermine public trust in law enforcement and can affect an officer's credibility as a witness. Officers should consult the Police Department Addendum (Appendix A). [CONFIRM] the Police Department's social media standards.

8.8 Confidentiality and CORA

Working for the Town gives employees access to information that is private or sensitive: personnel and medical files, law enforcement records, attorney client communications, and personal information about residents. Employees must protect that information. At the same time, the Town is a government, and most of what the Town does is public. The goal of this section is to help employees tell the difference between information that must be kept confidential and records that the public has a right to see.

Protect confidential and private information. Employees may not access, use, or disclose confidential or legally protected information except as needed to do their job and as the law allows. This includes, without limitation:

• Personnel and medical information about employees and applicants (kept confidential; medical information is kept in separate confidential files). [Law: ADA confidentiality; CORA exemptions]
• Criminal justice and law enforcement investigative records. [Law: Colorado Criminal Justice Records Act (CCJRA), C.R.S. 24-72-301 et seq.]
• Communications protected by the attorney client privilege or attorney work product.

• Personal identifying information about residents, including Social Security numbers, financial and utility account information, and similar protected data.
• Other information made confidential by law, contract, or Town policy.

The Town is subject to CORA. Most Town records are public records open to inspection under the Colorado Open Records Act, with specific exceptions. Employees should assume that documents, emails, and messages they create in the course of Town business may become public, and should write and communicate accordingly. [Law: Colorado Open Records Act (CORA), C.R.S. 24-72-201 et seq.]

Responding to records requests. Employees must not destroy, alter, or withhold records to avoid disclosure, and must not respond to a public records request on their own. All CORA and CCJRA requests are handled by the Town's designated records custodian, who decides what the law requires the Town to release and what the law protects. Forward any records request you receive to the records custodian promptly. [CONFIRM] the Town's designated CORA records custodian and CCJRA official custodian, the request intake process, and the records retention schedule.

The duty to protect confidential information continues after employment ends. Nothing in this section prevents an employee from reporting suspected illegal conduct or cooperating with an investigation, consistent with Sections 8.11 and 3.9.

8.9 Political activity

Employees are citizens too, and they are free to take part in the political life of their community, the state, and the nation on their own time. What employees may not do is use their Town job, Town time, or Town resources to support or oppose a candidate, party, or ballot measure. The line is between you acting as a private citizen and you acting as a Town employee.

You may, as a private citizen on your own time: register and vote, express political opinions, contribute to and volunteer for campaigns, attend political events, run for office (subject to any legal limits and any conflict of interest rules in Section 8.1), and otherwise take part in the political process.

You may not:

• Engage in political or campaign activity while on duty, in uniform, or while representing the Town.
• Use Town time, work email, devices, vehicles, facilities, supplies, logos, or any Town resource for political or campaign purposes. Colorado law restricts the use of public money and public resources to influence elections. [Law: Colorado Fair Campaign Practices Act limits on use of public resources in campaigns, C.R.S. 1-45-117]
• Use the employee's Town position or authority to coerce or pressure any person, including a coworker or a resident, in political activity, or to solicit political contributions in the workplace.

Federal Hatch Act. Employees whose principal duties involve work funded in whole or in part by certain federal programs or loans may be covered by the federal Hatch Act, which places additional limits on partisan political activity (for example, running for partisan office). [Law: federal Hatch Act, 5 U.S.C. 1501 et seq.] [CONFIRM] whether any Town positions administer or are connected to federally funded programs in a way that triggers Hatch Act coverage, and identify those positions.

This policy is read narrowly and is not intended to restrict an employee's protected speech or association as a private citizen.

8.10 Solicitation and distribution

The Town wants employees focused on their work during work time and wants residents served without interruption. This policy limits selling, fundraising, and handing out materials during work time and in work areas. It is applied the same way to everyone, regardless of the cause or message.

Policy. Employees may not engage in solicitation (for example, selling items, collecting money, seeking signatures, or fundraising) during the working time of the employee soliciting or the employee being solicited. Employees may not distribute literature or materials during working time, or at any time in work areas where the activity would interfere with operations or public service.

Non employees may not solicit or distribute materials on Town premises except as the Town specifically authorizes.

This policy is applied evenhandedly to all solicitation and distribution and is not based on the viewpoint or content of the message. It does not restrict employee communications protected by law, including discussion of wages, hours, and working conditions, or other protected concerted activity. [Law: Protections for Public Workers Act (PROPWA), C.R.S. 29-33-101 et seq.] The Town may permit specific Town sponsored or charitable activities (for example, an approved employee giving campaign) in its discretion. [CONFIRM] any Town sponsored charitable campaign or employee fund the Town wishes to recognize as an exception.

8.11 Whistleblower protection

Speaking up about waste, fraud, illegal conduct, or a danger to public health and safety is the right thing to do, and the law protects employees who do it in good faith. No one at the Town may retaliate against an employee for making a good faith report or for cooperating with an investigation.

Protected disclosures. An employee who, in good faith, discloses information about an action by the Town or a Town official or employee that the employee reasonably believes shows a

violation of law, a waste of public funds, an abuse of authority, a danger to public health or safety, or other wrongdoing is protected from retaliation for that disclosure. Colorado law protects state and local public employees who disclose such information. [Law: Colorado public employee whistleblower protection, C.R.S. 24-50.5-101 et seq.]

Public health emergencies. During a public health emergency, the law also protects an employee who, in good faith, raises a reasonable concern about workplace health and safety practices or a significant threat to health or safety, and protects an employee's voluntary use of their own protective equipment such as a mask or gloves. [Law: Public Health Emergency Whistleblower (PHEW) Act, C.R.S. 8-14.4-101 et seq.]

No retaliation, and how to report. The Town will not discharge, discipline, demote, deny promotion to, or otherwise retaliate against an employee for a protected disclosure made in good faith. An employee who believes they have faced retaliation should report it promptly. Employees may report concerns to a supervisor, a department head, the Town Administrator, or, where the concern involves any of those individuals, to an alternate contact so that no employee is ever forced to report a concern only to the person it is about. [CONFIRM] the Town's designated whistleblower reporting channel and the named alternate contact (for example, the Mayor or an outside contact) for concerns that involve the Town Administrator.

These protections are in addition to the anti retaliation protections in Section 3.8 and the grievance protections in Section 11.3. Reporting in good faith is protected even if the concern turns out to be mistaken. Knowingly making a false report, however, is not protected and may itself be grounds for corrective action.

Legal note: This section addresses areas of Colorado and federal law that change over time, including the constitutional limits on regulating public employee speech and political activity, the Amendment 41 gift limits, and the whistleblower statutes. The Town Attorney and CIRSA should review this section before adoption and after any significant change in the law. This manual is a statement of current Town policy, not a contract, and does not alter the at will employment relationship.

9. Health, Safety, and Substance Policy

The Town of Paonia wants every employee to go home at the end of the day in the same condition they came to work. A snowplow operator, a water plant technician, a parks crew member, a patrol officer, and an office clerk all face different risks, but the rules in this section apply to everyone. They explain how the Town keeps the workplace safe, what to do when someone gets hurt, and the limited but important rules about substances, violence, weapons, and smoking that protect both the worker and the people the Town serves.

This section also reflects the Town's commitment to a workplace free of fear and retaliation. No employee will be punished for reporting a hazard, filing a workers' compensation claim, or raising a safety concern in good faith. The Town treats safety reporting the same way it treats

every other good faith report under this manual: as protected conduct, never as grounds for discipline.

Nothing in this section changes the at-will nature of employment described in Section 1.2. The Town may use any of the responses described here, in any order, or decline to use any of them, in its sole discretion.

9.1 Safety program and accident reporting

Plain language: the Town keeps a safe workplace, and every employee is part of that. If you see a hazard, report it. If an accident happens, report it right away, even if no one was hurt. Reporting protects you, your coworkers, and the public, and it is never a black mark against you.

The Town's commitment. The Town maintains a safety program intended to protect employees, residents, and visitors from work-related injury and illness, consistent with general workplace safety obligations [OSHA general duty clause, 29 U.S.C. 654; Colorado workers' compensation safety provisions, C.R.S. 8-40-101 et seq.]. The Town participates in loss-control and safety resources available through its risk pool [CONFIRM: whether the Town's safety/loss-control program runs through CIRSA and the name of any CIRSA loss-control services the Town uses].

Employee safety duties. Every employee is expected to:

1. Perform work in a safe manner and follow all safety rules, procedures, and posted instructions for their job and department.
2. Use the personal protective equipment (PPE) required for the task and keep it in working order (see Section 8.4 for department dress and PPE standards).
3. Operate Town vehicles and equipment only when trained and authorized, and only as the equipment is designed to be used.
4. Report unsafe conditions, equipment defects, and hazards to their supervisor or department head promptly.
5. Attend safety training the Town requires for the position.

Safety coordination. The Town designates a person or position to coordinate the safety program, receive hazard reports, and serve as the contact for safety questions [CONFIRM: who serves as the Town's safety officer or safety coordinator, and whether a safety committee exists].

Reporting accidents, injuries, and near misses. An employee who is involved in or witnesses any of the following must report it to a supervisor or department head as soon as possible, and in any event before the end of the work shift unless a medical emergency makes that impossible:

• Any work-related injury or illness, no matter how minor.

• Any accident involving a Town vehicle, equipment, or property.
• Any accident involving a member of the public on Town property or in connection with Town work.
• Any "near miss" that could have caused injury or damage.

The supervisor or department head will document the report on the Town's injury or incident report form (see Appendix C) and route it to the safety coordinator and, when an injury is involved, to the person who handles workers' compensation (see Section 9.2). Prompt reporting matters: it allows the Town to fix the hazard, get the employee care, and meet the deadlines for a workers' compensation claim.

No retaliation for safety reporting. No employee will be disciplined or retaliated against for reporting a hazard, an accident, an injury, or a near miss in good faith, or for refusing to perform work the employee reasonably believes presents an imminent and serious safety risk after raising it through the chain of command [Colorado Public Health Emergency Whistleblower (PHEW) Act, C.R.S. 8-14.4-101 et seq.; whistleblower protections, C.R.S. 24-50.5-101 et seq.]. Cross reference Section 8.11.

9.2 Workers' compensation procedures

Plain language: if you are hurt on the job, the Town's workers' compensation coverage pays for your authorized medical care and a portion of lost wages, at no cost to you. The two things you must do are report the injury fast and get care from a provider the Town designates. Reporting late can cost you part of your benefits, so tell your supervisor the same day if you can.

Coverage. All Town employees are covered by workers' compensation for injuries and illnesses that arise out of and in the course of employment, at no cost to the employee [Colorado Workers' Compensation Act, C.R.S. Title 8, Articles 40 through 47]. The Town carries this coverage through its insurer [CONFIRM: the workers' compensation carrier, likely CIRSA, and the claim contact].

Step by step: what to do if you are injured at work.

1. Get help for an emergency first. If the injury is serious or life-threatening, call 911 or go to the nearest emergency room immediately. Tell the providers it is a work-related injury.
2. Report the injury to your supervisor right away. Report any work-related injury to your supervisor or department head as soon as possible. Colorado law requires an employee to give the employer written notice of an injury, and reporting late can reduce your benefits. Report immediately and do not wait [Colorado Workers' Compensation Act notice provisions, C.R.S. 8-43-102]. The Town will not penalize an employee for the timing of a good faith report, but the law's deadlines are outside the Town's control, so prompt reporting protects the employee.
3. Get care from a designated provider. Except in a genuine emergency, treatment for a work injury must be obtained from one of the medical providers the Town designates, or the injury may not be covered. The Town will give each employee written notice of the designated

providers; if you do not have that list, ask your supervisor or the workers' compensation contact before seeking non-emergency care [CONFIRM: the list of designated medical providers and where employees can find it].
4. Complete the claim paperwork. Your supervisor will help you complete the Town's injury report, and the Town will file the required reports with the carrier and the State. Cooperate with the carrier's reasonable requests for information about the injury.
5. Follow your treatment plan. Keep medical appointments, follow restrictions, and keep your supervisor informed about your ability to return to work. The Town will work with employees on modified or light-duty assignments where one is available and appropriate [CONFIRM: whether the Town offers a modified-duty or return-to-work program].

No retaliation for filing a claim. It is unlawful, and it is against Town policy, to retaliate against an employee for reporting a work injury or filing a workers' compensation claim in good faith. Filing a claim will not be held against an employee in any employment decision [Colorado Workers' Compensation Act anti-retaliation principles, C.R.S. Title 8, Articles 40 through 47].

Relationship to other leave. Time off for a covered work injury coordinates with the Town's other leave policies (see Section 7). Workers' compensation wage benefits and paid leave will not be combined in a way that pays an employee more than their regular wages, except as the law allows.

9.3 Drug- and alcohol-free workplace

Plain language: you cannot work while impaired by alcohol or drugs, and you cannot use, possess, or sell them on the job. This is a safety rule first. One point that surprises people: even though marijuana is legal under Colorado law for adults, the Town can still maintain and enforce a drug-free workplace policy that reaches marijuana, because marijuana remains illegal under federal law and Colorado courts have held that the lawful off-duty activities statute does not protect marijuana use.

The rule. Employees may not report to work, perform Town duties, or operate Town vehicles or equipment while under the influence of alcohol, marijuana, or any drug (legal or illegal) that impairs their ability to do the job safely. Employees may not use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs while on duty, while on Town premises, or while operating Town vehicles or equipment. "Town premises" includes Town buildings, facilities, the airport, the water and wastewater plants, parks, work sites, and Town-owned or leased vehicles [Colorado lawful off-duty activities statute, C.R.S. 24-34-402.5].

Lawfully prescribed and over-the-counter medication. Employees may use medication prescribed to them or sold over the counter, but they are responsible for knowing whether it impairs their ability to work safely. An employee whose medication may affect safety, alertness, or job performance must tell their supervisor before reporting to work so the Town can address safety and consider any reasonable accommodation (see Section 3.2). Employees do not have

to disclose the underlying medical condition, only that a medication may affect their ability to perform safety-related duties.

Marijuana. Marijuana is legal for adult use under Colorado law, but it remains illegal under federal law. Colorado's lawful off-duty activities statute generally protects employees from discipline for lawful off-duty conduct, but the Colorado Supreme Court held in *Coats v. Dish Network* that, because marijuana remains illegal under federal law, marijuana use is not a protected "lawful activity" under that statute, so the statute does not bar an employer from maintaining and enforcing a drug-free workplace policy that reaches marijuana [C.R.S. 24-34-402.5; *Coats v. Dish Network*, 350 P.3d 849 (Colo. 2015)]. Accordingly, the Town may maintain and enforce its drug-free workplace policy as to marijuana and may treat a positive marijuana test or marijuana impairment as a violation of this policy, to the extent allowed by law. This is especially clear for safety-sensitive and DOT-covered positions, where the Town's interest in a drug-free workplace is strongest. Possession of a medical or recreational marijuana card does not exempt an employee from this policy.

Testing for non-DOT positions. For positions not covered by the federal testing rules in Section 9.4, the Town may require an employee to submit to alcohol or drug testing in the following circumstances, in its discretion:

• Reasonable suspicion, when a trained supervisor has specific, articulable observations (such as appearance, behavior, speech, or odor) that the employee may be impaired or in violation of this policy.
• Post-accident, following a work-related accident involving injury or property damage, or a vehicle accident, where impairment may have been a factor.
• As otherwise required for a safety-sensitive position the Town designates, or as part of a return-to-work agreement.

[CONFIRM: the testing circumstances the Town will actually use for non-DOT positions (for example, reasonable suspicion and post-accident only, or also pre-employment), the testing collection vendor, and which non-DOT positions the Town treats as safety-sensitive.]

Consequences. A violation of this policy may result in discipline up to and including termination, in the Town's sole discretion, consistent with Section 10. A refusal to submit to a required test, or tampering with a test, may be treated as a violation of this policy. Nothing in this section requires the Town to follow any particular sequence of steps before acting.

Federal Drug-Free Workplace Act. If the Town receives federal grants or contracts, it maintains this drug-free workplace policy and provides the related notices as required by the federal Drug-Free Workplace Act of 1988 [41 U.S.C. 8101 et seq.]. [CONFIRM: whether the Town currently holds federal grants or contracts that trigger Drug-Free Workplace Act notice obligations.]

9.4 CDL and DOT drug and alcohol testing

Plain language: if your job requires a commercial driver's license (CDL), you are also covered by a separate set of federal rules that are stricter than the Town's general policy. Federal law requires testing at several points, and federal law does not recognize Colorado's marijuana legalization at all. The full program is spelled out in Appendix B.

Who is covered. Employees in safety-sensitive positions that require a commercial driver's license (CDL), most often certain Public Works and Utilities positions, are subject to the federal drug and alcohol testing rules of the U.S. Department of Transportation [49 CFR Part 40; Federal Motor Carrier Safety Administration rules, 49 CFR Part 382]. [CONFIRM: which Public Works/Utilities positions require a CDL and are therefore subject to DOT testing.]

Required testing. Covered employees are subject to DOT testing in all of the situations federal law requires, including:

• Pre-employment, before performing safety-sensitive functions.
• Random, on an unannounced basis through a testing pool.
• Reasonable suspicion, based on trained-observer observations.
• Post-accident, as defined by the federal rules.
• Return-to-duty and follow-up, after a violation, as part of the federally required return process.

Federal rules override Colorado marijuana protections. Under the DOT rules, marijuana is a prohibited substance with no medical or recreational exception, regardless of Colorado law. A CDL holder cannot use marijuana and cannot rely on a Colorado medical or recreational marijuana card or on the lawful off-duty activities statute as a defense to a positive DOT test [49 CFR Part 40; *Coats v. Dish Network*, 350 P.3d 849 (Colo. 2015)].

Consequences and return to duty. A covered employee who tests positive, refuses a test, or otherwise violates the DOT rules is immediately removed from safety-sensitive functions and may not return until completing the federally required return-to-duty process through a Substance Abuse Professional. A DOT violation may also result in discipline up to and including termination, in the Town's sole discretion, consistent with Section 10.

Full program in Appendix B. The detailed CDL and DOT testing program, including covered positions, testing procedures, the testing consortium or third-party administrator, and the return-to-duty process, is set out in Appendix B. If anything in this section appears to conflict with Appendix B or the federal rules, the federal rules and Appendix B control for covered positions. [CONFIRM: the DOT testing consortium or third-party administrator the Town uses.]

9.5 Workplace violence prevention

Plain language: threats and violence have no place at the Town. If you feel threatened, or you see threatening behavior, report it. The Town would rather hear about a concern early than learn about it after something happens.

The rule. The Town prohibits threats, intimidation, physical violence, and any conduct that puts the safety of an employee or member of the public at risk. This includes:

• Threatening, intimidating, or harassing statements or gestures, whether in person, in writing, by phone, or online.
• Physical assault, fighting, or any unwanted physical contact intended to harm or intimidate.
• Destroying or threatening to destroy property to intimidate.
• Stalking or unwanted following or surveillance of a coworker.
• Bringing a weapon onto Town premises in violation of Section 9.6.

Domestic violence that reaches the workplace. The Town recognizes that domestic violence can follow a person to work. An employee who is the target of domestic violence, or who has obtained a protective order, is encouraged to tell their supervisor or the Town Administrator so the Town can take reasonable steps to support the employee's safety at work. The Town will keep such information as confidential as practical. Employees may also use safe leave under the Town's paid sick leave policy for circumstances related to domestic violence, sexual assault, stalking, or harassment (see Section 7.3) [HFWA safe leave, C.R.S. 8-13.3-401 et seq.].

Reporting. An employee who experiences, witnesses, or learns of a threat or act of violence should report it immediately. In an emergency or where there is an immediate threat, call 911 first. Non-emergency concerns may be reported to a supervisor, a department head, the Town Administrator, or, if the concern involves the Town Administrator, to the Mayor or another member of the Board of Trustees. Reports may be made through more than one channel, so an employee is never required to report a threat to the person the report is about (this mirrors the reporting structure in Section 3.7). [CONFIRM: the named alternate contact for workplace-violence reports that involve the Town Administrator.]

The Town's response. The Town will take reports of threats and violence seriously, will look into them promptly, and may take protective measures while it does, including reassignment, schedule changes, or paid administrative leave (see Section 7.10). The Town may impose discipline up to and including termination, in its sole discretion, and may involve law enforcement. No employee will be retaliated against for making a good faith report of a threat or act of violence.

9.6 Weapons in the workplace

Plain language: with one important exception for police officers doing their jobs, employees should not bring weapons into Town buildings or use Town property to carry them. This keeps everyone safer in offices, counters, and meeting rooms where the public and employees interact.

The rule. Except as allowed below, employees may not carry, store, or use firearms or other weapons while on duty, in Town buildings and facilities, or in Town vehicles. "Weapon" includes

firearms, knives carried as weapons, explosives, and other instruments designed or used to cause injury, but does not include ordinary tools and equipment used for Town work.

Law enforcement exception. This policy does not apply to sworn Police Department officers carrying authorized duty weapons in the course of their official duties, or to other law enforcement officers acting in their official capacity. Sworn officers carry, store, and use duty weapons according to Police Department policy (see Appendix A) [CONFIRM: cross reference to the Police Department's duty-weapon policy].

Concealed-carry permit. A valid Colorado concealed-handgun permit does not, by itself, authorize an employee to carry a firearm into Town buildings or facilities in violation of this policy or of any posting limiting firearms in a public building [C.R.S. 18-12-214].

Firearms stored in personal vehicles. [CONFIRM: whether the Town will allow employees to store a lawfully possessed firearm, out of sight and locked, in the employee's own personal vehicle while parked on Town property, and on what terms. Colorado towns commonly include a narrow parking-lot storage provision; the Town should set its own rule here with the Town Attorney.]

Consequences. Bringing a prohibited weapon onto Town premises, or using any object as a weapon to threaten or harm, is a serious violation and may result in discipline up to and including termination, in the Town's sole discretion, and may be referred to law enforcement.

9.7 Smoking and vaping

Plain language: no smoking or vaping indoors or in Town vehicles. The Town follows Colorado's clean indoor air law and points smokers to designated outdoor areas.

The rule. Smoking, vaping, and the use of other tobacco and nicotine products are prohibited inside all Town buildings and facilities, inside Town vehicles, and within the distances from building entrances that Colorado law requires [Colorado Clean Indoor Air Act, C.R.S. 25-14-201 et seq.]. The Clean Indoor Air Act includes electronic smoking devices (vaping) in its restrictions, so the indoor ban applies to e-cigarettes and similar devices.

Where smoking is allowed. Employees who smoke or vape may do so only during authorized breaks and only in designated outdoor areas located the required distance from building entrances, windows, and ventilation intakes. Employees must fully extinguish and properly dispose of smoking materials, which is also a wildfire-safety concern on the Western Slope. [CONFIRM: the Town's designated outdoor smoking areas, if any, at Town Hall, Public Works, the airport, and other facilities.]

Reasonable accommodation note. Nothing in this section limits an employee's break rights under Section 5.5 or any reasonable accommodation the Town provides under Section 3.

Section 9 cross references: Section 3 (accommodation and respectful workplace), Section 5.5 (meal and rest periods), Section 7.3 (paid sick leave and safe leave), Section 7.10 (administrative leave), Section 8.4 (dress and PPE), Section 8.11 (whistleblower protection), Section 10 (performance and discipline), Appendix A (Police Department addendum), Appendix B (CDL and DOT testing program), Appendix C (forms index).

10. Performance and Discipline

The Town wants every employee to succeed. Most performance concerns are handled through honest conversation and clear expectations, not formal discipline. This section explains how the Town gives feedback, how it may respond when performance or conduct falls short, and how it investigates concerns. Read this section together with the at will statement in Section 1.2 and the acknowledgment in Section 13.

Two points control everything that follows. First, employment with the Town is at will. Either the employee or the Town may end the employment relationship at any time, with or without cause and with or without notice. Nothing in this section, and nothing a supervisor says or does in applying it, creates a contract, a promise of continued employment, or a right to any particular process or sequence of steps before discipline or termination. Second, the steps described below are options, not requirements. The Town may use any of them, in any order, more than once, or not at all, and the Town may move directly to termination, in its sole discretion. This section is written this way on purpose, so that the Town can be both fair and flexible without giving up at will employment. [Law: Colorado at will doctrine]

10.1 Performance evaluations

Good feedback should not be a surprise. Supervisors are expected to talk with employees regularly about what is going well and what needs to improve, throughout the year, not only at a formal review. A written evaluation is a tool to support that ongoing conversation.

The Town conducts performance evaluations to help employees understand expectations, recognize good work, identify areas to develop, and plan for growth. An evaluation is a development tool. It is not a guarantee of continued employment, a raise, a promotion, or any particular rating, and a positive evaluation does not change at will status or promise that employment will continue. Pay and promotion decisions depend on many factors, including the Town's budget and operational needs, and are governed by the Board adopted pay plan referenced in Section 5.1.

Employees are generally given the opportunity to review and sign their evaluation. Signing means the employee received and reviewed the evaluation. It does not mean the employee agrees with it. An employee may submit a written response to be kept with the evaluation in the personnel file. An evaluation reflects performance during the period it covers, and it is not subject to the grievance or appeal process. [CONFIRM: Paonia's evaluation cycle (for example,

annual on the employee's anniversary date or on a common Town wide date), who conducts evaluations for each department, and the evaluation form the Town uses.]

10.2 Corrective action (discretionary)

When performance or conduct falls short, the Town's first goal is usually to help the employee correct the problem. Corrective action is one way the Town may do that. It is not a fixed ladder the Town must climb.

The Town may use corrective action when, in its judgment, an employee's performance or conduct does not meet the Town's expectations. Possible forms of corrective action include, but are not limited to:

• verbal counseling or coaching;
• a written warning or reprimand;
• a performance improvement plan;
• suspension, with or without pay;
• reassignment, demotion, or reduction in pay; and
• termination of employment.

These are options available to the Town. They are not steps the Town must follow in order. The Town may use any of these measures, may combine them, may repeat any of them, may skip any of them, or may use none of them, and the Town may proceed directly to termination, all in its sole discretion based on the circumstances. The Town is not required to give a warning, place an employee on a performance improvement plan, or take any lesser action before suspending, demoting, or terminating an employee. Nothing in this section describes a system of progressive discipline, and nothing here requires the Town to show cause for any action.

To be clear, and consistent with Section 1.2: employment with the Town remains at will. This section does not create a contract, does not promise any process or sequence of steps, and does not change the Town's or the employee's right to end the employment relationship at any time, with or without cause and with or without notice. The use, or the decision not to use, any form of corrective action does not alter at will status. [Law: Colorado at will doctrine]

The Town generally documents corrective action and places the documentation in the employee's personnel file. Documentation should describe the concern, the expectation going forward, and the date. Entries should be made at or near the time of the events they describe, and the Town does not backdate entries. The employee is generally given a copy and the opportunity to add a written response. Consistent, contemporaneous documentation helps the Town apply its expectations fairly across departments and gives the employee a fair chance to understand and respond to a concern. Documentation does not convert at will employment into employment that can end only for cause.

10.3 Grounds for discipline

The list below gives examples of conduct and performance problems that may lead to corrective action up to and including termination. It is meant to put employees on notice of the kinds of behavior the Town takes seriously. It does not limit the Town's discretion.

This list is illustrative, not exhaustive. The Town may discipline or terminate an employee for conduct not listed here, and because employment is at will, the Town may act without relying on any listed ground at all. Examples include:

• poor job performance or failure to meet the requirements of the position;
• violation of any Town policy in this manual or in a separately adopted Town policy, including the standards of conduct in Section 8 and the safety and substance policies in Section 9;
• dishonesty, including falsifying time records, applications, Town records, or reports;
• theft, misuse, or unauthorized use of Town property, funds, equipment, or vehicles;
• excessive or unexcused absence or tardiness, or a no call no show, as addressed in Section 8.3;
• insubordination or refusal to follow a lawful and reasonable instruction;
• harassment, discrimination, or retaliation prohibited by Section 3;
• threats, violence, or intimidation in the workplace, as addressed in Section 9.5;
• being unfit for duty due to alcohol or drugs in violation of Section 9.3 or Section 9.4;
• breach of confidentiality or improper handling of confidential or protected information under Section 8.8;
• conflicts of interest, prohibited gifts, or ethics violations under Section 8.1;
• negligence or carelessness that endangers people, property, or public funds;
• conduct, on or off duty, that materially impairs the employee's ability to perform the job or harms the Town's operations or public trust (recognizing the protections for lawful off duty conduct and protected speech described in Sections 8.7, 8.9, and 9.3); and
• conviction of a crime that bears on the employee's fitness for the position.

Sworn police officers are held to additional standards because of the public trust placed in law enforcement. Those standards are addressed in Appendix A and in the Police Department's separate policy manual.

10.4 Investigatory process

When the Town learns of a possible policy violation or misconduct, it may look into the matter before deciding what, if anything, to do. The goal is to gather the facts fairly before reaching a conclusion. Conducting an investigation does not commit the Town to any particular outcome.

The Town Administrator, a department head, or another person the Town designates may conduct or oversee an investigation. The Town may also use outside investigators when appropriate. When the concern involves the person who would normally investigate, or when impartiality otherwise requires it, the Town arranges for the matter to be reviewed by someone other than the subject of the concern. Employees are expected to cooperate honestly with a

Town investigation, including by answering questions truthfully and providing relevant Town records and information in their possession. Refusing to cooperate, or being dishonest during an investigation, may itself be grounds for discipline. The Town generally gathers the facts before deciding on discipline, rather than directing a supervisor to issue discipline without first looking into the concern.

The Town conducts investigations as confidentially as is practical given the need to gather facts and take appropriate action. The Town does not promise complete confidentiality, because it may need to interview witnesses and take corrective steps. The Town will not retaliate against an employee for making a good faith report or for participating in an investigation, consistent with Sections 3.8 and 8.11.

Special note for sworn police officers (Garrity). When the Town requires a public employee to answer questions as part of an internal administrative investigation, and the employee answers because refusing could itself result in discipline or termination, those compelled statements generally cannot be used against the employee in a criminal prosecution. This protection comes from the Fifth Amendment privilege against self incrimination as applied to public employees. An employee who is ordered to answer questions in an internal investigation, under threat of discipline for refusing, should be advised of this protection, and the Town should keep compelled administrative statements separate from any criminal investigation. This rule matters most in police internal affairs investigations. The detailed internal affairs process for sworn officers is in Appendix A. [Law: Garrity v. New Jersey, 385 U.S. 493 (1967); Fifth Amendment]

This subsection describes how the Town may investigate. It does not give an employee a right to a particular investigation, a particular procedure, or a hearing before the Town acts, and it does not change at will status. [Law: Colorado at will doctrine]

10.5 Administrative leave during investigation

Sometimes the right step while the Town looks into a matter is to have the employee away from the workplace for a period. That is not, by itself, a finding that the employee did anything wrong.

The Town may place an employee on paid administrative leave at its discretion, including during an investigation or while it decides how to respond to a concern. Administrative leave is not discipline and is not an admission or finding of misconduct. It is a way to protect the integrity of an investigation, the safety of the workplace, or the Town's operations while the facts are gathered. The terms of administrative leave, including whether the employee must remain available during work hours and must return Town property or access for the duration, are set by the Town. This subsection works together with the administrative leave provisions in Section 7.10. [CONFIRM: who authorizes administrative leave (for example, the Town Administrator, or the department head with the Administrator's approval), and any limit on its duration before further review.]

11. Grievance and Complaint Procedure

Most workplace problems are solved best, and fastest, by talking them through with the people closest to the work. This section gives every Town of Paonia employee a clear, fair, and predictable way to raise a workplace concern, get it heard by someone with authority to address it, and receive an answer within a set time. The procedure is meant to be used. No one will be punished for using it in good faith.

This procedure is also a commitment the Town is making to itself. In the past, employees who raised concerns did not always know whom to go to, did not always get a response, and sometimes had their concern routed to the very person the concern was about. That is the problem this section exists to fix. The Town will apply this procedure consistently to every covered concern so that disputes are resolved on the record, in the open where the law allows, and not left to disappear into a closed-door meeting.

At the same time, this procedure does not change the nature of employment with the Town. Employment with the Town is at will (see Section 1.2). Using this procedure, or completing every step of it, does not create a contract, does not entitle any employee to keep their job, and does not convert at-will employment into employment that can end only "for cause." The Town keeps full discretion over the outcome.

11.1 Purpose and scope

This procedure gives employees an orderly way to raise and resolve everyday workplace concerns. It is for things like disagreements about how a Town policy in this manual was applied to you, disputes about working conditions, conflicts with a supervisor or coworker, and concerns about unfair or inconsistent treatment that do not fall under another, more specific procedure in this manual.

What this procedure is for. An employee may use this procedure to raise a concern that:

• A specific provision of this manual, or another adopted Town personnel policy, was misapplied to the employee.
• A working condition is unfair, unsafe (where not covered by the safety reporting procedure in Section 9), or inconsistent with Town policy.
• The employee has been treated in a way that is inconsistent with how the Town treats other employees in similar situations.

What this procedure is not for. This procedure does not apply to, and may not be used to challenge:

• The fact of an at-will termination, layoff, or non-renewal, or the Town's decision to end employment, as if the employee were entitled to a "for cause" standard or to continued employment. Employment is at will (see Sections 1.2 and 12.3). An employee may raise a

concern about how a decision was carried out, but this procedure does not give the employee a right to reverse an at-will separation or to require the Town to prove cause.
• The content of an adopted Town policy, the pay plan, the budget, or a Board of Trustees decision. Concerns about what a policy should say are welcome, but they belong in the Town's normal policy and budget process, not in this procedure.
• Complaints of discrimination, harassment, or retaliation based on a protected class. Those are handled through the separate complaint and reporting procedure in Section 3.7, which is designed for those matters, offers more than one place to report (so an employee never has to report to the person they are complaining about), and meets the recordkeeping requirements of Colorado law [Protecting Opportunities and Workers' Rights Act (POWR), C.R.S. 24-34-402; POWR recordkeeping, C.R.S. 24-34-407]. If an employee is unsure which procedure fits, the employee may raise the concern under either, and the Town will route it to the correct procedure. Raising a matter under the wrong procedure will not be held against the employee.

This procedure covers all regular Town employees. Employees in their introductory period (Section 2.3) may use it. Sworn police officers may have separate or additional procedures that apply to certain matters; where a separate police procedure or the police policy manual governs, that document controls for its subject (see Appendix A). [CONFIRM: whether sworn officers or any other group have a separate grievance or appeal procedure that governs instead of this one.]

11.2 Distinguishing this procedure from the harassment and discrimination channel

Because it matters, the point in Section 11.1 is worth stating plainly on its own. There are two doors, and an employee should not have to guess which one to use.

• If your concern is about discrimination, harassment, or retaliation connected to a protected class (for example, race, sex, religion, disability, age, sexual orientation, gender identity, or any other class listed in Section 3.1), use the complaint and reporting procedure in Section 3.7. That procedure gives you several people you can report to, including someone outside your own chain of command, so you are never forced to report to the person you are complaining about.
• If your concern is about how a policy was applied to you, a working condition, or a workplace dispute that does not involve a protected class, use this procedure (Section 11).

If a concern includes both kinds of issues, the Town will treat the discrimination, harassment, or retaliation part under Section 3.7 and may treat the remaining part under this Section 11. When in doubt, report it. The Town, not the employee, carries the burden of routing a concern to the right place.

11.3 Steps and timelines

The procedure moves through up to three steps. The goal at every step is a written answer within a short, predictable window. The Town will make a good-faith effort to meet these

timelines, and an employee who does not receive a timely answer at one step may move the concern to the next step.

Two ground rules apply throughout:

• The procedure routes around the subject of the concern. If a step would require an employee to bring a concern to the very person the concern is about, the employee skips that step and brings the concern to the next level. For example, if the concern is about the employee's supervisor, the employee starts at Step 2 (department head). If the concern is about a department head, the employee starts at Step 3 (Town Administrator). If the concern is about the Town Administrator, the employee may bring it directly to the final decision-maker named in this section, and the Town Administrator will not be the person who decides it.
• The Town keeps discretion over process. The Town may, in its sole discretion, combine steps, shorten or extend a timeline for good reason, bring in a neutral third party (such as the Town's risk pool resources), or decline to process a matter that falls outside the scope in Section 11.1. Using discretion in this way does not waive the procedure for other matters and does not change at-will status.

Step 1, Immediate supervisor. The employee should first raise the concern, in writing, with their immediate supervisor within a reasonable time after the event, generally within [CONFIRM: number of working days, commonly 10] working days. The written concern should describe what happened, when, the policy or condition at issue, and the resolution the employee is seeking. The supervisor should meet with the employee and give a written response, generally within [CONFIRM: number of working days, commonly 10] working days after receiving the concern. (If the concern is about the immediate supervisor, the employee begins at Step 2.)

Step 2, Department head. If the concern is not resolved at Step 1, or if Step 1 does not apply, the employee may submit the written concern to the department head, generally within [CONFIRM: number of working days, commonly 10] working days after the Step 1 response (or after the Step 1 response was due). The department head should review the matter, may meet with the employee and others as needed, and should give a written response, generally within [CONFIRM: number of working days, commonly 10] working days. (If the concern is about the department head, the employee begins at Step 3.)

Step 3, Town Administrator. If the concern is not resolved at Step 2, or if Step 2 does not apply, the employee may submit the written concern to the Town Administrator, generally within [CONFIRM: number of working days, commonly 10] working days after the Step 2 response (or after it was due). The Town Administrator should review the full record, may gather additional information, and should give a written response, generally within [CONFIRM: number of working days, commonly 15] working days.

Final decision. The written decision at the final step is the Town's final decision on the matter. [CONFIRM: who issues the final decision. The outline contemplates either the Town Administrator deciding at Step 3, or, for certain matters, an appeal to the Board of Trustees.

Because several of the Town's documented disputes involved the Town Administrator personally, the Board should decide whether: (a) the Town Administrator is the final decision-maker for most grievances; and (b) any grievance that names the Town Administrator, or that the Town Administrator has a personal interest in, is decided by the Board of Trustees (or a committee or designee of the Board) rather than by the Town Administrator. State the chosen path here and the day count for any appeal to the Board.]

So that concerns about senior staff cannot be quietly closed, any grievance that names the Town Administrator must be received by the Board of Trustees directly and not routed through, or decided by, the Town Administrator. [CONFIRM: the Board's chosen intake point for such grievances, for example the Mayor, a designated Trustee, or the Town Attorney, and the response deadline.] The Town will keep a written record of each grievance and its resolution. Matters discussed in executive session, if any, will be limited to what Colorado law permits and the final disposition will be documented [Colorado Open Meetings Law, C.R.S. 24-6-402].

Moving between steps and time limits. Each written grievance should describe what happened, when it happened, the policy, rule, or working condition at issue, and the resolution the employee is seeking. The person who receives a grievance at any step (a supervisor, department head, the Town Administrator, or the Board's intake point) may not refuse to accept it or tell the employee that nothing can be done. They must accept it, log it, and either respond or pass it to the correct step. If an employee does not move a grievance to the next step within the applicable window, the Town may treat the matter as resolved on the terms of the last written response, unless the employee shows good cause for the delay. The Town's final written decision is final within the Town and is subject only to whatever remedies Colorado or federal law may separately provide.

11.4 No retaliation

No employee will be disciplined, demoted, reassigned, denied a benefit, or otherwise penalized for raising a concern in good faith under this procedure, for taking part in reviewing or resolving a concern, or for declining to carry out a directive the employee reasonably and in good faith believes is improper. Good faith means the employee genuinely believes the concern is valid, even if the Town ultimately decides it is not. Retaliation against an employee for using this procedure is itself a violation of Town policy and may result in discipline of the person who retaliates.

This protection is in addition to, and does not limit, the broader anti-retaliation protections in this manual and under Colorado and federal law, including protections for whistleblowers and for employees who report health or safety concerns [Colorado public employee whistleblower protection, C.R.S. 24-50.5-101 et seq.; C.R.S. 8-14.4-101 et seq. (PHEW Act); see also Sections 3.8 and 8.11]. An employee who believes they have been retaliated against for using this procedure may report that retaliation through this procedure or, where it involves a protected class, through Section 3.7.

11.5 Relationship to at-will employment

This procedure is a service to employees and a discipline the Town imposes on itself. It is not a contract and it does not change at-will employment.

• Nothing in this section creates a contract of employment, an express or implied promise of continued employment, or a promise of any particular process, outcome, or remedy.
• Following this procedure, in whole or in part, does not give any employee a "for cause" job protection or a property interest in continued employment. Employment with the Town remains at will, terminable by either the employee or the Town at any time, with or without cause or notice (see Sections 1.2 and 12.3).
• The Town may skip, combine, shorten, extend, or decline any step of this procedure in its sole discretion, and the final decision in any grievance rests with the Town.
• Only the Board of Trustees, or a person the Board has authorized in writing, may change this procedure, and only in writing (see Section 1.4). No statement by a supervisor, department head, or the Town Administrator during a grievance can alter at-will status or create a contract.

12. Separation from Employment

Purpose. Employment with the Town can end in several ways: an employee resigns, the Town eliminates a position through a layoff or reduction in force, or the Town ends the employment relationship. This section explains how the Town handles each kind of separation, when final pay is due, what property must be returned, and what happens to benefits. The goal is to end every employment relationship cleanly, fairly, and in compliance with Colorado law.

Nothing in this section changes the at-will nature of employment described in Section 1. Except where a written agreement or a specific Colorado statute provides otherwise, employment with the Town is at-will, which means either the employee or the Town may end the employment relationship at any time, with or without notice and with or without cause. The procedures described here are administrative practices the Town generally follows. They do not create a contract, do not guarantee any particular process, and do not give any employee a property interest in continued employment.

12.1 Resignation

A resignation is a voluntary decision by an employee to end their employment. The Town asks departing employees to give enough notice for a smooth transition, but the Town is not required to keep an employee through a notice period.

Notice requested. Employees who choose to resign are asked to give written notice to their supervisor or department head as far in advance as possible. The Town requests at least [CONFIRM: requested notice period, commonly two weeks] of advance notice from employees in non-supervisory positions and [CONFIRM: longer requested notice for department heads or

supervisory positions, if any] from supervisors and department heads. A resignation should state the employee's intended last day of work.

Form of notice. Resignations should be submitted in writing (email is acceptable) to the employee's supervisor or department head, who will forward it to the Town Administrator and to whoever handles payroll and personnel records. [CONFIRM: name or title of the person who handles payroll and personnel records.] A verbal resignation may be accepted, and the Town may ask the employee to confirm it in writing.

The Town may accept a resignation effective immediately. Once an employee gives notice of resignation, the Town may, in its sole discretion, accept the resignation effective on an earlier date than the date the employee proposed, including immediately. If the Town does so, the separation is still treated as a voluntary resignation for purposes of final pay timing under Section 12.4, unless the Town states otherwise in writing.

Withdrawal. An employee who wishes to withdraw a resignation must do so in writing before the effective date. The Town is not required to accept a withdrawn resignation and may have already taken steps to fill the position.

Job abandonment. An employee who is absent from work for [CONFIRM: number of consecutive scheduled workdays that constitute job abandonment] consecutive scheduled workdays without notifying their supervisor and without an approved leave may be treated as having voluntarily resigned, effective the first day of the unexcused absence. The Town will document its attempts to reach the employee.

12.2 Layoff and Reduction in Force (RIF)

A layoff, sometimes called a reduction in force, happens when the Town eliminates one or more positions for reasons unrelated to an individual employee's conduct or performance. The most common reasons are budget shortfalls, reorganization, lack of work, loss of funding, or a change in the services the Town provides. A layoff is not a disciplinary action and does not reflect on the laid-off employee's work.

Authority. The Board of Trustees and the Town Administrator decide whether a layoff is necessary and which positions are affected, consistent with the adopted budget and any direction from the Board.

Factors the Town may consider. When deciding which positions or employees are affected by a layoff, the Town may consider any combination of factors it determines to be relevant, which may include the Town's operational needs and the services that must continue, the skills, qualifications, certifications, and licenses needed for the remaining work, the employee's documented performance, the employee's length of continuous service with the Town, and the department or function being reduced. The Town weighs these factors in its sole discretion. No single factor controls, and length of service alone does not guarantee retention. This is a

discretionary process, not a seniority-based or "bumping" system, unless a written agreement applicable to a particular position provides otherwise.

Notice. The Town will try to give affected employees as much advance notice of a layoff as the circumstances reasonably allow. Advance notice is a courtesy and is not guaranteed.

Pay and benefits at layoff. A laid-off employee is paid all earned wages, including accrued unused vacation paid as wages, on the schedule described in Section 12.4. Information about continuation of health coverage and retirement is described in Section 12.6.

Recall. If the Town reinstates a position that was eliminated by layoff within [CONFIRM: recall period, e.g. twelve months] of the layoff, the Town may, in its sole discretion, offer the position to a former employee who was laid off from a substantially similar position and who remains qualified for it, before opening a general recruitment. Recall is a discretionary practice the Town may use; it is not a guarantee of reemployment, it does not create any right to a position, and the Town may decline to recall any individual. A recalled employee who accepts is treated as a new hire for purposes of probation and benefit waiting periods unless the Town states otherwise in writing. [CONFIRM: whether Paonia wants a recall practice at all, and if so the recall period and whether prior service is bridged.]

12.3 Termination

Termination is the end of employment initiated by the Town. Because Town employment is at-will, the Town may end the employment relationship at any time, with or without notice and with or without cause, except where a written agreement or a Colorado statute provides otherwise.

At-will termination. Most Town positions are at-will. The Town may use the corrective-action options described in Section 11 before ending employment, but it is not required to do so and may skip, combine, or decline any of those steps in its sole discretion. The fact that the Town has used corrective action in the past, or describes corrective action in this manual, does not change at-will status and does not entitle any employee to a particular process before termination.

Termination is approved by Town leadership. Termination decisions are made or approved by the Town Administrator, in consultation with the affected department head and, where appropriate, the Board of Trustees. [CONFIRM: the exact termination-approval authority for each category of position, including whether any positions appointed by the Board require Board action to terminate.]

Positions with a property interest (due-process note). A small number of positions may, by Colorado statute, contract, or the Town's own written rules, have protections that go beyond at-will employment. For example, certain certified peace officers in the Police Department may have statutory protections that can create a constitutionally protected property interest in

continued employment. [CONFIRM: whether any Paonia police positions are covered by C.R.S. 31-4-116 / 31-30-501 et seq. peace officer removal protections, a collective bargaining agreement, or a Town personnel rule that grants more than at-will status, and identify exactly which positions.] Where an employee genuinely holds a protected property interest in their job, the Town will provide the process the law requires before termination. At a minimum that generally means notice of the reasons for the proposed termination, an explanation of the evidence, and a meaningful opportunity for the employee to respond before the termination takes effect, consistent with constitutional due-process requirements [Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985); 14th Amendment due process]. This protection applies only to the specific positions the law actually covers. It does not apply to at-will positions, and describing it here does not create a property interest in any position that does not already have one by law or contract.

Immediate termination. The Town may end employment effective immediately, with or without prior corrective action, when it determines that doing so is appropriate. Final pay in a Town-initiated termination is due as described in Section 12.4.

No "for cause" requirement. Except for positions that actually carry the protections described above, the Town is not required to show "cause" or "just cause" to end employment, and nothing in this manual should be read to require it.

12.4 Final Pay

Colorado law sets firm deadlines for paying a departing employee's final wages, and the deadline depends on whether the Town ended the employment or the employee resigned. The Town follows these deadlines exactly.

If the Town ends the employment (termination or layoff): final pay is due immediately. When the Town discharges, terminates, or lays off an employee, all earned and unpaid wages are due and payable immediately at the time of separation. If the Town's accounting unit responsible for the payroll is not regularly scheduled to be operational at the moment of separation, the law allows final wages to be made available no later than six hours after the start of the accounting unit's next regular workday, or, if the unit is offsite, no later than twenty-four hours after the start of its next regular workday. [Colorado Wage Act, C.R.S. 8-4-109(1)(a).] The Town will not delay final pay beyond what the statute allows.

If the employee resigns: final pay is due on the next regular payday. When an employee voluntarily resigns or quits, all earned and unpaid wages are due and payable on the next regular payday. [Colorado Wage Act, C.R.S. 8-4-109(1)(b).] If the Town accepts a resignation effective immediately under Section 12.1, the separation is still treated as a resignation for this purpose unless the Town states otherwise in writing.

Accrued unused vacation is paid out as wages. Under Colorado law, earned and determinable vacation pay is treated as wages and is paid out on separation. It cannot be forfeited. [Colorado

Wage Act, C.R.S. 8-4-101(14)(a)(III); Nieto v. Clark's Market, Inc., 2021 CO 48.] The Town pays accrued, unused vacation at the employee's regular rate of pay as part of final pay, on the same deadline that applies to the rest of final wages, subject to any cap on accrued vacation described in Section 7.2. [CONFIRM: Paonia's vacation accrual schedule, any cap on the balance, and confirm whether the manual treats any other leave, such as paid time off, as vacation for payout purposes.]

Sick leave is generally not paid out. Accrued paid sick leave earned under the Healthy Families and Workplaces Act is generally not paid out at separation, because Colorado law does not require it to be treated as wages. [HFWA, C.R.S. 8-13.3-401 et seq.] [CONFIRM: whether Paonia pays out any portion of accrued sick or other leave at separation; if not, state plainly that it is not paid out.]

Deductions. The Town may make only those deductions from final pay that are authorized by law (such as taxes and garnishments) or that the employee has authorized in writing in a way the Wage Act permits. The Town will not make unauthorized deductions, and any final paycheck adjustments comply with the Colorado Wage Act. See Section 12.5 regarding Town property.

Final pay timing is also addressed in the compensation rules. See Section 7.2.

12.5 Return of Town Property

On or before their last day, employees must return everything that belongs to the Town. Returning Town property promptly protects both the employee and the Town and keeps the final paycheck on schedule.

What must be returned. Items to be returned include, but are not limited to, keys and access cards, Town-issued phones, computers, tablets, and other equipment, tools and uniforms, vehicles and fuel cards, purchasing or credit cards, identification badges, manuals and records, and any other Town property in the employee's possession. [CONFIRM: any department-specific property lists, especially for Police, Public Works/Utilities, and the airport.]

The Town cannot hold back final wages to force the return of property. Colorado law does not allow the Town to withhold an employee's earned wages, or to delay the final paycheck past the statutory deadline in Section 12.4, simply because the employee has not yet returned Town property. [Colorado Wage Act, C.R.S. 8-4-105, 8-4-109.] If property is not returned, the Town may pursue the value of that property through other lawful means, and the Town may deduct the value of unreturned property from final wages only if the Wage Act specifically permits that deduction in the situation (for example, where the law allows a deduction for the replacement value of unreturned Town property under defined conditions). The Town will not use final pay as leverage in a way the Wage Act prohibits.

12.6 Exit Process

The Town uses a short exit process to wrap up benefits, recover property, and learn how to improve as an employer. Completing the exit process helps make sure the employee receives every benefit and notice they are entitled to.

Exit interview. Departing employees are generally invited to take part in a voluntary exit interview or to complete a short exit questionnaire. The purpose is to understand the employee's experience and to identify ways the Town can improve. Participation is voluntary, and an employee's choice not to participate does not affect final pay or benefits. [CONFIRM: who conducts exit interviews.]

Health coverage continuation (COBRA or state continuation). Employees who are losing employer-sponsored health coverage because of separation, and their covered dependents, will receive the legally required notice about their right to continue coverage at their own expense. Larger employers are covered by federal COBRA, and smaller employers are covered by Colorado's state continuation law; the Town will provide whichever notice applies to it. [Federal COBRA, 29 U.S.C. 1161 et seq.; Colorado continuation coverage, C.R.S. 10-16-108.] [CONFIRM: whether the Town's group health plan is subject to federal COBRA or Colorado state continuation, the name of the health plan, and who sends the continuation notice.]

Retirement (PERA). Town employees participate in the Colorado Public Employees' Retirement Association (PERA). [CONFIRM: confirm Paonia's PERA participation and which division/plan applies.] On separation, the Town will provide information about the employee's PERA account, including the options to leave contributions in the account, request a refund, or, where eligible, begin retirement. Questions about account balances, refunds, and retirement eligibility are handled directly with PERA. The Town will report the separation to PERA as required. [C.R.S. Title 24, Article 51 (PERA).]

Other benefits. The exit process also covers final treatment of any other benefits the employee participates in, such as life insurance conversion, deferred compensation, or a flexible spending account. [CONFIRM: list of other benefit plans and their separation rules.] See Section 6 for the Town's benefit programs.

Final paperwork. The employee will receive or complete any remaining forms, confirm a current mailing address and contact information so the Town can deliver the final pay stub and any year-end tax documents, and arrange for the return of Town property under Section 12.5.

See Section 6 for details on the Town's benefit programs.

12.7 References and Verification of Employment

To protect both former employees and the Town, the Town routes employment reference and verification requests through one designated point of contact and limits what it confirms. Employees and supervisors should not respond to outside reference requests on their own.

Designated contact. All requests from outside parties to verify employment or provide a reference for a current or former employee should be directed to [CONFIRM: designated contact for employment verifications, e.g. the Town Administrator or the person who handles personnel records]. Supervisors, department heads, and coworkers should not give employment references or release personnel information in response to outside requests. They should forward those requests to the designated contact.

What the Town confirms. Unless the employee gives written authorization to release more, the Town's standard response to a verification request is limited to confirming the employee's dates of employment, the position(s) held, and, with the employee's written consent, salary or wage information. The Town generally does not provide subjective evaluations of former employees as part of a routine reference.

Written consent for more. If a former employee wants the Town to provide a fuller reference, the employee may give the Town written authorization specifying what may be released and to whom. [Colorado job-reference immunity, C.R.S. 8-2-114, which provides immunity for good-faith disclosure of certain employment information.]

Public records. Some Town employment information is a public record and may be subject to disclosure under the Colorado Open Records Act, while personal contact details, Social Security numbers, and medical information are not. [CORA, C.R.S. 24-72-201 et seq.] See Section 5 on personnel records. Reference and verification practices do not override the Town's obligations under CORA.

13. Acknowledgment & Appendices

This section closes the manual with the forms and reference material that make it work in practice. The most important item is the acknowledgment and receipt form. Every employee signs it at hire and again each time the Board adopts a revised manual. A signed form does two things the Town has historically failed to do: it proves the employee received the current policy, and it puts the at-will relationship in writing in a place the employee cannot later say they never saw. The appendices that follow give specialized rules for certain jobs (police and commercial drivers) and the everyday reference tools (forms index, contacts, an employee-rights summary, a glossary, and a revision history) that keep the manual current and usable.

The acknowledgment forms below are written so that nothing in them creates a contract or promises any process. They reaffirm at-will employment and the Board's sole authority to change it. Human Resources, or the Town Administrator's office acting in that role, keeps every signed form in the employee's personnel file.

13.1 Acknowledgment and Receipt of the Personnel Policy Manual

Plain-language summary. By signing this form you are confirming three simple things: you received the current manual, the manual is not a contract, and your employment is at-will. You

are not giving up any legal right by signing. You are creating a record that you had the policies in hand.

Sign this form within the first few days of employment and again whenever the Board adopts a revised manual. If you have questions about anything in the manual, ask your supervisor, the Town Administrator, or Human Resources before you sign. Signing means you received the manual and agree to read it, not that you have memorized it.

The signed original goes in your personnel file. You may keep a copy of the manual and a copy of this signed form for your own records.

Form: Acknowledgment and Receipt of the Town of Paonia Personnel Policy Manual

> Town of Paonia
> Acknowledgment and Receipt of the Personnel Policy Manual
>
> Manual version: _____ Effective date: _____
>
> By signing below, I acknowledge and understand that:
>
> 1. I have received a copy of the Town of Paonia Personnel Policy Manual (the "Manual"), and I understand it is my responsibility to read it and to comply with its policies and any later revisions.
>
> 2. The Manual is a general guide to the Town's policies and procedures. It is not a contract of employment, and nothing in it creates a contract, an express or implied promise of continued employment, or any guarantee of specific treatment, procedure, or job security.
>
> 3. My employment with the Town is at-will. This means that either I or the Town may end the employment relationship at any time, for any lawful reason or no reason, with or without cause and with or without advance notice.
>
> 4. No supervisor, department head, the Town Administrator, or any other Town representative has the authority to change my at-will status, to enter into an agreement for employment for a specific period, or to make any promise that contradicts this Manual. Only the Board of Trustees, or a person the Board has authorized in writing to act for it, can change the at-will relationship, and any such change is valid only if it is in writing and signed by that authority.
>
> 5. The Town may add to, change, suspend, or cancel any policy, benefit, or practice in the Manual at any time, in its sole discretion, with or without notice, except for any term the law requires the Town to keep.
>

> 6. This Manual replaces and supersedes all prior personnel manuals, handbooks, memos, and informal practices on the subjects it covers. Where this Manual is silent, past informal practice does not create a binding rule.
>
> 7. I understand that this signed form will be placed in my personnel file. I have had the chance to ask questions about the Manual before signing.
>
> Employee printed name: _____
>
> Employee signature: _____ Date: _____
>
> ---
>
> *For Town use. Received by: _____ Date filed in personnel file: _____*

Refusal to sign. Signing acknowledges receipt only. It is not a waiver of any right. If an employee declines to sign, the supervisor or Human Resources will note the date the Manual was provided and the employee's refusal, have a witness initial that note, and place it in the personnel file. The employee remains bound by the Manual and by the at-will relationship whether or not the form is signed, because both apply by Town policy and by Colorado law independent of the signature [C.R.S. 8-2-101 et seq.].

13.2 Optional Specific-Policy Acknowledgments

Plain-language summary. A few policies carry enough legal weight that the Town asks for a separate signature confirming you received and understood them. These short sign-offs help the Town show that employees actually knew about the policy, which matters most for harassment prevention. The Town may use any or all of these at hire, during training, or when a policy is revised. Each signed sign-off goes in the personnel file.

These acknowledgments are optional in the sense that the Town decides when to use them. None of them creates a contract or changes the at-will relationship.

13.2.1 Technology and Acceptable Use Acknowledgment

> I acknowledge that I have received and read the Town's technology, electronic communications, and acceptable-use policy. I understand that Town computers, phones, email, internet access, software, and data are Town property; that I should have no expectation of privacy in my use of Town systems; and that the Town may monitor, access, and disclose anything created, stored, sent, or received on Town systems, consistent with the policy and applicable law, including the Colorado Open Records Act [CORA, C.R.S. 24-72-200.1 et seq.].
>

> Employee signature: _____ Printed name: _____
Date: _____

13.2.2 Drug-Free Workplace Acknowledgment

> I acknowledge that I have received and read the Town's drug-free workplace and substance-use policy. I understand the Town's expectations for a workplace free of impairment, the circumstances under which testing may occur, and the consequences of a violation. I understand that Colorado law allows lawful off-duty conduct generally [C.R.S. 24-34-402.5], but that the Town may still act on impairment, safety risk, and the bona fide job-related requirements that apply to my position, including any federal commercial-driver requirements (see Appendix B).
>
> Employee signature: _____ Printed name: _____
Date: _____

13.2.3 Harassment-Prevention Policy Acknowledgment

This sign-off carries the most legal weight. Under the Protecting Opportunities and Workers' Rights (POWR) Act, the Town can raise an affirmative defense to certain harassment claims only if it can show that it had a clear anti-harassment program and complaint process and that employees knew about it [POWR Act, C.R.S. 24-34-402; C.R.S. 24-34-407]. A signed acknowledgment is the Town's primary proof that the employee received the policy and knew how to report a complaint.

> I acknowledge that I have received and read the Town's anti-harassment, anti-discrimination, and anti-retaliation policy. I understand what conduct the policy prohibits, that the policy applies to everyone I interact with at work, and how to report a concern, including more than one person I can report to so I never have to report only to the person involved. I understand that the Town prohibits retaliation against anyone who reports a concern in good faith or takes part in an investigation.
>
> Employee signature: _____ Printed name: _____
Date: _____

Appendices

The appendices are part of this Manual. Where an appendix applies to your position, it adds to the general Manual rather than replacing it. On Town-wide matters (at-will status, equal employment opportunity, leave, benefits, and conduct), the main Manual controls for everyone. On the specialized operational matters in Appendix A and Appendix B, the more specific appendix or referenced policy controls for the affected employees.

Appendix A. Police Department Addendum

Plain-language summary. Sworn police work carries duties and legal rules that no other Town job has. This appendix collects the personnel rules that are specific to sworn officers. It does not replace the Police Department's own operations manual. On day-to-day police operations (use of force, evidence, patrol procedure, body-camera operation), the Police Department policy manual controls. On Town-wide HR matters (leave, benefits, equal employment opportunity, and at-will status), the main Manual controls for officers just as it does for every other employee.

This addendum applies to sworn, POST-certified personnel of the Paonia Police Department. It supplements the main Manual and the separate Police Department policy manual.

A.1 Relationship to the Police Department policy manual. The Town maintains a separate Police Department policy manual covering law-enforcement operations [CONFIRM: whether the Department uses a Lexipol-based manual or a locally drafted manual, and its current title and adoption date]. Where that manual and this Manual conflict on operational matters, the police manual controls for sworn staff. Where they conflict on Town-wide personnel matters, this Manual controls. Each sworn officer signs an acknowledgment for both documents.

A.2 POST certification as a condition of employment. Every sworn officer must hold and maintain current Colorado Peace Officer Standards and Training (POST) certification as a condition of employment [C.R.S. 24-31-301 et seq.]. Officers must complete required in-service and continuing training and keep certification current at all times. Loss, lapse, suspension, or revocation of POST certification, or placement on the POST decertification database, makes the officer unable to perform an essential function of the job. In that event the Town may, in its sole discretion, reassign the officer if a suitable non-sworn position is available, place the officer on leave, or separate the officer from employment.

A.3 Garrity advisements in administrative investigations. During an internal administrative investigation, the Town may compel an officer to answer questions about the officer's conduct as a condition of continued employment. Statements an officer is compelled to give under threat of discipline (Garrity statements, after *Garrity v. New Jersey*, 385 U.S. 493) cannot be used against the officer in a criminal prosecution. Before any compelled interview, the officer will receive the appropriate advisement explaining the difference between a voluntary statement and a compelled one. Refusal to answer questions that are specifically, directly, and narrowly related to the officer's official duties, after a proper order and advisement, may itself be grounds for discipline. These procedures are discretionary tools of the investigation and do not create a fixed disciplinary process or any property interest in continued employment.

A.4 Body-worn cameras. Sworn officers must use and activate body-worn cameras as required by Colorado law [C.R.S. 24-31-902] and by the Police Department policy manual. Officers must not tamper with, disable, or fail to activate a camera except as the law and the police manual allow. Failure to comply may result in discipline up to and including separation, consistent with the discretionary discipline provisions of the main Manual. Recorded footage is Town property and a record subject to applicable public-records and criminal-justice-records law.

A.5 Off-duty conduct. Peace officers hold a position of public trust. Off-duty conduct that bears on an officer's fitness for duty, credibility as a witness, or the public's confidence in the Department may be subject to review and, where warranted, discipline, even when the conduct would not affect a non-sworn employee. This provision is read together with Colorado's lawful-off-duty-activities statute [C.R.S. 24-34-402.5] and applies only to conduct with a genuine connection to the officer's duties, fitness, or the Department's legitimate interests.

A.6 Secondary and off-duty employment. Secondary or off-duty employment by sworn officers, including off-duty security or law-enforcement-related work, requires advance written approval from the Chief of Police. The Chief may deny or revoke approval where the outside work creates a conflict, a fitness or scheduling concern, or a liability risk to the Town.

A.7 Take-home vehicles and duty weapons. Assignment of a take-home vehicle and issuance of a duty weapon, badge, and other equipment are governed by the Police Department policy manual and remain Town property at all times. The Town may set conditions on, suspend, or end any such assignment in its discretion. On separation, suspension, or reassignment, the officer must return all Town-issued vehicles, weapons, ammunition, badges, identification, keys, electronic credentials, and equipment as directed [CONFIRM: current take-home-vehicle eligibility rules and duty-weapon issuance and qualification standards in the police manual].

A.8 Fitness for duty. The Town may require a fitness-for-duty evaluation of a sworn officer where there is an objective, job-related basis to do so, consistent with the Americans with Disabilities Act, the Police Department policy manual, and the medical-examination rules in the main Manual.

Appendix B. Commercial Driver (CDL) and DOT Testing Program

Plain-language summary. Some Town jobs require driving a commercial vehicle that needs a Commercial Driver's License (CDL). Federal law requires the Town to run a specific drug-and-alcohol testing program for those drivers. This appendix explains who is covered, what kinds of tests federal law requires, and what happens after a positive test or refusal. The federal rules in this appendix are stricter than the Town's general substance policy, and they apply to covered drivers regardless of Colorado's marijuana laws, because federal law still prohibits marijuana for CDL drivers.

This appendix carries out the U.S. Department of Transportation (DOT) and Federal Motor Carrier Safety Administration (FMCSA) drug-and-alcohol testing rules [49 C.F.R. Part 40 and 49 C.F.R. Part 382]. Where this appendix and the Town's general drug-free workplace policy differ for covered drivers, the stricter federal requirement controls.

B.1 Covered positions. This appendix applies to every employee who holds a CDL and operates, or is subject to being asked to operate, a commercial motor vehicle that requires a CDL as part of Town work. At the Town this typically includes Public Works and Utilities

positions that drive water, sewer, street, and airport equipment, and any other position the Town designates as safety-sensitive under the FMCSA rules [CONFIRM: exact list of Town CDL-required job titles, to be kept current against the budgeted position list].

B.2 Types of tests required. Covered drivers are subject to the testing the federal rules require [49 C.F.R. Part 382]:
• Pre-employment drug testing before first performing a safety-sensitive function.
• Random drug and alcohol testing, drawn by a scientifically valid method at the federally required rates.
• Reasonable-suspicion testing when a trained supervisor observes specific, documented signs of prohibited use.
• Post-accident testing following accidents that meet the federal thresholds.
• Return-to-duty and follow-up testing before and after a driver who violated the rules may resume safety-sensitive work, on a schedule set by a Substance Abuse Professional.

B.3 Prohibited conduct. Covered drivers must not report for or perform a safety-sensitive function while using or impaired by a prohibited substance or alcohol, must not use alcohol within the federally prohibited window before or while on duty, and must not refuse a required test. Under federal law, a refusal to test (including failure to appear, failure to provide a sufficient sample without a valid medical reason, or tampering) is treated the same as a positive test.

B.4 Marijuana note. Marijuana remains prohibited for covered drivers under federal law, even though Colorado allows certain adult and medical use. A positive marijuana test is a violation for a covered driver regardless of how or when the marijuana was used.

B.5 Consequences of a positive test or refusal. A covered driver who tests positive or refuses a test must be immediately removed from all safety-sensitive functions. The driver cannot return to safety-sensitive work until completing the federal return-to-duty process through a qualified Substance Abuse Professional and passing a return-to-duty test. Separate from the federal return-to-duty process, the Town may impose discipline up to and including separation, in its sole discretion, consistent with the discretionary discipline provisions of the main Manual. The Town reports violations to the FMCSA Clearinghouse and queries the Clearinghouse as the rules require.

B.6 Program administration and consortium. The Town administers this program through a qualified testing provider, medical review officer, and (where used) a testing consortium or third-party administrator [CONFIRM: current Town testing consortium or third-party administrator, medical review officer, and SAP referral arrangement]. The Town keeps testing records confidential and separate from general personnel files as the federal rules require.

Appendix C. Forms Index

Plain-language summary. This is a single list of the forms referenced in the Manual, so employees and supervisors know what exists and where to get it. Human Resources keeps the current version of each form; use only the current version.

This index is a reference aid. It does not create rights or procedures beyond those in the Manual.

Form	Used for	Section	Where to get it
Acknowledgment and Receipt of the Manual	Confirming receipt and at-will status	13.1	[CONFIRM: HR / Administrator's office]
Technology / Acceptable Use Acknowledgment	Specific-policy sign-off	13.2.1	[CONFIRM]
Drug-Free Workplace Acknowledgment	Specific-policy sign-off	13.2.2	[CONFIRM]
Harassment-Prevention Policy Acknowledgment	Specific-policy sign-off	13.2.3	[CONFIRM]
Federal Form I-9 and Colorado employment verification	Eligibility to work	[CONFIRM: hiring section]	[CONFIRM]
Direct-deposit and payroll forms	Pay setup	[CONFIRM: pay section]	[CONFIRM]
Benefit-enrollment and FAMLI forms	Benefits and leave	[CONFIRM: benefits section]	[CONFIRM]
Leave-request and HFWA / FAMLI forms	Requesting leave	[CONFIRM: leave section]	[CONFIRM]
Time sheet / overtime records	Recording hours	[CONFIRM: pay section]	[CONFIRM]
Performance-review form	Evaluations	[CONFIRM: performance section]	[CONFIRM]
Complaint / grievance form	Raising a concern	[CONFIRM: grievance section]	[CONFIRM]
Separation / exit checklist and property-return form	Leaving employment	[CONFIRM: separation section]	[CONFIRM]
Vehicle / equipment assignment and return form	Town property	[CONFIRM]	[CONFIRM]

[CONFIRM: confirm the full list of Town forms in current use and align each row's section cross-reference to the final adopted section numbers.]

Appendix D. Key Contacts

Plain-language summary. This is a quick list of who to contact for common needs. Keep it current; when a name or number changes, update this appendix and reissue the page rather than waiting for a full manual revision.

This list is a reference aid only and does not change any reporting line or authority set elsewhere in the Manual.

Need	Contact	Phone / email	Notes
General HR questions	[CONFIRM: HR contact or Town Administrator's office]	[CONFIRM]	

Payroll and benefits	[CONFIRM]	[CONFIRM]	
Report harassment or discrimination	[CONFIRM: at least two named contacts]	[CONFIRM]	More than one option so no one reports only to the person involved
File a grievance	[CONFIRM]	[CONFIRM]	
Your department head	[CONFIRM by department]	[CONFIRM]	Administration, Public Works/Utilities, Police, Parks and Recreation
Town Administrator	[CONFIRM]	[CONFIRM]	Also serves as Town Treasurer
Chief of Police	[CONFIRM]	[CONFIRM]	Sworn-staff matters
FAMLI / state leave questions	Colorado Family and Medical Leave Insurance Division	[CONFIRM: current state contact]	
Workplace safety / workers' compensation	[CONFIRM]	[CONFIRM]	
After-hours emergency	[CONFIRM]	[CONFIRM]	

[CONFIRM: fill in all contact names, numbers, and emails; review at least annually.]

Appendix E. Colorado Employee-Rights Summary

Plain-language summary. Colorado gives employees several rights that apply no matter what this Manual says. This is a short plain-language map of those rights and where to read more in the Manual. It is a summary, not the full law, and if anything here ever conflicts with the actual statute, the statute controls.

This summary does not create rights beyond those the law and the Manual already provide.

• At-will employment. Either you or the Town may end employment at any time, for any lawful reason, with or without notice [C.R.S. 8-2-101 et seq.]. See Section 13.1.
• Equal employment opportunity. Colorado protects against discrimination based on race, color, religion, sex, sexual orientation, gender identity, national origin, ancestry, age (40+), disability, and marital status [Colorado Anti-Discrimination Act, C.R.S. 24-34-401 et seq.]. See [CONFIRM: EEO section].
• Freedom from harassment, with a real complaint process. Harassment need not be severe or pervasive to be actionable [POWR Act, C.R.S. 24-34-402]. See Section 13.2.3 and [CONFIRM: harassment section].
• Equal pay and pay transparency. Equal pay for substantially similar work, and the right to discuss your pay [Equal Pay for Equal Work Act, C.R.S. 8-5-101 et seq.]. See [CONFIRM: pay section].
• Paid sick leave. Accrued paid sick leave for yourself and family, with protected reasons [Healthy Families and Workplaces Act, C.R.S. 8-13.3-401 et seq.]. See [CONFIRM: leave section].
• Paid family and medical leave insurance. Job-protected paid leave for qualifying family and medical reasons [FAMLI, C.R.S. 8-13.3-501 et seq.]. See [CONFIRM: leave section and Town FAMLI election].

• Lawful off-duty activities. Your lawful off-duty conduct is generally protected, subject to bona fide job-related limits [C.R.S. 24-34-402.5]. See [CONFIRM: conduct section] and Appendix B for CDL drivers.
• Lactation accommodation. Reasonable break time and a private space to express milk [C.R.S. 8-13.5-104]. See [CONFIRM: accommodation section].
• Wage payment. Timely payment of earned wages and final pay on separation [Colorado Wage Act, C.R.S. 8-4-101 et seq.]. See [CONFIRM: pay section].
• No retaliation. You are protected from retaliation for reporting a concern in good faith, requesting leave, or taking part in an investigation. See [CONFIRM: anti-retaliation section].

[CONFIRM: align every cross-reference to the final adopted section numbers and confirm the Town's FAMLI participation status.]

Appendix F. Glossary

Plain-language summary. These are short definitions of terms the Manual uses. They are meant to help readers, not to override the law. If a defined term is also defined by statute, the statutory meaning governs.

Term	Plain-language meaning
At-will employment	Either the employee or the Town may end employment at any time, for any lawful reason, with or without cause or notice.
Board of Trustees	The Town's seven-member elected governing body (six trustees and the mayor); the only authority that can change the at-will relationship in writing.
Town Administrator	The official who runs day-to-day operations for the Board; currently also serves as Town Treasurer.
Department head	The manager who leads a department (Administration, Public Works/Utilities, Police, Parks and Recreation).
Exempt employee	An employee not entitled to overtime under the FLSA and Colorado wage rules [CONFIRM: which positions].
Non-exempt employee	An employee entitled to overtime for hours worked over the legal threshold [CONFIRM].
Safety-sensitive position	A position with duties (such as CDL driving) where impairment poses a direct safety risk; see Appendix B.
POST certification	Colorado Peace Officer Standards and Training certification required of sworn officers [C.R.S. 24-31-301 et seq.].
Garrity statement	A statement an officer is compelled to give in an administrative investigation, which cannot be used in a criminal case against the officer.
CDL	Commercial Driver's License, required to operate certain large or specialized vehicles.
DOT / FMCSA	The U.S. Department of Transportation and its Federal Motor Carrier Safety Administration, which set CDL testing rules.
HFWA	Healthy Families and Workplaces Act, Colorado's paid-sick-leave law.

FAMLI	Colorado Family and Medical Leave Insurance, the state paid-family-and-medical-leave program.
POWR Act	Protecting Opportunities and Workers' Rights Act, Colorado's 2023 anti-harassment and anti-discrimination update.
CORA	Colorado Open Records Act, which can make Town records (including some emails) public.
Personnel file	The official Town record of an employee's employment, including signed acknowledgments.
Sole discretion	The Town decides, on its own judgment, without being required to follow a fixed process.

[CONFIRM: add or adjust terms once the full Manual is finalized so the glossary matches the words actually used.]

Appendix G. Revision History

Plain-language summary. This table records each version of the Manual, when the Board adopted it, and what changed. It exists because one of the Town's past problems was nobody being sure which policy was current. Update this table every time the Board adopts a change, and reissue the acknowledgment form (Section 13.1) so signatures match the current version.

This appendix is a record-keeping aid. The version the Board most recently adopted is the one in effect.

Version	Board adoption date	Effective date	Summary of changes	Adopted by (resolution / motion)
1.0	[CONFIRM: initial adoption date]	[CONFIRM]	Initial adoption of the comprehensive Personnel Policy Manual, replacing prior handbooks and informal practice.	[CONFIRM: Board resolution / motion number]
[next]	[CONFIRM]	[CONFIRM]	[CONFIRM]	[CONFIRM]

Maintenance rule. Human Resources, or the Town Administrator's office acting in that role, owns this Manual. When the Board adopts a change, that office updates this table and the version line on the cover and in the Section 13.1 form, distributes the revised Manual, and collects a new signed acknowledgment from each employee. Minor non-substantive corrections (typos, contact updates, formatting) may be logged here as administrative updates without Board action; substantive policy changes require Board adoption.

[CONFIRM: confirm who holds the "HR" role and the Board's preferred adoption mechanism (resolution vs. motion).]

About this manual

Prepared as a model for the Town by Transparent Towns. Transparent Towns is independent of the Town of Paonia government. This manual is a model document. It must be reviewed by the Town Attorney and CIRSA and formally adopted by the Board of Trustees before it takes effect.

Adopted by the Board of Trustees by Resolution No. [CONFIRM] on [CONFIRM date].