

It is the policy of the Town of Denmark to fully comply with the provisions and spirit of the Americans with Disabilities Act and ensure equal employment opportunity for all qualified persons with disabilities. All employment practices, such as recruitment, hiring, promotion, demotion, layoff and return from layoff, compensation, job assignments, job classifications, paid or unpaid leave, fringe benefits, training, employer-sponsored activities, including recreational or social programs, will be conducted so as not to discriminate unlawfully against persons with disabilities. This also extends to prohibit discrimination based on a person's relationship or association with a disabled individual. Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) along with work assignments, classifications, seniority, leave, and all other forms of employment compensation or advantage.

Reasonable Accommodation - Reasonable accommodation is available to all qualified employees and applicants with disabilities unless it imposes an undue hardship on the Town and/or operations of a program.

Pre-Employment Inquiries - Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position and not any disabling condition. Pre-employment physical exams will only be requested when in compliance with the law. The Town of Denmark intends to base employment decisions on principles of equal employment opportunity and nondiscrimination, as defined by law.

Notification of Policy Violations - An employee should immediately report any perceived violation of this policy to the employee's Department Head. In the event the employee is unable to discuss this matter with the Department Head, the complaint should be reported in writing to the Town Clerk. All complaints of discrimination will be investigated discreetly and promptly. An employee who reports discrimination will not suffer adverse employment consequences as a result of making the complaint. This procedure is not intended to restrict an individual's rights to make a complaint to a federal or state agency.

Application of Policy — This policy is for Town use only and does not apply in any criminal or civil proceeding. This policy shall not be construed as a creation of higher legal standard of safety or care in an evidential sense with respect to third party claims. Violations of this policy will only form the basis for Town administrative action. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

The Town of Denmark's Internet Use Policy Specifies Policy for the use of information resources and information technology systems. Enforcement of this acceptable use policy is consistent with the policies and procedures of this municipality.

Being informed is a shared responsibility for all users of the Town of Denmark Information Systems. Being Informed Means, for example:

- Knowing these Acceptable Use Policies and other related rules and policies
- Knowing how to Protect Your Data and Data that you are responsible for
- Knowing how to use Shared Resources with Damaging them
- Knowing how to Keep Current with Software, Malware Update
- Knowing how to Report a Virus Warning, A Hoax, or Other Suspicious Activity
- Participating in Training (Mandatory or In House)

Compliance with this policy is mandatory for all Town of Denmark Board Members, Zoning Members, Highway Department Employees and Town Clerk Employees. This policy applies to all of The Town of Denmark Information, Computer Systems and Data that is used for Official Town of Denmark Business, regardless of its location.

- 1) Authorized Use: Users must not use other's Passwords, User ID's, or Accounts, or Attempt to Capture or Guess other user's passwords. Users are restricted from using Town of Denmark Equipment for Personal Use, Without Prior Authorization. Users must not hide their identity for malicious purposes or assume the identity of another user.
- 2) Privacy: User Files May Be Subject to Access by the Board or Authorized Employees of the Town of Denmark or Contracted Service Providers during the course of Official Business. Accordingly, User should have no expectation of privacy and their activity may be monitored and tracked by Town of Denmark Systems, Including, Outside Vendors, Contracted to provide support and technology.
- 3) Restricted Access: Users must not attempt to access restricted files or portions of operating systems, security systems or administrative systems to which they have not been given expressed authorization. Accordingly, users must not access without Authorization: Electronic Mail, Data, Programs or Information Protected under State and Federal Laws. Users are prohibited from releasing another person's Restricted and/or Personal Information.
- 4) Proper Use of Town of Denmark Resources: Users should recognize that computing resources are limited, and users' activities may have an impact on the Town's Network, They Must Not:
- 5) Misuse Email: i.e., Spread Email Widely (chain letter) and without good purpose (Spamming) or (Flooding an individual, group, or system with numerous or large Email

Messages (Bombing). They Use Streaming Audio, Video or Real Time Applications such as "Stock Ticker", or "Internet Radio" is prohibited.

6) Protecting Information and Shared Resources: Users must:

1. Follow Established Procedures for Protecting Files, including Managing Passwords, using ENCRYPTION Technology, and Storing Back-up Copies of Files
2. Protect the Physical and Electronic Integrity of Equipment that is used for The Town of Denmark in any location.
3. Not visit non-business-related websites
4. Not open Emails from unknown senders or Emails that seem suspicious
5. Not knowingly introduce worms, viruses or other malicious code into the system or disable protective measures, i.e.: Antivirus, Malware or Spyware Firewall
6. Users shall not install unauthorized software
7. Not Send Restricted or Confidential Data over the internet or off your locally managed network and appropriately ENCRYPTED.
8. Not connect unauthorized equipment or media, which includes but is not limited to: Laptops, Thumb Drives, Wireless Access Points, PDS's and MP3 Players

7) Civility: Users must not harass others using computer resources or make repeated unwelcome contacts with other users. Users must not display material that is inappropriate in an office environment consistent with Town of Denmark Policy

8) Applicable Laws: Users must obey local, state, and federal laws including laws on copyright and other intellectual property laws.

Glossary of Terms

- Encryption – The Cryptographic transformation of data to render is unintelligible through algorithmic process using and cryptographic key.
- Restricted Information – Pertains to information, which is not public information, but can be disclosed to or used by Town of Denmark Representatives to carry out their duties, so long as there is no legal bar to its disclosure.

TOWN OF DENMARK



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Credit Card Policy

Town of Denmark Credit Card Policy

Purpose:

To establish the Policy and Procedures for the use of Town Credit Cards by Department heads. These procedures are intended to provide convenience for one-time purchases that may be sold to a less expensive price or offered on a credit card basis only. The policy and process described in this document are designed to minimize inappropriate or wasteful spending, reduce the chances of fraud, and ensure the bill paying process is completed on a timely basis with complete documentation.

- These procedures are intended to ensure that procurement with credit cards accomplished by procurement with credit cards is accomplished pursuant to the policy and procedures established by the Town Board.
- To improve efficiency, significantly reduce paperwork, improve internal controls, and reduce the overall cost associated with approved purchases.
- To ensure appropriate internal controls are established within each department procuring with credit cards to that they are used for authorized purposes only
- To ensure that the Town bears to legal liability from inappropriate use of credit cards

Scope:

The Town of Denmark Board will authorize the issuance of a credit card by one of the Town's approved banks and approve the policies and procedures for credit card use. The Town Supervisor will make decisions regarding the issuance of the individual cards and may establish additional controls for their use, consistent with the overall policies established by the Town Board. The maximum limit on cards shall be reviewed and updated by the Town Board at the Organization Meeting. Requested changes to card limits must be approved at Town Board meetings and will be no more than \$5,000.00 per card.

Policy:

- A. The Town Credit Card is only to be used in the following situations
 - a. In emergencies that are of a public safety nature
 - b. If a purchase order/voucher cannot be issued or cannot be paid through the normal voucher process
 - c. Conference/Training Registration
 - d. With Pre-Approval by the Town Board
- B. The Credit Card will not be used for personal purchases of any kind. Use of credit cards for personal purchases or expenses with the intention of reimbursing the Town is prohibited and will result in disciplinary action.

- C. Department heads are required to authorize payment of the charge on their receipt. This includes charges made by any designated individual. Authorization is given by signing the receipt before it is submitted for payment.
- D. Proper documentation is required for all purchases including "emergencies". Documentation for "emergencies" should clearly justify the need.
- E. Credit Card receipts must be submitted with the Department of Highway Abstract on a monthly basis.
- F. No cash advances (ATM, Travelers Checks, Money Orders, etc, etc) or cash back from purchases are allowed using the Credit Card.
- G. All purchases made with Credit Cards shall be paid for within the same billing cycle so that no interest charges or penalties are incurred.
- H. All cardholders shall take all measures necessary to ensure the security of the credit card and the card number. Cardholders shall not give their card or their card number to others to use on their behalf.
- I. Any incentive program benefits derived by the use of the Town Credit Cards will be the Property of the Town of Denmark.
- J. Reoccurring (Monthly or Annually) charges for service are not permitted without prior authorization.
- K. Lack of proper documentation or authorizations for purchases will result in loss of Credit Card privileges and/or personal liability.
- L. Misuse of a Town Credit Card by an authorized Designee may result in loss of Credit Card and/or disciplinary action against the employee, up to and including termination of employment.
- M. The cardholder will provide all information required by the financial institution issuing the card in order to receive a Town Credit Card, including Social Security Information as required by the Federal Patriot Act.
- N. Even with Pre-Approval by the Town Supervisor, only budgeted and allowable expenditures can be purchased using the Credit Card. Unbudgeted or unauthorized expenses will not be paid by the Town of Denmark. The Town reserves the right to collect payment for unauthorized expenditures from the Designee.
- O. The designee is responsible for managing any returns or exchanges and ensuring that proper credit is received for returned merchandise. The cardholder will review the next statement to ensure that the return was properly credited.
- P. It is the responsibility of the Designee to immediately notify the Credit Card Company & Town Supervisor of any lost or stolen Credit Card.
- Q. The Town of Denmark is a municipal government exempt from sales tax. Sales tax shall not be included with the cost of any purchase. Please be sure to have a copy of the Town's tax exempt certificate with you when making a purchase. Sales tax costs cannot be paid with Town funds. The individual making the purchase may be personally responsible for payment of sales tax.

Procedure:

- A. The use of the Credit Card is a privilege but also requires greater vigilance and responsibility. Designees must follow all current procedures set forth by the Town Supervisor. (Note:

procedures can be updated in response to new situations) Ignorance of dated policy is no excuse for improper Credit Card use.

B. Designees who need to use the Credit Card account must request permission from the Town Supervisor to be placed on the official list of authorized users.

C. Each authorized cardholder must sign receipt of the Policy and agreement to such policy.

Forms will be kept on file in Clerk's Office.

D. Designees must sign out the Credit Card for use and always maintain physical possession of the card.

E. The Town of Denmark will be billed monthly on one statement, which will go the Designee. Itemized receipts must be obtained by the cardholder and turned into the Town Clerk within one week of purchase date. It is incumbent upon each department head to submit invoices to the Town Clerk promptly so as to avoid interest fees and late charges. If receipts are submitted late causing finance charges, the responsible party may have Credit Card Privileges revoked.

F. The Designee shall verify that goods and services purchased with the Credit Card have been received by the Town prior to submitting the voucher requesting Town Board signatures/approval authorizing payment. This confirmation will be evidenced by a signature on the statement.

G. The Credit Card will be reconciled monthly by the Designee and reviewed by the Town Supervisor for unauthorized charges and other discrepancies.

H. When using the Town Credit Card, the authorized cardholder shall:

- a. Determine if the intended purchase is within the cardholder's credit limit.
- b. Inform the merchant that the purchase is tax exempt. The Town of Denmark Exempt number is 69-021-0385. Review the receipt before leaving the store and request a credit if taxes were charged in error.
- c. Obtain an itemized receipt for all purchases.

I. It is the cardholder's responsibility to retain the receipts and other documentation.

J. Credit Card bills will not be attached to a voucher for payment without itemized receipts or documentation.

K. Credit Card bills cannot be paid without authorized voucher.

L. Credit Cards cannot be paid by automatic deduction from Town of Denmark bank accounts.

M. Credit Card bills cannot be paid under the "blanket payment" authority given by the Town of Denmark Board for payments such as utilities.

N. Lack of proper documentation or authorizations for purchases will result in loss of credit card privileges and/or personal liability.

O. Upon separation of employment, cardholders shall surrender the Town Credit Card to the Town Supervisor on or before their last of work and prior to their final paycheck.

Audits:

Periodic analysis or Credit Card Activity and a review of the Card Holder Responsibilities will be conducted. Detailed activity and monthly statements will also be reviewed annually during the mandatory audit process conducted by the Town Board or the Town's Certified {Public Accountant.

Authority:

These policies are adopted by the Town Board of the Town of Denmark at its September 19, 2022 meeting.

ADMINISTRATIVE REGULATION AGREEMENT TO ACCEPT TOWN CREDIT CARD

I, _____, hereby acknowledge receipt of a Town of Denmark Credit Card,

Number _____
(Last 4 Digits of Credit Card)

As a Cardholder, I agree to comply with the terms and conditions of this Agreement and the provisions of the Town of Denmark Credit Card Policy, as may subsequently revised. I acknowledge the receipt of the Policy and I have read and understand its terms and conditions. I understand the Town of Denmark is liable for all charges made by me.

As the holder of this Credit Card, I agree to accept responsibility for the protection and proper use of this Credit Card. I understand that I am responsible for retaining all receipts for processing and that failure to provide receipts may result in personal liability. I understand that I cannot use the Credit Card for personal use even if the intent is to reimburse the Town of Denmark. I understand the use of the card does not circumvent the Town's Purchasing Policy.

I further understand that improper use of this Credit Card may result in disciplinary action, up to and including termination of employment in accordance with the with applicable town personnel policies. I also agree to allow the Town of Denmark to collect amounts owed by me even if I am no longer employed by the Town. I understand that fraudulent use of this card means I may be subject to prosecution.

If the Town of Denmark initiates legal proceedings to recover amounts owed by me under this Agreement, I agree to pay all legal fees incurred by the Town in such proceedings.

I understand the Town of Denmark may terminate my rights to use this Credit Card at any time for any reason. I agree to return the Credit Card to the Town of Denmark immediately upon request or upon termination of employment.

Cardholder / Employee

Date: ____/____/____

Authorizer / Town Supervisor

Date: ____/____/____

The Town of Denmark, NY is an Equal Opportunity Employer. Discrimination of race, color, sex, religion, age, national origin, marital status, disability, or veteran status will not be tolerated.

This policy applies to all terms and conditions of employment, including but not limited to employment advertising, hiring, placement, compensation, training, promotion, demotion, termination, layoff, transfer, disciplinary actions, leave of absence or any other benefits. Discrimination based on any of the above is strictly prohibited and any supervisor, administrator or employee who engages in or tolerates such behavior is subject to disciplinary action in accordance with the Civil Service Law, collective bargaining agreements or any other applicable State or Federal Laws.

If an employee believes that they have encountered violations of this policy, they may advise their Department Head. In addition, an employee can file a written complaint with Prudence L. Greene, Denmark Town Clerk, within 30 calendar days of the incident. Retaliation against the complainant will not be tolerated. False accusations will be treated as a disciplinary offense and will result in the same level of punishment as that applied to one who engages in such behavior.

The Town of Denmark's policy is to investigate all such complaints. If an investigation confirms that a violation has occurred, the Town of Denmark will take corrective action, including any discipline that is appropriate up to and including immediate termination of employment.

This directive is for municipal use only and does not apply in any criminal or civil proceeding. The municipal policy shall not be construed as a creation of higher legal standard of safety or care in evidential sense with respect to third party claims. Violations of law will form the basis for civil and criminal sanctions and a recognized judicial setting.

The Town Board of the Town of Denmark is committed to providing its officers, agents and employees with a work environment that is safe, secure, and free of violence or threat thereof. The Board also considers the safety of the public to be of paramount importance. Therefore, it is a policy of the Town Board that its officers, agents, employees, and members of the public shall neither possess, nor carry nor discharge "Firearms" on "Town Property", except as otherwise authorized by Federal or State Law or as provided herein.

Town Property shall include, but not be limited to the following addresses:

1. Town of Denmark Municipal Building, 3707 Roberts Road
2. Town of Denmark Highway Department, 3709 Roberts Road

A more complete listing of Town Property is available from, the Town Clerk.

For purposes of this policy, a Firearm shall be as defined at Section 921 of Title 18 of the United States Code (20 USC Sect. 7151 (b)(3)) and include:

1. Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.
2. The frame or receiver of any weapon described above.
3. Any destructive device, which is defined as an explosive, incendiary, or poison gas, such as a bomb, grenade, rocket having a propellant charge of more than four (4) ounces, a missile having an explosive or incendiary charge of more than one quarter (1/4) ounce, a mine, or other similar device.
4. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one half (1/2) inch in diameter.
5. Any combination of parts either designed or intended for use in converting any device into any destructive device described in the two (2) immediately preceding examples, and from which a destructive device may be readily assembled.

This policy expressly does not apply to a Firearm lawfully stored inside a locked vehicle on Town Property.

The Superintendent of Highways shall have the right to possess, store and discharge, a personal firearm for pest control.

This policy expressly does not apply to police officers and/or peace officers who are otherwise lawfully in possession of Firearms and who are on Town Property for lawful purposes.

This policy banning Firearms on Town Property shall not apply to that portion of Town Property which may, from time to time, be used for purposes in connection with the Justice Court for the

In those instances, the regulation, possession, use, or discharge of Firearms on that part of Town Property shall be as otherwise regulated by Federal and/or NYS law.

Town officers, agents, or employees should report a potential violation of this policy to his or her supervisor in a timely matter.

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GML§ 100-a- To assure the prudent and economical use of public moneys for the benefit of all the inhabitants of the state and to facilitate the acquisition of facilities and commodities of maximum quality at the lowest possible cost.

GML§103 Formal Competitive Bidding

- by "political subdivisions" (counties, cities, towns, villages, school districts, BOCES) • appropriate officer, board or agency thereof, or any district therein all contracts for public works (capital improvements, repairs thereto)
- Greater than \$35,000.00
- All purchase contracts (commodities, equipment, services not involving a capital improvement)
- Greater than \$20,000.00
- Advertisement for sealed bids published in "official newspaper(s)"
- At least 5 days between publication and bid opening date
- Electronic submission of bids permitted, but not as the exclusive means of submission
- All bids received must be publicly opened and read
- Political subdivision has statutory discretion to reject all bids and re-advertise for new bids
- Contracts awarded to lowest "responsible bidder furnishing the required security"
- If identical bids are submitted, contract may be awarded to any of the lowest responsible bidders
- Exceptions
 - County contracts (GML§103(3))
 - Emergency (GML§103(4)) accident or other unforeseen occurrence or condition, effecting public buildings, public property, life, health, safety, or property of inhabitants
 - Professional services
 - Sole source
- Objective
 - to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances
 - to guard against favoritism, improvidence, extravagance, fraud, and corruption
 - When formal competitive bidding under GML§103 is not required, Internal policies and procedures for determining whether competitive bidding applies and document that determination

Town of Denmark Policies and Procedures for Purchases

- Authorizing written request for proposals, written quotations, verbal quotations, any other method of procurement
- Describing when alternative methods of procurement shall be utilized
- Documenting actions taken regarding each method of procurement
- Justifying award to other than lowest responsible offeror
- Identifying by title individuals responsible for purchasing
- Prescribing circumstances when solicitation of alternative proposals or quotations will not be in the best interest of the political subdivision
- Annual review of internal policies and procedures
- Unintentional failure to comply does not void action taken or create claim against the political subdivision, any district thereof, or any officer or employee thereof

• Competitive Bidding:

- All competitive bids solicited by Town of Denmark must be done in accordance with GML §103.
- Competitive Bidding Thresholds:
- Commodities: \$ 10,000.
- Public Works Contracts; \$ 20,000.
- Non-Bid Procurements
- GML §104-b requires that the local Government establish policies and procedures for how competition will be sought for non-bid procurements.
- Procedures are unique to each local Government based on their needs and size.

• Town of Denmark Thresholds:

- Purchase contracts below \$ 10,000.
- Under \$ 500. 00: No Quotes Required
- \$500- \$ 2499.: Three Verbal Quotes
- \$ 2500.-\$9,999.: Three Written Quotes - Public Works Contracts below \$35,000.00
- Under \$ 5,000.: Three Verbal Quotes
- \$ 5,000. - \$19,999.: Three Written Quotes.

- Contracts for Professional Services are made in the best interest of the Town of Denmark utilizing Request for Proposals or other competitive process.
- The method of award (i.e.: quality vs. price) must be included in the solicitation to allow for a fair and equitable contract award.
- Price does not have to be the sole determining factor.
- The purchase of surplus and second-hand supplies from other Municipalities is exempt.
- Documentation should include market price comparisons and the name of the Government.

WHEREAS the Town of Denmark has a primary responsibility to regulate private land use through citizen planning boards and zoning boards and their actions have a profound impact on state and local land use policies and individual landowners, and

WHEREAS effective January 1, 2007, an updated New York State Law, Chapter 662 of the Laws of 2006, Mandatory Training for Planning Board and Zoning Board of Appeals Members, requires a minimum of four hours of training be received by municipal planning and zoning officials each year. And

WHEREAS, this law applies to all Zoning and Planning board members, now, therefore be it, and

WHEREAS the following list of State Agencies, Commissions, Associations and Universities:

Association of Towns

County Planning Departments

Lake George Park Commission

New York Planning Federation

NYS Adirondack Park Agency

NYS Department of Environmental Conservation

NYS Department of State

NYS Tug Hill Commission

Pace University and Land Use Law Center

And other training acceptable to the Town of Denmark Board to be approved on a case -by-case basis are approved by the Town of Denmark Town Board to provide training to meet this law, therefore be it,

RESOLVED that it is hereby the Policy of the Town of Denmark that each member of the Planning Board and Town Zoning Board of Appeals obtain four hours of training related to their Board service, by attending and completing those educational courses, seminars, workshops, and the like, which have been approved by the Town.

Town of Denmark

Workplace Violence Prevention Policy & Incident Reporting,

The Town of Denmark is committed to the safety and security of our employees. Workplace violence presents serious occupational safety hazard to our agency, staff and clients. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on Town of Denmark property will be thoroughly investigated and appropriate action will be taken, including summoning criminal justice authorities when warranted. All employees are responsible for helping to create an environment of mutual respect as well as clients, following all policies, procedures and program requirements, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of the New York State Labor Law 27b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law included a workplace evaluation that was designed to identify the workplace violence hazards our employees could be exposed to. Other tools that were utilized during this process included establishing a committee made up of management and Authorized Employee Representatives who will have an ongoing role of participation in the evaluation process, recommending methods to reduce or eliminate the hazards identified during the process and investigating workplace violence incidents or allegations. All employees will participate in the annual Workplace Violence Prevention Training Program.

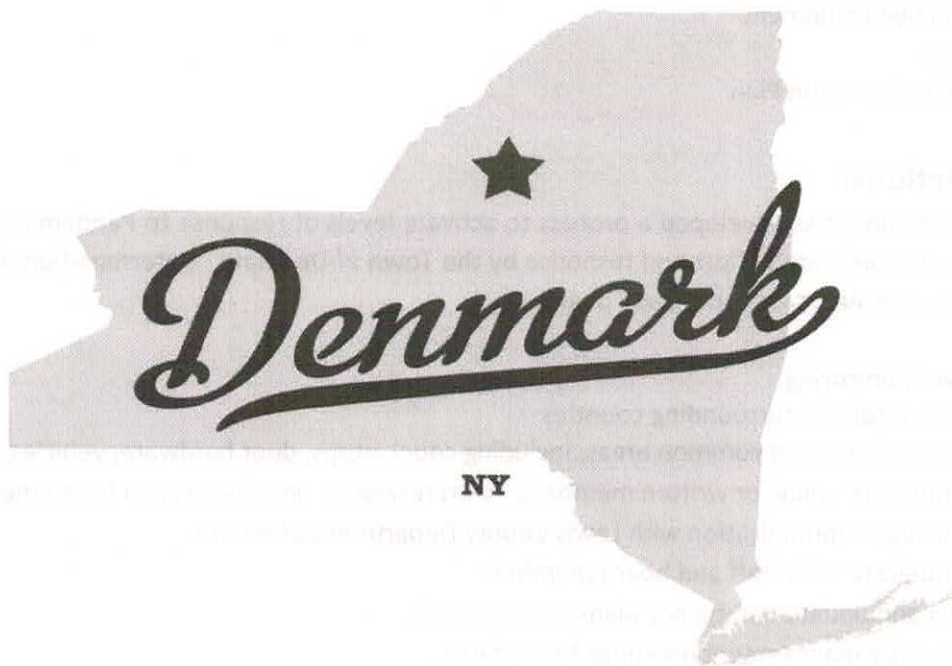
The goal of this policy is to promote the safety and wellbeing of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. The Town of Denmark has identified response personnel that include a member of management and an employee representative. If appropriate, the Town of Denmark will provide counseling services or referrals for employees.

All Town of Denmark personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person witnessed or received.

Designated Contact Person:

Name: Prudence L. Greene
Title: Town Clerk
Department: Town Clerk's Office
Phone: 315-493-3846 ext 1
Location: 3707 Roberts Road

TOWN OF DENMARK



PANDEMIC PLAN

Town of Denmark Pandemic Action Plan

(Will be reviewed and revised annually)

The following is an action plan for the Town of Denmark to follow when deemed necessary to implement when dealing with a pandemic.

1. Levels of Actions
2. Personnel, Health Assessment and Education
3. Essential Services/Employees, remote working
4. Modify Town Office
5. Resources
6. Costs
7. Vacation
8. Emergency Housing
9. Whistle Blower
10. Personal Protective Equipment
11. Public Meetings
12. De-escalation of the Action Plan

1. Levels of Actions:

The Town of Denmark has developed a process to activate levels of response to Pandemic public health issues. This will allow a coordinated effort and response by the Town of Denmark. Determination of the level of action will be made by the Supervisor and Town Board.

Level 1: Active Monitoring

With no cases in local and surrounding counties

- Frequent cleaning of common areas; including countertops, door hardware, vehicles, etc.
- Communicate online or written memos to Town residents, employees, and board members.
- Monitoring communication with Lewis County Department of Health.
- Communicate with staff and board members.
- Review and update emergency plans as warranted.
- Hold weekly management meetings for updates.
- Limit all unnecessary work-related travel when warranted.
- Limit gatherings >50 persons to only essential events or consider postponing essential events when warranted.

Level 2: Containment

With cases identified in local and surrounding counties

- Increase disinfection process at all Town of Denmark facilities.
- Develop contingency plans and review business continuation plans as warranted.
- Continue all Level 1 activities.

Level 3: Mitigation

Confirmed cases among employees, board members and staff.

- The effected building will close for 24 hours while the local Department of Health investigates and sets forth a plan for further precautionary measures that the Town must take to limit exposure.
- Cancel all Town events as warranted.
- Communicate to staff which employees are to report to maintain services and which employees are to work remotely.
- Perform a deep cleaning of all areas.
- Communications to Community and Employees.

2. Personnel

Preventing the spread of illness is a community responsibility and needs to be a priority of the Town of Denmark. **We encourage all to practice the following healthy behaviors:**

- CDC recommendations: Mask: double layer, fitted to face, always keeping the nose and mouth covered. As needed per pandemic issues.
- Using hand sanitizer or washing hands frequently with soap and water for at least 20 seconds specifically:
 - After touching your eye, nose, or mouth
 - After using the restroom
 - After touching/disposing of garbage
 - After touching public computers, tables, and countertops, etc.
 - After handling your mask
 - Before and after preparing or eating food
- Avoid touching your eyes, nose, and mouth.
- Cover coughs or sneezes with your elbow.
- Practice social distancing, when possible, at least 6 feet or 2 arm lengths
- Stay home when sick and seek medical attention when necessary.
- Avoid close contact with people who are sick or exposed.
- Clean and disinfect frequently touched objects and surfaces such as counters, phones, doorknobs, and light switches, etc. at the beginning, middle and end of each shift. Wash frequently touched areas with soap and water then disinfect. Wear disposable gloves to protect skin and protective eyewear to protect from cleaners splashing into eyes. Throw the gloves out after use. Eyewear can be washed after use. When using bleach to disinfect follow the directions on the bleach bottle preparing a diluted bleach solution. If your bottle does not have directions, you can make a bleach solution by mixing:
 - 5 Tablespoons (1/3 cup) of bleach per gallon of room temperature water or
 - 4 Teaspoons of bleach per quart of room temperature water

Employees are to submit their health assessment each day prior to the work shift beginning. Answer each question, read, and record their body temperature, initialing calendar for each day.

Employees should notify their Department Head immediately and not report to work if they show symptoms of a pandemic virus: such as fever/chills, cough, muscle and body aches, nausea/vomiting, diarrhea, sore throat, congestion, loss of taste or smell, fatigue, headache, and /or acute respiratory illness. The Town of Denmark may require additional assessments be taken, such as, but not limited to: Appropriate testing, physician release,

order to return to work and/or isolation, if it has been determined the employee has been infected or exposed to a pandemic virus. Each circumstance will be handled individually and confidentially while working with all guidance from the CDC, NYS, and County Health Departments.

The Town of Denmark will maintain flexible policies that permit employees to stay home to care for sick family members.

The Town of Denmark will pay all employees pandemic related sick time for any pandemic related situation/illness. Employees in a Collective Bargaining Agreement will be paid according to the policy outlined in that agreement. Time missed will not be counted against the employee's sick time. This is per Board approval.

Education:

- Emphasize staying home when not feeling well, educate respiratory etiquette and proper hand hygiene by all employees.
- Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60% alcohol or wash their hands with soap and water for at least 20 seconds. Soap and water should be used if hands are visibly dirty. When using hand sanitizer rub on all surfaces of hands and fingers until dry.
- Provide soap and water, and alcohol-based hand sanitizer in the workplace. Ensure that adequate supplies are maintained. Place hand sanitizer in multiple locations and in conference rooms to encourage hand hygiene.
- Remote working: The Town will provide non-essential and essential employees with the necessary equipment to work remotely when needed. A daily/weekly outline will be obtained by each employee the expectations of the job duties to be completed remotely and will be reviewed by the Board.
- Advise employees before traveling to take certain steps:
 - Check the CDC's Traveler's Health Notices and NYS for the latest guidance and recommendations for each country or an area to which they will travel. Specific travel information for travelers going to and returning from different countries can be found on the CDC website. Any employee that travels to another quarantined state or area within NYS will follow the NYS guidelines for appropriate testing and isolation requirements.
 - Check for symptoms of acute respiratory illness before starting travel and notify supervisor and stay home if sick.
 - Ensure employees who become sick while traveling understand they should notify their supervisor and promptly call a healthcare provider for advice if needed.
 - If outside the US, sick employees should contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A US Consular Officer can help locate healthcare services.

3. Essential Services for the Town of Denmark:

The Town has identified essential/non-essential workers and essential services that will be maintained during a public health crisis. All non-essential and some essential employees can work from home via Town owned electronic devices. The Highway Department crew can work as separate crews, and the Town Clerks Office can stagger shifts and/or workdays to minimize contact between employees.

Office:

- Communications to Town residents, agencies, Town Board, and staff
- Answer phones and e-mails
- Receive payment of bills
- Taxes, water billings
- Payroll
- Vouchers
- Budget preparation
- Cleaning and disinfection of community spaces.

HIGHWAY DEPARTMENT:

- Town owned property maintenance (mowing, shoveling snow, plowing, etc.)
- Water leaks
- Weather related:
 - Flooding
 - Wind
 - Snow/ice
 - Road blockages

Water District #1:

- Water samples are to be taken daily on workdays and on a monthly and quarterly basis.
- Daily water inspections.

Essential Employees Identified:

All Highway Department Employees

Superintendent of Special District's

Town Clerk

Deputy Town Clerk

Justice(s)

Court Clerk(s)

Office of Dog Control & Deputy Dog Control Officer

Non-essential Employees Identified (to work remotely and on site when appropriate)

Town Supervisor

Town Board Members

Town Assessor

All Appointed Boards

4. Modify Town Office:

The Town Clerk's Office will be open to the public, by appointment only if necessary.

5. Resources:

- Center of Disease Control and Prevention (CDC)
- NYS Department of Health
- Lewis County Department of Public Health
- Avoid using the news outlets or multimedia sources as a resource of information as they may not provide accurate information.

6. **Costs:**
The Town of Denmark will track costs throughout the pandemic event (labor, purchases, equipment, etc.) for possible reimbursement from FEMA or other agencies.
7. **Vacation:**
Employees will follow the New York State guidelines for traveling and adhere to recommendations, in accordance with Lewis County Public Health guidelines.
8. **Emergency Housing:**
Lewis County may offer emergency housing if needed when home isolation is not available.
9. **Whistleblower:**
The Town will provide an anonymous way (via an outside drop box) of reporting concerns regarding pandemic related issues if the employee does not feel they can communicate with their supervisors.
10. **Personal Protective Equipment:**
The Town will maintain at least six months of PPE for all employees, keeping them in a properly stored environment. The Town will follow CDC, NYS, and County guidelines mandating employees to wear the appropriate PPE. Departments may vary from what is required.
 - **CDC recommendations: Mask: double layer, fitted to face, covering the nose and mouth.** Cloth masks should be washed regularly. N95 are also permitted if preferred. Masks with vent valves are not suggested.
 - **Reusable or disposable gloves for cleaning.** Wash hands after removing gloves. Venting the room when cleaning, such as a fan or opening a window for a few minutes or turning on exhaust fan to draw particles out of the room.
11. **Public Meetings:**
The Town will follow the Governor's guidelines on public meetings. The Town, if possible, will offer in-person meetings with social distancing, public attendance will be limited to 12, as well as offering zoom meetings for residents/guests.
12. **De-escalation of the Action Plan:**
Local conditions will influence the decisions that public health officials make regarding community-level strategies. The Town needs to remain in contact with NYS Department of Health and Lewis County Public Health to assess the progression of disease severity to determine de-escalation timing and plan.

Acknowledgement and Certification:

The Town of Denmark shall require a copy of this Town of Denmark Pandemic Policy to be distributed to every Council Member, Officer, Employee. In addition, a copy of the policy will be available at the Town Office.

Every Council Member, (including the Supervisor), Clerk & Deputy, Highway Superintendent & Deputy, or any other Town Employee, whether paid or unpaid, shall certify in writing that they have read and understand this Pandemic Policy.

Town of Denmark Annual Acknowledgement Certification

Acknowledgement:

I hereby acknowledge that I have read and understand all my obligations, duties, and responsibilities under each principle and provision of The Town of Denmark Pandemic Policy.

I certify by my signature below that this is a true and correct statement,

Printed Name

Signature

Date

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

SECTION 1: PURPOSE

- A. Scope of Policy
- B. Policy Objectives

SECTION 2: DEFINITIONS

SECTION 3: POLICY

SECTION 4: POLICY ENFORCEMENT

- A. Complaint Procedure for Employees
 - 1) Notification Procedure
 - 2) Making a Complaint
 - 3) Supervisory Responsibilities
- B. Time for Reporting a Complaint
- C. Confidentiality and Privacy
- D. Acknowledgment of Complaint

SECTION 5: INVESTIGATION PROCEDURES

- A. Timing of Investigations
- B. Method of Investigation
- C. Notification to Complaining Party and the Accused Party
- D. Remedial Measures

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

SECTION 7: APPEALS

SECTION 8: RECORD KEEPING

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

SECTION 10: QUESTIONS

SECTION 11: COMPLIANCE OFFICERS

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

Town of Denmark POLICY AGAINST DISCRIMINATION AND HARASSMENT

SECTION 1: PURPOSE

The Town of Denmark believes in the dignity of the individual and recognizes the rights of all people to equal employment opportunities in the workplace. In this regard, the Town of Denmark, (hereinafter "Municipality"), is committed to a policy of protecting and safeguarding the rights and opportunities of all people to seek, obtain and hold employment without being subject to harassment or discrimination in the workplace. It is our Municipality's policy to provide an employment environment free from harassment and discrimination based on age, race, color, religion, religious creed, sex, sexual orientation, gender identity or expression, national origin, military status, familial status, marital status, ancestry, physical or mental disability, pre-disposed genetic characteristics or carrier status, military or veteran status, pregnancy (including childbirth and related medical conditions, including medical conditions related to lactation), citizenship, domestic violence victim status or any other characteristic protected by applicable federal, state or local law. The purpose of this policy is to teach employees to recognize discrimination, including discrimination due to an individual's intersecting identities, and provide the tools to act when it occurs.

- A. Scope of Policy:** This Policy applies to all Municipality employees and all personnel in a contractual or other business relationship with the Municipality including, for example, applicants, temporary or leased employees, interns (whether paid or unpaid), independent contractors, vendors, consultants, volunteers, or visitors. In the remainder of this Policy, the term "employees" refers to this collective group. This Policy applies with equal force on Municipality property as well as Municipality-sponsored events, programs, and activities that take place off Municipality premises.
- B. Policy Objectives:** By adopting and publishing this Policy, it is the intention of the Municipality's governing body to:

1. Notify employees about the types of conduct that constitute harassment and discrimination prohibited by this Policy.
 2. Inform employees about the complaint procedures established by the Municipality that enable any employee who believes they are the victim of harassment or discrimination to submit a complaint which will be investigated by the Municipality.
 3. Clearly advise all supervisory staff, managers, and employees that harassment and discrimination is strictly prohibited; and
 4. Notify all employees that the Municipality has appointed Compliance Officers who are specifically designated to receive complaints and ensure compliance with this Policy.
- NOTE: The names and office location of each Compliance Officer designated to receive and investigate complaints are listed below in *Section 11* of this Policy. Any change in the designated Compliance Officers shall be distributed in writing to all current employees and shall be posted.

SECTION 2: DEFINITIONS

"Prohibited Discrimination of Employees"

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

Prohibited discrimination of employees can take the form of any adverse employment action against an employee, by either a Municipality employee or official or a third party engaged in activities sponsored by the Municipality which is based upon the employee's protected characteristic. Prohibited discrimination of employees also includes harassment based on a protected characteristic even where there is no tangible impact upon the employee's employment opportunities and/or employment benefits. The phrase "prohibited discrimination" as used in this Policy includes all forms of prohibited discrimination and harassment based on a protected characteristic, including "Sexual Harassment" as defined below.

"Harassment"

Harassment is strictly prohibited and includes, but is not limited to, conduct that is unwelcome and has the purpose or effect of unreasonably interfering with a person's work performance, or creating an intimidating, hostile or offensive working environment. Such harassment of employees is prohibited by this Policy if it is based on a protected characteristic or directed at an individual because of a protected characteristic. In this regard, individuals subject to this Policy should be mindful that conduct or behavior that is acceptable, amusing, or inoffensive to some individuals may be viewed as unwelcome, abusive, or offensive to others.

"Sexual Harassment"

Sexual harassment is strictly prohibited. It is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment based on sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

1. Submission to such conduct is made either explicitly or implicitly on a term or condition of an individual's employment.
2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting such individual (e.g., promotion, transfer, demotion, termination); or
3. Such gender-based conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or of creating an intimidating, hostile or offensive working environment, even if the reporting individual is not the intended target of the sexual harassment.

The foregoing includes offensive comments, jokes, innuendoes, or other statements of a sexual or gender-based nature as well as favoritism between a supervisor and subordinate based on an intimate/sexual relationship or desire for the same.

Who can be the target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a

POLICY AGAINST DISCRIMINATION AND HARASSMENT

superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer, or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment even if it occurs away from the workplace premises, on personal devices or during non-work hours.

"Prohibited Behavior and Examples of Harassment, including Sexual Harassment"

Specific forms of behavior the Municipality considers harassment or sexual harassment are set forth below. Every conceivable example cannot be delineated herein, and thus the descriptions below should not be interpreted in any way as being all-inclusive.

Verbal: Abusive verbal language including jokes, comments, teasing or threats related to an employee's protected characteristics, sexual activity and/or body parts whether or not said in that person's presence including, but not limited to: sexual innuendos, slurs, suggestive, derogatory, or insulting comments or sounds; whistling; jokes; propositions; threats; comments on a person's appearance that make the person feel uncomfortable because of his or her protected characteristics; sex stereotyping, continuing to ask someone for dates or to meet after work after the person has made it clear that he or she does not want to go; comments about an employee's anatomy or protected characteristics that are unwelcome, unreasonably interfere with an employee's work performance, or create an intimidating, hostile or offensive work environment; or unwelcome advances or demands based on someone's protected characteristics.

Nonverbal: Abusive written language showing or displaying pornographic or sexually explicit objects or pictures; graphic commentaries based on a protected characteristic; derogatory cartoons or caricatures; luring or obscene gestures; staring at a person's body in a sexually suggestive manner; gestures or motions based on a protected characteristic; sending material through the Municipality's e-mail system or other electronic communication devices (e.g. voice mail) or using the Municipality's mail, computers or cell phones to view material that is demeaning or derogatory based on one's protected characteristic.

Physical: Unwelcome physical conduct, including but not limited to hitting, pushing, shoving, slapping, petting, pinching, grabbing, holding, hugging, kissing, tickling, massaging, displaying private body parts, coerced sexual intercourse, rape or assault or attempts to commit these assaults, persistent brushing up against a person's body, unnecessary touching and flashing or other unwelcome physical conduct.

Other: Hostile actions taken against an individual because of an individual's sex, sexual orientation, gender identity and the status of being transgender or because of any other protected characteristic, such as: interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job, sabotaging an individual's work, bullying, yelling, or name-calling.

Any employee who feels discriminated against or harassed should report that conduct so that any violation of this Policy can be corrected promptly. Any harassing conduct, even if a single incident, can be addressed under this Policy.

Town of Denmark

POLICY AGAINST DISCRIMINATION AND HARASSMENT

What is “Retaliation”?

Retaliation is unlawful and is any action by an employer or supervisor that punishes an individual upon learning of a harassment claim, that seeks to discourage a worker or covered individual from making a formal complaint or supporting a sexual harassment or discrimination claim, or that punishes those who have come forward. Adverse actions need not be job-related or occur in the workplace to constitute unlawful retaliation. For example, threats of physical violence outside of work hours or disparaging someone on social media would be covered as retaliation under this policy.

Examples of retaliation may include, but are not limited to:

1. Demotion, termination, denying accommodations, reduced hours, or the assignment of less desirable shifts.
2. Publicly releasing personnel files.
3. Refusing to provide a reference or providing an unwarranted negative reference.
4. Labeling an employee as “difficult” and excluding them from projects to avoid “drama”.
5. Undermining an individual’s immigration status.
6. Reducing work responsibilities, passing them over for a promotion, or moving an individual’s desk to a less desirable office location.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

1. Filed a complaint of sexual harassment, either internally or with any anti-discrimination agency.
2. Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law.
3. Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment.
4. Complained that another employee has been sexually harassed; or encouraged a fellow employee to report harassment.

SECTION 3: POLICY

The Municipality prohibits harassment and discrimination based on any characteristic protected by applicable law and will not tolerate any form of unlawful discrimination or harassment. The Municipality will take all steps necessary to prevent and stop the occurrence of unlawful discrimination and/or harassment, including sexual harassment, in the workplace.

All employees, including but not limited to, Municipality officials and supervisory personnel, are responsible for ensuring a work environment free from prohibited harassment and discrimination. All employees will be held responsible and accountable for avoiding or eliminating inappropriate conduct that may give rise to a claim of harassment or discrimination. Employees are encouraged to report violations to a supervisor, manager, or one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy. Officials, managers, and supervisors must take immediate and appropriate corrective action when suspected instances of prohibited harassment and/or discrimination come to their attention to assure compliance with this Policy as well as report the suspected misconduct to the Municipality’s designated Compliance Officers. Furthermore, if any employee believes that any member of management has violated this policy or has not properly

POLICY AGAINST DISCRIMINATION AND HARASSMENT

responded to and/or handled a report or concerns about discrimination or harassment, the employee should immediately contact one of the Municipality's designated Compliance Officers.

Each employee is assured pursuant to *Section 6* of this Policy, that retaliation against an individual who makes a complaint or report under this Policy is absolutely prohibited and constitutes, in and of itself, a violation of this Policy. Employees who engage in retaliation against any employee for making a good faith complaint of harassment or discrimination, or for opposing in good faith any practices forbidden by applicable anti-discrimination laws or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws, shall be subject to discipline, up to and including termination of employment. Any employee who believes he/she has been retaliated against in violation of this policy should report violations to one of the Compliance Officers listed in *Section 11* of this Policy in accordance with the Complaint Procedure set forth in this Policy.

Any questions regarding the scope or application of this Policy should be directed to one of the Compliance Officers listed in *Section 11* of this Policy.

SECTION 4: POLICY ENFORCEMENT

A. Complaint Procedure for Employees

1. Notification Procedure

Prompt reporting of complaints or concerns is encouraged so that timely and constructive action can be taken before relationships become strained. Reporting of all perceived incidents of prohibited discrimination and/or harassment is encouraged and essential, regardless of the offender's identity or position. An employee or other individual who feels aggrieved because of harassment or discrimination shall contact his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator. Likewise, anyone who witnesses or becomes aware of instances of harassment or discrimination should report such behavior to his or her supervisor or a Compliance Officer listed in *Section 11* of this Policy, or another administrator.

2. Making a Complaint

Complaints are accepted orally and in writing. All employees are encouraged to use the Municipality's "Complaint of Alleged Discrimination" form. A copy of this form is attached to this Policy. Additional complaint forms can be obtained from a Compliance Officer, with no questions asked, or from the Municipality's website. Because an accurate record of the allegedly objectionable behavior is necessary to resolve a complaint of prohibited discrimination or harassment, the Municipality encourages employees to place complaints in writing, even if originally made orally. If an employee has any questions or difficulty filling out the complaint form, she/he can obtain assistance from any one of the Compliance Officers or the supervisor to which he/she complained. All complaints should include: the name of the complaining party, the name of the alleged offender(s), date(s) of the incident(s), description of the incident(s), names of witnesses to the incident(s) and the signature of the complaining party.

Once the complaining party has completed and dated a complaint, with or without the assistance of one of the Municipality's Compliance Officers or a supervisor, the written complaint, or oral complaint, should be promptly forwarded to one of the Municipality's Compliance Officers.

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

Complainants are expected to cooperate with the Municipality's investigation procedures by providing all relevant information relating to the complaint, as are other supervisory and non-supervisory employees having relevant or related knowledge or information.

3. Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected harassment or discrimination, observe what may be harassing behavior, or have any reason to suspect that harassment is occurring, are required to report such suspected harassment or discrimination to one of the Municipality's Compliance Officers.

In addition to being subject to discipline if they engaged in harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected harassment or otherwise knowingly allowing harassment to continue.

Supervisors and managers will also be subjected to discipline for engaging in any retaliation.

B. Time for Reporting a Complaint

Prompt reporting of all complaints is strongly encouraged. All employees should be aware that appropriate resolution of complaints and effective remedial action is oftentimes possible only when complaints are promptly filed.

C. Confidentiality and Privacy

The Municipality shall keep complaints as confidential as is consistent with a thorough investigation, applicable collective bargaining agreements, and other laws and regulations regarding employees. To the extent complaints made under this Policy implicate criminal conduct, the Municipality may be required by law to contact and cooperate with the appropriate law enforcement authorities.

D. Acknowledgement of Complaint

Upon receipt of an oral or written complaint, the Compliance Officer should endeavor to contact promptly the complainant to confirm that the complaint has been received. If the complainant does not receive such confirmation promptly, she/he is encouraged to contact a Compliance Officer or his/her supervisor or the supervisor to whom the complaint was made to ensure its receipt. The purpose of this acknowledgment procedure is to ensure that all complaints are received by authorized individuals, carefully processed, and promptly investigated.

SECTION 5: INVESTIGATION PROCEDURES

A. Timing of Investigations

The Municipality will promptly investigate all allegations of discrimination and harassment prohibited by this Policy. The Municipality will also attempt to complete investigations under this Policy promptly. The length of the investigation will depend upon the complexity and particular circumstances of each complaint.

POLICY AGAINST DISCRIMINATION AND HARASSMENT

B. Method of Investigation

Investigations will provide all parties with due process, and reach reasonable conclusions based on the evidence collected. Investigations will be conducted by Municipality Compliance Officers, Municipality's legal counsel, and/or other impartial persons designated by the Municipality. The primary purposes of all investigations under this Policy will be to determine:

- Did the conduct complained of occur;
- Did the conduct complained of violate *this* Policy; and
- What remedial measures or preventative steps, if any, shall be taken.

Investigations will necessarily vary from case to case and may typically include the following: fact-finding interviews, including of the accuser and the accused; document request, review, and preservation; depositions; and observations or other reasonable methods. Municipality investigators should pursue reasonable steps to investigate each complaint in a thorough and comprehensive manner. Any notes, memoranda, or other records created by Municipality employee, or agent investigating under this Policy shall be deemed confidential and privileged to the extent allowed by law.

Investigators will typically create a written documentation of the investigation (such as a letter, memo, or email), which contains the following:

- A list of all documents reviewed, along with a detailed summary of relevant documents.
- A list of names of those interviewed, along with a detailed summary of their statements.
- A timeline of events.
- A summary of prior relevant incidents, reported or unreported; and

The basis for the decision and final resolution of the complaint, together with any remedial actions.

C. Notification to Complaining Party and the Accused Party

The results of the investigation shall be communicated in writing to both the person filing the complaint and the accused party.

D. Remedial Measures

This Policy is intended to prevent all forms of unlawful discrimination and harassment and put an end to any prohibited discrimination that is found to have occurred. While disciplinary action may be appropriate in certain instances, punitive measures are not the exclusive means for responding to prohibited discrimination or harassment. During the pendency of any investigation being conducted pursuant to this Policy, remedial measures may be taken if appropriate and necessary.

Any individual who is found to have engaged in prohibited discrimination or harassment or conduct which may be prohibited by this Policy may receive education, training, counseling, warnings, discipline, or other measures designed to prevent future violations of this

Town of Denmark

POLICY AGAINST DISCRIMINATION AND HARASSMENT

Policy. Disciplinary action may include warnings, suspension, or discharge from employment, or such disciplinary action as may be permitted by applicable collective bargaining agreements and law. Any third party found to have engaged in discrimination or harassment of an employee may be barred from Municipality property.

SECTION 6: PROHIBITION AGAINST RETALIATION AND ABUSE OF THE POLICY

Unlawful retaliation can be any action that could discourage an employee from coming forward to make a complaint or support a discrimination or harassment claim. Adverse action need not be job-related or occur in the workplace to constitute retaliation (e.g., threats of physical violence outside of work hours).

Retaliation against anyone for making a good faith complaint of harassment or discrimination, for opposing in good faith any practices forbidden by applicable anti-discrimination laws or for filing a good faith complaint with, or otherwise participating in any manner in an internal workplace investigation or an external investigation, proceeding or hearing conducted by any federal or state agency charged with enforcing employment discrimination laws is strictly prohibited by this Policy and by law.

Even if the alleged harassment or discrimination does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if he/she had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

Complaints of retaliation should be brought directly to a Compliance Officer. Such complaints will be promptly investigated. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, or in the case of a non-employee, an appropriate remedy up to and including termination of the business relationship.

SECTION 7: APPEALS [OPTIONAL]

Any complainant or accused party who wishes to appeal the conclusion which the Municipality reached in investigating a complaint filed under this Policy, may do so within ten (10) calendar days of receipt of the appealing party's notification of the investigation outcome. Untimely submissions shall not receive consideration. Such appeal must be made in writing to the Municipality's governing body. The appealing party shall be entitled to present evidence in writing as to why the conclusion was flawed, improper, or otherwise not supported by the evidence. The Municipality's consideration and review of any such appeal shall be conducted confidentially in executive session. Following a review of that evidence, as well as the information obtained in the investigation process and conclusions derived therefrom, the Municipality's governing body, or its designee, shall render a decision. That decision shall be final. The appealing party shall be notified of the decision in writing.

Nothing set forth in the Appeal Process above shall be construed to, in any way, confer upon either the complainant(s) or the person(s) accused of violating this Policy any right to appeal the Municipality's determination as to appropriate disciplinary and/or corrective action to be taken on meritorious complaints. In this regard, the Municipality retains sole discretion to determine the appropriate disciplinary and/or corrective action to be taken regarding a meritorious complaint.

POLICY AGAINST DISCRIMINATION AND HARASSMENT

SECTION 8: RECORD KEEPING

The Municipality shall maintain a written record of all complaints of discrimination and/or harassment; the steps taken regarding investigations, as well as conclusions reached and remedial action taken, if any. The Municipality shall maintain all documents for a minimum of three years.

The Municipality's records regarding alleged discrimination and harassment shall be maintained separate and apart from personnel records in a secure and confidential location.

SECTION 9: LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Discrimination and harassment based on protected characteristics, including sexual harassment, are not only prohibited by the Municipality but are also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Municipality, employees may also choose to pursue legal remedies with the governmental entities referenced in the following laws. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL) codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State regarding sexual harassment and harassment based on other protected characteristics set forth in this Policy, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged harassment, including sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Municipality does not extend your time to file with DHR or in court. The one year or three years is counted from the date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual or other illegal harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual or other illegal harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees (in sex discrimination and sexual harassment cases only) and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Town of Denmark

POLICY AGAINST DISCRIMINATION AND HARASSMENT

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days of the discrimination or harassment incident. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact your local police department.

SECTION 10: QUESTIONS

Any questions by employees of the Municipality about this Policy or potential harassment or discrimination should be brought to the attention of one of the Municipality's Compliance Officers. The names, addresses, and telephone numbers of the Municipality's Compliance Officers are listed in *Section 11* of this Policy.

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

SECTION 11: COMPLIANCE OFFICERS

<u>Prudence L. Greene</u>	<u>Town of Denmark Clerk's Office</u>
<u>Name</u>	<u>Office Location</u>
<u>315-493-3846 ext.1</u>	<u>3707 Roberts Road, Carthage, NY 13619</u>
<u>Telephone Number</u>	<u>Mailbox Location</u>
<u>Scott M Doyle</u>	<u>Town of Denmark Supervisor's Office</u>
<u>Name</u>	<u>Office Location</u>
<u>315-493-3846 ext.6</u>	<u>3707 Roberts Road, Carthage, NY 13619</u>
<u>Telephone Number</u>	<u>Mailbox Location</u>

SECTION 12: EFFECTIVE DATE AND POLICY DISSEMINATION

The effective date of this Policy shall be August 12, 2019. The Town of Denmark shall ensure that this Policy is adequately disseminated and made available to all employees of the Municipality. This Policy shall be distributed at the beginning of each year with or as part of the intake / update process for elected officials, appointed officials, new volunteers, and new hires. In addition, copies of this Policy and Complaint Form shall be maintained in the office of each Compliance Officer as well as the Municipality's Policy Book that is available at the Town of Denmark Clerk's Office.

Upon the effective date of this Policy, the provisions of this Policy shall supersede and replace the following prior Municipality policies and regulations regarding employee discrimination and harassment: **Sexual Harassment Policy adopted 01.14.2019.**

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

COMPLAINT FORM

To assist the Town of Denmark in investigating your allegations of harassment, discrimination, or retaliation in a prompt and thorough fashion, please complete this form to the best of your abilities and with as much detail as you are able. Once completed, please submit this form to a Municipal Compliance Officer identified in Section 11 of the Municipal Policy Against Discrimination and Harassment. If additional space is needed to respond to any question below, please attach additional pages as necessary and identify which question corresponds to the information set forth in the additional pages. Any questions regarding this form may be directed to a Municipal Compliance Officer. No individual will be retaliated against for filing a complaint.

Name of Complainant: _____ Date Submitted: _____

Job Title: _____

Address: _____

Home phone: _____ Cell: _____ Work: _____
(Please circle the number you would prefer us to call)

Email: _____

Name of Victim (if different than Complainant): _____

Basis of this complaint (check all that apply):

<input type="checkbox"/> Race/color	<input type="checkbox"/> Gender expression
<input type="checkbox"/> Age	<input type="checkbox"/> Gender identity
<input type="checkbox"/> National Origin	<input type="checkbox"/> Transgender status
<input type="checkbox"/> Disability	<input type="checkbox"/> Genetic predisposition
<input type="checkbox"/> Sex/gender	<input type="checkbox"/> Military/veteran status
<input type="checkbox"/> Sexual harassment	<input type="checkbox"/> Citizenship
<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Religion/Religious creed
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Domestic violence victim status
<input type="checkbox"/> Familial Status	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Other/Not Sure

If checked "Other/Not Sure," please briefly explain:

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

Time(s) and date(s) the incident(s) took place:

Name(s) and office address of the individual who allegedly engaged in harassment, discrimination, or retaliation. If more than one, list all here.

Name: _____

Location: _____

Describe the incident(s) which occurred with as much detail as you are able, including why you believe the incident(s) constitutes harassment, discrimination, or retaliation (please attach any documentation or evidence you believe is relevant to the incident):

Town of Denmark
POLICY AGAINST DISCRIMINATION AND HARASSMENT

Describe briefly what you would consider to be appropriate resolution of the conduct described above:
(Please note that the Town of Denmark retains the sole discretion and authority to determine the appropriate disciplinary and/or corrective action to be taken regarding meritorious complaints. This question should not be construed in any way to constitute a forfeiture of that discretion or authority.)

Identify all persons who witnessed the incident(s) described above:

_____	_____
_____	_____
_____	_____

Please identify any other persons you believe have knowledge important to the incident(s) in question, including his/her contact information and a brief description of the knowledge held by each person:

Have you filed a complaint or charge with a Federal, State, or Local Government agency related to the incident(s) identified above?

Yes _____

No _____

Has this incident or occurrence been previously reported to the Town of Denmark?

[] Y [] N. If yes, when and to whom?

Complaint Form: Page 3 of 4

POLICY AGAINST DISCRIMINATION AND HARASSMENT

If the incident or occurrence has been previously reported, please describe the remedy, outcome, or resolution:

I swear or affirm that I have read the above complaint and that it is true to the best of my knowledge, information, and belief.

Complainant's Signature _____
Date _____

Received by:

Signature _____
Date _____

Print Name: _____

For Employer Use Only – To be Completed Upon Receipt

Recipient of Complaint (print): _____

Date, Time, and Manner (e.g., personal delivery, mailbox, etc.) of Receipt: _____

Notes:

END