



VILLAGE OF



NEW MEXICO

»» Personnel Policies

Village of Ruidoso
313 Cree Meadows Drive
Ruidoso, NM 88345

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Chapters 1-4 Effective September 13, 2022

Chapters 5-7 Effective November 8, 2022

Chapters 8-12 Effective December 13, 2022

Chapters 13-17 Effective February 14, 2023



These Personnel Policies replace (supersede) any and all previous Village of Ruidoso personnel policies whether written or oral. If any term, covenant, condition, or provision of this policy is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

These Personnel Policies are established to provide basic information about the Village of Ruidoso policies for employees. This manual does not represent all of the policies of the Village of Ruidoso. It is designed only to give guidance to the Village personnel policies. These policies are enacted by the Village of Ruidoso for those employees not covered by a collective bargaining agreement.

None of these provisions shall be deemed to create a vested contractual right in any employee nor to limit the power of the Village to repeal or modify these policies. The policies are not to be interpreted as promises of specific treatment. Either the employer or the employee may terminate the employment at any time, subject to the provisions within this manual.

The Village of Ruidoso reserves the rights to interpret, modify, revoke, suspend, terminate, or change any or all of these policies or procedures, in whole or in part, at any time, with or without notice, without consent of employees. In the event of the amendment of any ordinance, rule, law, or policy incorporated in this document or upon which these provisions rely, these rules shall be deemed to be amended in conformance with those changes.

Questions concerning these policies should be addressed to the Village of Ruidoso Human Resources Department, 313 Cree Meadows Drive, Ruidoso, NM 88345, (575) 258-4343.



INTRODUCTION

The Village of Ruidoso's Personnel Ordinance establishes the framework for the administration of the Village's personnel system. The Personnel Ordinance was adopted as Chapter 66 of the Village of Ruidoso's Municipal Code by the Village of Ruidoso Council in July 2014.

- Chapters 1 through 4 were adopted and approved by the Governing Body on September 13, 2022.
- Chapters 5 through 7 were approved by the Governing Body on November 8, 2022, and executed on January 1, 2023.
- Chapters 8 through 12 were approved by the Governing Body on December 13, 2022.
- Chapters 13 through 17 were approved by the Governing Body on February 14, 2023.

The following policies and procedures were developed to interpret and implement this ordinance.

Principles for Human Resources Management at the Village of Ruidoso

The following reflects the values and principles to which the Village of Ruidoso leaders aspire in their daily activities and interactions with the employee.

The Village believes that the strength of the organization is in its people.

The Village values integrity and honest communication, and declares them to be guiding principles in managing the human resources of the Village.

The Village values and embraces differences in people and cultures, recognizing that such differences are vital to the success of the Village, its citizens and employees.

The Village values a healthy and safe work environment that supports people working together to achieve the goals of the organization.

The Village is committed to providing a fair pay structure for employees.

The Village values every employee's contribution, expects every employee to meet established performance expectations, and works to encourage excellence in a variety of ways:

- All Officials and employees shall treat every person with respect.
- The Village strives to give ongoing informal feedback about performance.
- The Village strives to give formal feedback about performance at least once each year.
- The Village recognizes that work is only one aspect of a person's life, and supports employee efforts to balance personal and professional lives.
- The Village supports employee efforts to maintain good physical, mental, and emotional health.



GLOSSARY OF TERMS

A

Administrative Leave - Paid leave approved at the discretion of the Department Director/Manager and Village Manager. Administrative Leave allows the employee to be away from work without losing any work-related benefits.

Adverse Action - Suspension without pay, demotion, dismissal.

Anniversary - The date on which an employee was hired into a full time or part time classified position.

Appeal - Formal request that a decision on a formal grievance petition be reconsidered at a further stage in the grievance procedure.

Applicant - Individual who has filed an application for a vacant position and desires to be considered for appointment to a position in the Village service.

Appointing Authority - Officials authorized to recommend appointment of individuals to positions in the Village service. The Governing Body is the ultimate appointing authority.

C

Call-Back - Call-Back occurs when an employee is on scheduled time off (excluding lunch breaks) and is notified to return to work. It is not one employee replacing another scheduled employee.

Cause - Reason for discipline of regular employees, determined by law or public policy as sufficient for disciplinary action.

Classification - One or more positions which are sufficiently alike to warrant using the same (or similar) title, qualification requirements, and pay range.

Classification Plan - The sum total of all classifications in the municipal service.

Classified Employee - A full or part-time employee holding a classified position who has completed the probationary period. A classified employee is entitled to all of the rights and benefits of the Village Personnel Ordinance and Personnel Policies.

Classified Position - A position, for which there is a job description, a set salary range, and is subject to recruitment procedures.

Contract Employee - A person who contracts with the Village to perform a certain task for a set fee. Such a person is not a "regular" Village employee. All duties, conditions, appointment duration, fees, benefits, and other terms shall be specified by contract. The only contract employee that the Village has is the Village Manager. An independent contractor does not fall under this category.

Creditable Service - Time on the Village payroll constitutes creditable service. Creditable service does not include time that an employee is on leave without pay, lay-off status, or the time the employee is on workers compensation.

D

Demotion - The assignment of an employee from one class to another which has a lower pay grade and lower maximum rate of pay (also called downgrade and reclassification).

Department - A subdivision or section within an organization with multiple Divisions that specialize in specific functions and allows employees to serve the community and meet the goals and objectives of the organization.



Department Directors - A Village Official who manages multiple Departments across the organization. Directors utilize independent judgment to set Division/Department goals and may also collaborate with Managers on such goals. They supervise Managers through time sensitive projects and provide clear direction on goals and objectives for the Division. Directors work with other Directors and Administrators to implement policy and strategy to drive the Mission and Vision of their Divisions/Departments in a way that supports to the Village's Strategic Plan. Directors are responsible for evaluating their Manager's performance as well as implementing Improvement Plans. They are responsible for planning and forecasting operating needs, preparing, and analyzing budgets and for the overall performance of their Departments. Directors are expected to provide their insight on how they and those under their supervision can add value to the Village through their Department and their Divisions.

Division - A branch of a Department within an organization that specializes in specific functions and allows employees to serve the community and meet goals and objectives of the organization.

Division Managers - A Village Official who manages one Division within the Village. Managers assign daily tasks to their Supervisor/Employees and follow up on progress and completion. Managers are responsible for training staff, setting expectations, and ensuring that services are being efficiently and effectively provided to the citizens. Managers are responsible for hiring, evaluating, and disciplining staff according to the Village's VOR's disciplinary procedures within the Personnel Policy. Managers are expected to take direction from their Director and understand how their Department's contributions contribute to the overall Strategic Plan for the Village. Managers are responsible and accountable for the overall performance of their Division.

Division Supervisors: Assist Managers in overseeing one Division within the Village. Supervisors assign work assignments to employees and are responsible for the follow up and completion of assignments. Supervisors manage the day-to-day operations of their Division and communicate with Managers consistently on progress and goals met as well as concerns in meeting or completing tasks or meeting objectives. Supervisors make recommendations on hiring, evaluating employees and with disciplinary processes. Supervisors take direction from their Director/Manager and should understand how their Division's contributions contribute to the overall Strategic Plan for the Village. Supervisors are responsible and accountable to assist Managers in the overall performance of their Division.

Disability - An employee or applicant who has: a physical or mental impairment which substantially limits one or more major life activities; or a record of having such an impairment; or is regarded as having such an impairment.

Discipline - Action taken with regard to an employee, including reprimand, suspension, demotion, or dismissal.

Dismissal - Involuntary termination of employment for reasons other than lack of funds or lack of work.

Domestic partners -Two individuals who are in a mutually exclusive, committed relationship for at least the last six (6) months, who share a primary residence, who are jointly responsible for the common welfare of each other, who share financial obligations and have executed an affidavit of domestic partnership with the Human Resources Department and granted domestic partnership status.

Due Process - The right granted to a full-time or part-time classified regular employee, who has completed the probationary period, to pre-disciplinary and post-disciplinary procedures, for actions of suspension, demotion, or dismissal.

E

Eligible - A person whose name is included with a list of qualified candidates for a vacant position in accordance with procedures described in Chapter 2.

Eligible List - A list of persons qualified to fill a specified vacancy.

Employee - An individual who is legally employed by the Village government and is paid through the Village payroll, except for Village Councilors, Mayor, contracted persons, independent contractors and consultants.



Entry Level Rate - The minimum base rate in any pay band established for each classification.

Essential Job Functions - The fundamental job duties of a position.

Exempt Employee - All positions that are designated by the Village of Ruidoso in accordance with the Fair Labor Standards Act, and whose compensation is based on a salary and are not eligible for overtime compensation. Once an exempt employee uses all vacation leave and sick leave, the employee will not be subject to a salary reduction for absences of less than four (4) hours.

F

Family Medical Leave - Leave granted under the Family and Medical Leave Act of 1993.

Full-Time - An employee working 40 hours per seven-day period or a Fire employee who works 96 hours or more in a fourteen-day period.

I

Immediate Family (Bereavement) - For purposes of bereavement leave: legal dependent, significant other (domestic partner), or a parent, spouse, sibling, child, grandparent, or grandchild (including step relatives or in-laws that parallel this list).

Immediate Family (Sick) - For purposes of sick leave: any legal dependent, significant other (domestic partner), parent, spouse, sibling, child, stepchild, step grandparent, grandparent, step grandchild, or grandchild.

Independent Contractor - A person, business, or corporation that provides goods or services to the Village under terms specified in a contract or within a verbal agreement. Unlike an employee, an independent contractor does not work regularly for an employer but works as directed and when required.

Insubordination - Failure to obey a lawful order or directive of a supervisor or someone higher in the chain of command or to comply with a policy, procedure, rule, or regulation.

Interim/Acting Appointment - The appointment by the Village Manager of a person to a vacant position for a period of time pending selection of a person to fill a vacancy.

Interim Pay/Temporary Pay Upgrade - Employee compensation for temporarily performing assigned duties or responsibilities of a higher pay grade, as determined by the Human Resources Manager and approved by the Village Manager.

J

Job Analysis - Comprehensive analysis of the duties and responsibilities and essential functions of a position and of the qualifications required of persons selected for the position.

Job Description - A written general statement of duties, responsibilities and essential functions of a job and includes the education, experience, and knowledge required for the job.

L

Layoff - The separation of an employee which occurs when a regular position has been abolished because of material changes in duties, or shortage or stoppage of work or funds, or other reasons as determined by the Village Manager.

Leave - An authorized absence from regularly scheduled work hours for reasons specified in the personnel policies (holidays, vacation, sickness, injury, disability, jury duty, etc.).

Leave With Pay - Authorized absence from work with pay.

Leave Without Pay - Authorized or unauthorized absence from work without pay.



M

Management & Supervision - Persons designated as directors/managers of a group of employees, a section, a department, a division, a major functional unit, or an activity, with authority and responsibility to exercise independent judgment; and who assigns tasks, sets standards of job performance, recommends hires, transfers, suspensions, layoffs, recalls, promotions, and terminations of subordinates. Further, they may assign, reward, or discipline others, and direct or adjust employee grievances.

Military Leave - Paid leave granted to an employee who is a member of the armed services or air national guard or a military reservist in accordance with State and Federal law.

N

Nepotism - Patronage of one's relatives by blood or marriage by providing them employment or position or direct supervision.

New Hire - A person not previously employed by the Village.

Non-Exempt Employees - All employees who are not exempt employees as defined by the Fair Labor Standards Act or as determined by the Village of Ruidoso and are eligible for overtime compensation.

O

Overtime - Authorized hours worked by a non-exempt employee in excess of 40 hours per week, or 106 hours for fire personnel per 14-day period.

P

Part-Time Employee - One who is scheduled to work less than 32 hours per seven-day period.

Pay Bands- The appropriate band or range in which employees are classified based on the minimum, midpoint, and maximum base hourly rates.

Pay Period - A two-week period, of which there are twenty-six (26) specified per year.

Post-Determination Hearing - A hearing conducted by the Village Manager or Designee at the request of an employee who is grieving a suspension or demotion, or a former employee who is grieving a dismissal and who has complied with the administrative process as set forth in the Personnel Policies.

Pre-Determination Meeting - This informal meeting provides the classified employee with the opportunity to respond to the charges and be heard as to why contemplated discipline or termination should not be taken.

Probation/Introductory Period - A one year (12 month) trial period of employment, during which an employee is at will.

Probationary Employee - A full-time or part-time employee hired to fill a position in the classified service who has not yet completed the probationary period of employment during which time the employee may be terminated at will.

Promotion -The assignment of an employee from one classification to another, which has a higher maximum rate of pay, and greater responsibility. Promotion requires that an employee be upgraded and reclassified.

Q

Qualifying Event - A change in an employee's life such as marriage, the birth of a child, adoption, divorce, or losing health coverage that allows the employee to make adjustments to their existing healthcare coverage or add coverage for a 30-day period.



R

Reclassification - Reassignment of a position from one class (grade) to a different class (grade) to correct an error in the original assignment or to recognize a change in the duties and responsibilities of a position. Reclassification shall not be used solely as a method of awarding an incumbent a pay increase or decrease.

Reasonable Accommodation - A reasonable accommodation is any modification or adjustment to a job, the work environment, or the way in which the work is customarily done that makes it possible for a qualified individual with a disability to perform the essential functions of the job offered by the Village.

Regular Employee - One who is an incumbent and has completed probation/introductory period in a continuing, budgeted position within the municipal service and who satisfies all requirements for the position.

Re-Hire - Re-employment of a former employee who left the municipal service in good standing.

Resignation - Voluntary separation from Village employment prior to retirement.

S

Salary - Payment for work performed that is pre-determined and uniform and does not depend on the number of hours worked.

Separation - Removal of an employee from the municipal payroll for voluntary or involuntary reasons; to include dismissal, resignation, layoff, retirement, abandonment of the job, death, and other reasons.

Sick Leave - Leave with pay, granted to a classified or unclassified employee, after accrual at a specific rate for illnesses.

Standby Duty - An employee is on standby duty when the employee is required to be available for call to duty. The employee may move about within range of a cell phone or other device, but must remain fit for duty.

T

Temporary Employee - An employee who has been hired to fill a temporary position in accordance with the personnel policies. A temporary employee may be full-time or part-time.

Termination - The resignation, retirement, dismissal, or death of an employee.

Transfer - Assignment of an employee from one position to another in the same pay band. May also be assignment of an employee from one work site to another, from one department to another, or from one operational assignment to another in accordance with Village policy. Transfers may be voluntary or involuntary.

U

Unauthorized Absence - Absence from duty without supervisory approval.

Unclassified Employees - At will employees who may be terminated for any or no reason and who have no layoff rights or recourse to the grievance procedure. Unclassified employees include temporary and probationary employees.



V

Vacancy - An authorized position not occupied by an incumbent which has been approved by the appropriate designated authority for filling.

Vacation Leave - Leave with pay granted to employees to be used by an employee with prior approval from Department Director/Manager.

Village - The municipal government, composed of the Village Council, the Village Manager, all divisions, departments, and employees who comprise the organization designed to provide service to the citizenry.

Village Council/Governing Body -The duly elected or appointed officials who comprise the legislative body of the municipal government with powers defined by N.M. State law and Section 2-31 of Municipal Code of Ordinances.

Village Manager - The municipal government's chief administrative officer charged with complete responsibility of employees, facilities, and other resources as set forth by N.M. State Law and Section 2-53 of Municipal Code of Ordinances.



CHAPTER 1. GENERAL

1-1 Statement of Purpose

The following personnel policies are established to promote and bring into the service of the Village of Ruidoso, the high degree of understanding, cooperation, efficiency, and unity, which come through systematic application of good procedures of personnel administration and to provide a uniform policy for all employees with all the benefits such a program ensures. The following personnel policy ensures that recruitment, selection, placement, promotion, retention, and separation of Village employees are based on identified factors and comply with Federal and State laws.

1-2 Authority

The Village of Ruidoso Governing Body is the source of authority for the administration of the Village of Ruidoso. The Governing Body specifically delegates to the Village Manager the authority and responsibility for the administration of the Village of Ruidoso, retaining for itself the power to establish goals and priorities and to issue broad policy statements for the direction of the Village Manager. The Village Manager has the sole authority to approve or disapprove personnel actions of all Village of Ruidoso employees and to maintain staffing as determined by the Village in each department within approved budget levels. The Village Manager acts in accordance with Village of Ruidoso policy consistent with provisions of the personnel ordinance.

The Village Manager may impose policies related to the operational procedures for the Village of Ruidoso.

1-3 Management Chain

The Village Manager is appointed as the Chief Administrative Officer of the Village Government and is subject to direction by the Governing Body in a duly described Mayor Council form of Government. The Village Manager is responsible for administering daily operations of the Village and managing personnel. The Deputy Village Manager works under the Village Manager's supervision and may serve as the designee. The Department Directors and Managers work under the supervision of the Village Manager. The organizational chart demonstrates the hierarchy of the organization and will be approved by the Governing Body annually.

1-4 Organizational Charts

The administrative organizational chart demonstrates the chain of command of executive and management staff throughout the organization. The administrative organizational chart is approved annually by the Governing Body. Each Department Director/Manager is responsible for proposing their departmental organizational chart as needed showing the chain of command in each department. The organizational charts will be available to department employees and to the Human Resources Department as changes occur.

1-5 Coverage

These policies apply to all employees of the Village of Ruidoso.

1-6 Dissemination

Each employee, upon their employment by the Village of Ruidoso, shall be furnished a copy of the personnel policies or instructions on how to access these policies on the Village of Ruidoso website. Every Department shall have a physical copy of the Personnel Policy in their respective departments. Upon adoption of this policy, every employee shall sign that the policy has been updated and that they have a responsibility to review and understand it.



1-7 Equal Employment Opportunity (EEO)

The Village of Ruidoso is an equal opportunity employer. In accordance with anti-discrimination law, it is the purpose of this policy to operate by these principles and mandates. The Village of Ruidoso prohibits discrimination and harassment of any type and affords equal employment opportunities to employees and applicants without regard to race, color, religion, sex, sexual orientation, gender identity or expression, pregnancy, age, national origin, disability status, genetic information, political affiliation, protected veteran status or any other characteristic protected veteran status or any other characteristic protected by State or Federal Law.

The Village of Ruidoso is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the Village and prohibits unlawful discrimination of any employee of the Village of Ruidoso. All employees have a personal responsibility to conduct themselves in compliance with this policy and to report any observations of discrimination and/or harassment immediately to the Human Resources Manager or Village Manager.

The policy of equal employment opportunity (EEO) and anti-discrimination applies to all aspects of the relationship between the Village of Ruidoso and its employees, including:

- Recruitment
- Employment
- Promotion
- Transfer
- Training
- Working Conditions
- Wages and Salary Administration
- Employee Benefits and Application of Policies

The policies and principles of EEO also apply to the selection and treatment of independent contractors/ personnel working on Village premises and any other persons or firms doing business for or with the Village of Ruidoso.

As provided throughout these policies, the Village prohibits retaliation against anyone who in good faith reports discrimination. The reporting of any alleged discrimination will not result in any type of disciplinary action or retaliation of any nature.



CHAPTER 2.

RECRUITMENT, SELECTION, AND HIRING OF EMPLOYEES

2-1 Recruiting and Selection

Hiring, appointments, and promotions shall be made on the basis of the best qualified applicant that meets the job requirements and is determined best suited for the position by the Village. Employees will be chosen based on their capability to discharge duties with competence and integrity.

Most positions will be posted externally on the Village of Ruidoso's website to give all interested applicants an opportunity to submit an application. However, there may be times when a position will only be posted internally for a specific department following the department's promotional process. Applicants have the ability to submit a job interest card electronically through the Village website.

Applicants who fill out job interest card will receive an email notification when the job becomes open.

- 2-1-1** For all positions, completed online applications will only be accepted for vacancies that have been advertised. Applicants are highly encouraged to submit resumes with their online application and if applicable copies of certificates, diplomas, licenses, transcripts, or other required credentials in order for the hiring panel to review during the hiring process.

Internal employees who submit an application will be invited to interview as long as the employee meets the minimum qualifications and has the proper certifications and/or licenses needed for the position. An employee who applies for a transfer or promotion must be in good standing with no disciplinary actions or active investigations within the previous 90 days.

- 2-1-2** Where the Village determines a vacancy exists, that is to be filled, the Human Resources Department and the Department Director/Manager share responsibility for recruiting and hiring. The Village of Ruidoso is committed to:
- a. Providing equal opportunities to all employees and applicants without regard to race, sex, age, color, national origin, genetics, religion, disability, veteran status, marital status, political affiliation, sexual orientation, or any other protected class under federal or state laws.
 - b. Promoting from within through succession planning as determined appropriate by the Village.
 - c. Considering all applicants that meet the minimum training, experience, education, skill requirements, and personal qualifications, as established for the position.
 - d. Evaluating all candidates for a vacant position against the same requirements, which are the requirements in the posted job description.
 - e. Police officer and firefighter positions will be according to their hiring policy.



- 2-1-3** For each job opening, the list of rated applicants will be kept by the Human Resources Department for 120 days from the day the chosen applicant begins work with the Village of Ruidoso. This list may be used as a source of new hiring for the same or similar position if a vacancy occurs which the Village decides to fill. After review of the applicant list, management may decide to interview from the list or solicit new applications with Manager or Deputy Manager approval.

When the Police Department or Fire Department recruits patrol officers or firefighters a hiring list will be developed on the candidates who successfully completed the hiring assessment. The hiring list will be maintained for one year from the date the first selected candidate was hired.

- 2-1-4** Job postings will be posted in places available to the general public and all Village employees. Such places include the Village website, and the Village may utilize other forms of media to advertise and recruit.

2-2 Practical Examinations

All applicants for positions in the Village's service may be subject to competitive examination. Examinations shall be confined to those matters which test the candidate's ability for the position, and which are directly job related.

2-3 Education Qualifications

Education qualifications should be determined by each position in the job description and modified as necessary when advertised to fill a vacancy. Unless provided otherwise in the job description, when a position requires a college degree, the Village of Ruidoso may, in its discretion on a case-by-case basis, allow two years of directly related experience to be substituted for one year of college.

2-4 References

The Human Resources Department shall conduct reference checks on the selected candidate for each position. All such inquiries, whether made in person, by telephone, or written contact, shall be documented and used to assist in making a hiring decision. All responses, which constitute personal references or statements, which are a matter of opinion, shall be held as confidential and shall not be open to public inspection.

2-5 Disqualification of Applicants

Disqualification from further consideration may occur if the applicant:

- A. Does not meet the minimum qualifications for the position.
- B. Is under the legal minimum age for employment in the position applied for.
- C. Submitted an incomplete application and/or failed to provide copies of documents cited in the job advertisement prior to a final decision on hiring.
- D. Has falsified, omitted, misrepresented, or provided misleading information on an application or resume. (Employees who violate this section shall be subject to disciplinary action, up to and including dismissal).
- E. Is unable to perform the essential functions of the position, with or without reasonable accommodations.
- F. Has been convicted of a crime that renders him/her unqualified for the position to which he/she has applied pursuant to State law.
- G. Has established an unsatisfactory employment record, was dismissed from duty, or did not give a two-week notice before termination.
- H. Advocates the overthrow of the government of the United States by force or violence.
- I. Receives a positive test result on a pre-employment alcohol /drug test.
- J. Failed a background investigation, physical, or mental/psychological examination conducted for the position.



2-6 Evaluation and Referral of Candidates

All candidates for a vacant position should be evaluated against the same requirements. The requirements shall be taken from the posted job description. Refer to the Village of Ruidoso's Human Resources Department procedures for details related to internal and external postings and the evaluation process.

Historically, some positions are difficult to fill and/or keep filled. In this case, the Village of Ruidoso may open the acceptance of applications for an indefinite period of time. These positions shall be filled as needed. The Human Resources Department will send the applications to the proper department as long as the applicants meet minimum qualifications, and have the proper certification and/or license.

Village Manager, Village Clerk, Emergency Manager, Police Chief, and Treasurer positions shall be filled as appointed by the Mayor with confirmation of the Governing Body.

2-7 Recruitment of Executive Level Positions

When hiring for a Division Director position, the Village may utilize different hiring processes than set forth above and in the way that best benefits the Village of Ruidoso and is regarded as suitable by the Village Manager. The Village Manager may negotiate benefit and salary packages and other items such as relocation expense at levels needed to attract the best candidate for the position.

The Village Manager may approve/negotiate salaries within the established pay band up to midpoint to assist in recruiting. Any salary above midpoint for all pay bands would need to be approved by the Mayor, while any amount over the maximum shall be taken to the Governing Body for discussion, approval, or disapproval.

2-8 Selection of Candidates

The Human Resources Department will notify the selected candidate to make a job offer after all job-related screenings have been completed. In the event that no candidate is deemed suitable for the position, the Department Director/Manager may request that recruitment be continued. The Human Resources Department will notify candidates who were interviewed but were not selected. Candidates who did not receive an interview will also be notified.

2-9 Probationary Period

Every employee who fills a full-time or part-time position shall serve a probationary period of twelve (12) complete calendar months. A probationary period may be extended by the Village by written notice to the affected employee.

Should an employee leave the Village before completing the probationary period, for any reason including dismissal or lay off, they will be paid for their accumulated vacation leave if they have completed at least six (6) months of service. When a probationary employee is separated from employment with the Village, the employee will receive their final paycheck within five (5) business days and will be paid for any unused vacation balance they may have. A probationary employee is an unclassified employee who is employed at the convenience of the Village of Ruidoso and may be demoted or terminated by the Village Manager, at any time, without cause, and without the right to a hearing.

2-10 Promotion

A promotion is defined as a change of position from one pay band to another position in a higher pay band. The Village encourages employees to apply for promotions to positions at higher levels than those in which they are currently employed and encourages its employees to develop the skills and qualifications necessary in order to be promoted.

Promotion within the Fire and Police department, for certain positions, shall be handled according to the Fire and Police promotional policy.



2-11 Transfers (Lateral Transfer)

A transfer also known as a lateral transfer is defined as a change from one position to another position within the same pay band or from one department to another department, in the same pay band. Transfers are subject to the approval of the Village Manager.

2-12 Demotion

A demotion is defined as being placed in a lower position in a lower pay band. An employee may be demoted according to (but not restricted to) these criteria:

1. by voluntary request.
2. would otherwise be laid off because of job abolishment.
3. the position has been reclassified to a lower pay band.
4. is determined by the Village that the employee does not possess the necessary qualifications or skills to perform satisfactorily in the present position.
5. is unable, for medical reasons, to perform duties of the current job or:
6. based on the department's policy.

2-13 Reclassification & Reorganization

Reclassification is the reassignment of a position from one pay band to a different pay band to correct an error in the original assignment or to recognize a change in the duties and responsibilities of a position, or reorganization.

- A. Reclassification is not retroactive. Reclassification is subject to the approval of the Village Manager.
- B. Although there may be various instances when a position is reclassified, such as during reorganization or when directed by the Village Manager, the customary time for submitting a request is during preliminary budget preparations. The ideal time is when a position is vacant.
- C. When an employee is reclassified, there may be a salary adjustment. In reclassification to a lower pay band an employee's salary may or may not be reduced. The Village Manager shall make the final determination.
- D. Reclassification shall not be used as a method of awarding an employee a salary increase.
- E. Reorganization is defined as elimination, creation, or realignment of Village departments, offices, or positions. Reorganization is subject to the approval by the Village Manager. Reassignment due to reorganization can be either voluntary or involuntary.

2-14 Rehire

A vacancy may be filled by rehiring a former employee who qualifies for the position and who resigned or was terminated in a current position while retaining their right for rehire with the Village of Ruidoso. If a previous employee resigned from the Village and did not retain their right for rehire status, they would not be eligible. An employee that was not eligible for rehire may request in writing to be reconsidered for rehire providing they submit written justification as to why their status should be changed and the request must be approved by the current Director and Village Manager.



2-15 Persons Ineligible for Hire by the Village of Ruidoso

It is the policy of the Village of Ruidoso to give the municipality as many options for hiring and placement of qualified and capable employees as possible while avoiding the appearance of nepotism.

The following persons are ineligible for employment with the Village of Ruidoso:

- A. Any person who serves as a voting member of the Village Council and for a two-year period thereafter.
- B. Persons shall not be hired, promoted, or transferred to a position which is under the supervision of an immediate relative.
- C. The Village reserves the right to deny hire, promotion, or transfer of any employee or candidate in which a relationship exists that would create an actual or perceived conflict of interest or favoritism.

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

- D. For purposes of this Policy, the following definitions shall apply: “Immediate family” or “immediate relative” means an individual’s spouse or significant other, parent, step-parent, parent-in-law, grand-parent, grandchild, child, step-child, brother, sister, stepbrother, step-sister, aunt, uncle, niece, nephew, first-cousin, or legal dependent and also includes an individual who falls within one of these categories by a previous marriage, adoption, or registered domestic partnership and common law relationships.
- E. If an applicant is applying for a seasonal or temporary position the Village Manager can review and approve on a case-by-case basis.

2-16 Background Investigation

The Village of Ruidoso reserves the right to conduct criminal history checks, driving record checks, education verifications, employment verifications, and any other such background checks determined to be appropriate by the Village. All applicants must consent to such background investigation to be considered for employment. The Police Department has more restrictive hiring policies and background check requirements, as established in their Police Department Policy. All volunteers will be required to consent to a background investigation prior to volunteering for any Village function.

2-17 Immigration Reform and Control Act (Form I-9)

Upon selection of an applicant, the Human Resources Department shall verify and document the identity and immigration status of the individual. The applicant shall be required to complete the Form I-9 and provide the necessary documentation prior to the first day of employment. Failure to supply documentation of legal authorization to work in the United States will result in a job offer being rescinded.



CHAPTER 3.

CLASSIFICATION OF EMPLOYEES

3-1 Categories of Employment

It is the intent of the Village of Ruidoso to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The following employment status categories shall be used for personnel employed by the Village:

- 3-1-1 Unclassified Employees:** are at-will employees who are employed at the convenience of the Village of Ruidoso and may be demoted or terminated by the Village Manager, at any time, without cause, and without the right to a hearing. Unclassified employees include probationary employees, and temporary employees.
- 3-1-2 Classified Employees:** are employees, not including the Village Manager and appointed positions, who work in a regular position, have completed the probationary period, whose employment may only be terminated for cause, layoff, or abolishment of position.
- 3-1-3 Appointed Positions:** The Mayor appoints the following positions: Village Manager, Village Clerk, Emergency Manager, Police Chief and Treasurer. The Mayor makes recommendations for these positions and the Council confirms the appointments. If appointed officials are removed at the end of an election or contract term, then they are terminated and have no appeal or hearing process. The appointed positions shall be subject to all other provisions in the personnel policy and may have a severance agreement approved by the Governing Body. Appointed employees that are not reappointed will retain their rehire status with the Village of Ruidoso for future employment as long as they are eligible for rehire. Appointed employees have the same benefits as classified employees in regard to vacation and sick leave accrual, as well as the number of hours they can accrue, Family Medical Leave Act (FMLA), Public Employees Retirement Association (PERA), and Insurance benefits as stated in this personnel manual. All appointed positions are contract employees, and the contract is subject to the approval of the Governing Body.
- 3-1-4 Grant Funded Employees:** Full-time or part-time employee hired and compensated under a grant obtained by the Village of Ruidoso for a specific program. If provided for in the grant, these employees are eligible for benefits based on budgeted hours. Grant funded employees are unclassified employees and shall not have access to the grievance procedures when the adverse action is a result of a change in the grant provisions. If the program is not funded, the employee in this position will be given consideration for an equivalent vacant position being filled within the Village of Ruidoso. If no positions are available, then the position will be eliminated.
- 3-1-5 Full-Time Employee:** A regular full-time position is scheduled to work a 40-hour workweek on a recurring basis. A regular full-time works the approved fire department schedule in a fourteen (14) day work period.
- 3-1-6 Part-Time Employee:** A regular part-time position is scheduled to work at least 20 hours but less than 32 hours in a 40-hour workweek on a recurring basis. Under very limited circumstances as determined by the Department Director and Manager, the Department Director may request that an employee holding a part-time position, work more than 32 hours in a 40-hour workweek. The written request must be for a specific and limited time period and shall be subject to the approval of the Manager. The employee is not eligible for full-time benefits during this temporary period. Employees who work at least 1040 hours per year are eligible for prorated benefits as described in this manual.



- 3-1-7 Temporary Employee:** A temporary employee works in a position designated as “seasonal” or “temporary” created to last no more than nine consecutive months. Employment beyond any initially stated period does not in any way imply a change in employment status. A temporary employee retains that status until notified in writing of a change. Temporary employees (including student employees) are not eligible to participate in Public Employees Retirement Association (PERA). Part time temporary positions are not eligible for benefits in this policy such as but not limited to vacation, sick, holiday pay, group insurance, longevity, etc. Full-time temporary positions that are regularly scheduled to work 40 hours per week are eligible for holiday pay after six (6) months of service. This does not include employees hired for summer and winter operations.
- 3-1-8 Interim Appointment/Positions:** An employee who has been appointed to serve in an interim position will return to his/her previously held position once the Interim period is over. Interim positions shall last no longer than 18 months. The employee may receive compensations as stated in section 4-2 of this policy.
- 3-1-9 Contract Employee:** A contract employee will be provided an agreement documenting compensation and benefits that will be provided and is subject to the approval of the Governing Body.

3-2 Exempt or Non-Exempt Status

Each employee is designated as either non-exempt or exempt under federal and state wage and hour laws. Non-exempt employees are entitled to overtime compensation under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. Each employee will be informed of their status as an exempt or non-exempt employee by their supervisor as approved by the Human Resources Department at the time of the official job offer. If an employee changes positions during their employment as a result of a promotion, transfer, or otherwise, they will be informed by the Human Resources Department and their supervisor of any change in their exempt status.

- 3-2-1 Exempt Employee:** Employee who is not eligible for overtime wages under the Fair Labor Standards Act. Employees who are classified as exempt are required to meet the FLSA salary level test and duties test.
- 3-2-2 Non-Exempt Employee:** Employee who is entitled to overtime wages under the Fair Labor Standards Act.



CHAPTER 4.

POSITIONS AND PAY

4-1 Compensation Policy

The Village of Ruidoso believes that the strength of the organization is in its people. The Village is committed to providing a fair pay structure to the employees. The Village of Ruidoso believes that it is in the best interest of the Village and employees to fairly compensate them for the value of services provided. It is the Village's intention to use a compensation system that will determine the current market value of a position based on the skills, knowledge, and abilities required of a fully competent individual. The system used will be objective and non-discriminatory in theory, application, and practice. This will be accomplished by using a combination of compensation philosophies, external competitiveness, internal equity, and employee qualifications and contributions.

The Village's compensation system and/or changes shall be approved by the Governing Body annually as part of the budget process. Professional support and consultation may be used to evaluate the system and provide on-going assistance in the administration of the program if necessary.

- 4-1-1** The Governing Body shall set the position level, pay bands, benefits, and specific components of the total compensation package for the Village Manager.
- 4-1-2** The Village Manager is responsible and accountable to the Mayor and Council. In that capacity, the Village Manager is charged with ensuring that the Village of Ruidoso is staffed with highly qualified, competent employees, and that all departments are administered within appropriate guidelines and within the approved budgets.
- 4-1-3** The Village Manager is responsible for ensuring that all departments are staffed at the level necessary to accomplish required tasks and services. Therefore, the Village Manager may create additional positions or delay filling existing positions as determined by the Village Manager.
- 4-1-4** The Village Manager and/or Human Resources Manager shall ensure that pay bands are reviewed with the market at least once every five years, and that pay equity adjustments are administered in an efficient and equitable manner.
- 4-1-5** The Village Manager is charged with the responsibility to ensure that the total compensation program is managed for consistency and equity.

4-2 Pay

No employee shall be paid at a rate lower than the Federal or State minimum wage. The Village of Ruidoso complies with the Fair Labor Standards Act. A person newly hired to a position shall be paid at least the minimum rate for the pay band to which the position is assigned. Only the Village Manager has authority to approve wages above the entry level up to midpoint for any pay band based on experience, certifications, or qualifications. Any offer over midpoint shall be approved by the Mayor. Any offer over the maximum of a pay band shall be presented to the Governing Body for discussion, approval, or disapproval.

- 4-2-1** If a newly hired employee does not have all of the qualifications at the time of hire the employee may be hired below entry level. The entry level can be reduced by 4% and the employee and the Village will establish an improvement plan in order for the employee to build skills and competencies for the position. The Human Resources Manager will make a recommendation and the Village Manager will have the final approval in determining the appropriate placement.
- 4-2-2** Salary increases for performance and incentive pay may be granted based on established criteria and availability of funds.



4-2-3 When an employee is promoted, demoted, transferred, or placed in an interim position their rate of pay in the new position shall be in accordance with the following:

- An employee who is promoted shall be paid the minimum rate for the new pay band or a higher rate in the new pay band up to midpoint based on years of service, experience, and qualifications.
- An employee who is demoted shall be paid at an appropriate rate in the pay band of the new position. Involuntary demotions are considered disciplinary action.
- An employee who is transferred from one job to another job in the same pay band shall continue to be paid at the same rate.

4-2-4 An employee may be placed in an interim position, which is a non-competitive appointment of an incumbent to temporarily assume the duties of a vacant position for a period not to exceed 18 months. An employee in an interim position will be paid at least the minimum in the pay band for the position in which the employee is acting. The Village Manager may remove an employee from the interim position at any time with or without cause or reason.

If an interim employee is eligible for benefits under their pre- and post-interim positions, then they continue to receive benefits during the interim position. If the employee is not eligible for benefits pre- and post-interim placement, the interim employee shall not be eligible for benefits during that position even though the position for which the employee is acting as interim might normally receive benefits.

4-2-5 Pay changes shall become effective at the beginning of the next pay period after the action causing the change. All employees will be compensated following the current approved pay plan and step plan within their corresponding pay band.

4-3 Pay for Performance

Employees will be eligible to receive a 1% performance increase annually based on achievements and measurable outcomes identified and documented in the employee's annual evaluation. Education, certifications, and specialized training achieved by employees to help build capacity within Departments can be identified by the Director and will be taken into consideration for the employee's performance increase.

4-3-1 Assigned goals will be proposed by the Director and approved by the Village Manager and/or Deputy Manager.

4-3-2 Once an employee has completed their assigned goal or goals the employee will be eligible to earn a 1% of pay increase. Goals will be established in July during the annual evaluation process and goals must be completed by June 30 of the following year unless the Department Director/Manager assigns a specific date of completion prior to that.

4-3-3 Performance Pay cannot be paid retroactively, but will be paid upon completion of assigned performance criteria and payroll processing. The Director or Manager shall complete a Personnel Action Notice and forward to the Human Resources Department with documentation of the assigned performance criteria and completion.

4-3-4 Justification for the performance increase should be documented on the annual evaluation and placed in the employee's personnel file.



4-4 End of Probation Increases

Employees will receive a 1% end of probation increase for completion of their initial probationary period.

4-5 Call Back

Employees who have left the workplace and are called back to work outside of their regularly scheduled shift hours to perform non-scheduled work shall be paid at premium pay. The premium pay shall be paid at 1 ½ times the employee's regular hourly wage for all call back hours. Employees will receive a minimum of two hours call back pay when they report. Employees are given up to two hours to respond to the job site as designated by their Director or Manager when called back.

4-6 Standby Pay

Standby is when an employee is scheduled to be available to answer service requests. When an employee is scheduled to be on standby, the employee will be required to make sure they are available for work during the standby hours scheduled.

Employees required to be on standby shall be paid at the rate of one (1) hour for the first eight hours of standby time completed, two (2) hours for nine to 16 hours of standby time completed, and three (3) hours for 17 to 24 hours of standby completed. Employees on standby shall respond to service calls as soon as possible but no later than one (1) hour. If the employee fails to respond to service calls while required to be on standby, the employee will not be considered to have been on standby and therefore the hours will not be used to compute standby pay and may be subject to disciplinary action.

Standby pay compensates an employee when they are not on their scheduled shift and not on leave. However, if the employee is on vacation during their regular shift, they can still be eligible for standby if they are available. Employees who have taken sick leave due to illness would not be eligible for standby pay.

4-7 Overtime Pay

All employees are subject to the provisions of the Fair Labor Standards Act (FLSA). All timekeeping records for hourly employees are to reflect the actual hours worked. If an employee works overtime, they shall be paid at one and one-half (1 ½) times their regular hourly rate. All overtime must be approved by the Department Director/Manager prior to the employee working those hours.

Overtime pay for general employees and police employees will be paid for all time worked in excess of 40 hours in the work week. Overtime pay for Fire employees will be paid for all time worked in excess of 106 hours in a fourteen day pay period.

- 4-7-1** Absences including, but not limited to sick leave, vacation leave, holiday, standby, leave without pay, FMLA, military leave, jury duty, and voting time or other nonworked hours are not counted as time worked for the purposes of computing overtime pay.
- 4-7-2** The Village Manager shall approve overtime during emergency circumstances, which call for immediate action or in special situations required by the nature of the operation.
- 4-7-3** Overtime is for the benefit of the Village. The employee must obtain verbal or written approval for overtime compensation, prior to the time the work is performed. Any unauthorized overtime shall be subject to disciplinary action, except in cases of an emergency as determined by the Village Manager.

4-8 Shift Differential

The Village of Ruidoso recognizes that some departments operate 24 hours a day and others start early morning operations with employees working on different shifts during the 24-hour period. Shift differential is payment to employees who work swing and grave shifts for the Village of Ruidoso. It



shall be the policy of the Village of Ruidoso to pay eligible employees a premium for working swing shift and grave shift. The premium payment shall be added to the hourly wage.

Swing shifts begin between 1:45 pm – 7:44 pm. Employees will be paid an additional .25 per hour when working a swing shift. Grave shifts begin between 7:45 pm – 4:00 am. Employees will be paid an additional .50 per hour when working a grave shift. The differential shall be added to the hourly wage. No shift differential will be paid for any shift beginning after 4:00 am.

It will be the Director's/Manager's responsibility to provide a timely schedule/roster of any shift changes before the beginning of the pay period to ensure employees are paid appropriately. The notification will be signed by the Department Director, Finance Department, Human Resources Manager and Village Manager or Designee. The Village Manager may have final approval for all shift differential changes.

4-9 Service Credit Pay

The Village of Ruidoso is committed to its employees and has laid out a policy by which classified employees will receive a service credit increase annually of 1%.

4-10 Policy on Exempt Employee Pay

Exempt employees are required to be paid in accordance with the Fair Labor Standards Act. Provisions Mandated by the Salary Basis Rules:

Salaried employees will not see deductions from their pay as a result of absences due to the circumstances listed below. Such improper pay deductions are therefore specifically prohibited by the Village of Ruidoso regardless of the circumstances. Directors, Managers, or Supervisors violating this policy will be subject to investigation of their pay practices and appropriate corrective action in accordance with normal procedures.

- Jury duty
- Attendance as a witness
- Temporary military leave
- Administrative leave with pay
- Absences caused by the operating requirements of the business
- Partial day amounts other than those specifically discussed below

4-10-1 Pursuant to principles of public accountability, exempt employees are expected to work a minimum of 40 hours per work week. Exempt employees who accrue annual leave and sick leave and who take more than two (2) hours of time off during a work week for personal reasons or because of illness or injury shall charge this time to the appropriate accrued vacation or sick leave time. Additional time worked in a work week can only be applied to the actual work week.

The few exceptions to the requirement to pay exempt employees on a salary basis are listed below and in accordance with Village of Ruidoso Policy. The Fair Labor Standard Act allows for the following pay deductions for exempt employees:

- Absences of two (2) hour or more due to personal reasons, sickness, or disability when the employee is not yet eligible for vacation or sick leave, or has exhausted the paid leave benefits provided by the Village.
- Fees received by the employee for jury duty or military leave may be applied to offset the pay otherwise due to the employee for the week. No deductions can be made for failure to work for jury duty or military leave.



- Unpaid disciplinary suspensions of one or more full days in accordance with Village of Ruidoso's disciplinary policy.
- Partial work weeks during the initial or terminal week of employment. In these allowable situations, the Village will pay a proportionate part of the employee's full salary for any time actually worked based on the hourly equivalent of the employee's full salary.
- Leave without Pay while on FMLA.
- Absences for personal reasons or illness or injury when leave is not used by the employee because:
 - a. Permission for use of accrued leave has not been sought or has been sought and denied.
 - b. Accrued leave has been exhausted; or
 - c. The employee chooses to use leave without pay.



CHAPTER 5.

PAYROLL/WORK SCHEDULE

5-1 Pay Periods

Pay periods will be biweekly. Each department will establish deadlines for time documentation to be submitted to Supervisors for review and approval/disapproval. However, all departments must have approved time documentation submitted to the payroll department by 10:00 AM on Monday after the end of each pay period. The only exception to this is when there is a holiday. In this case, departments will be notified by the payroll department when approved time documents are due.

It is the responsibility of each employee to ensure their payroll records reflect the actual hours worked for each pay period. Any leave taken during a pay period is also required to be entered properly according to the employee's actual time away from work. Altering, falsifying, or tampering with time records or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment as well as possible criminal charges.

5-2 Deductions

The employer will deduct from each employee's paycheck those amounts required by law plus those amounts authorized by the employee for fringe benefit plans as determined by the Governing Body.

If employees are on unpaid leave, they are still responsible for the employee portion of paid deductions. Arrangements must be made in advance as to how deductions will be covered by the employee during their absence.

5-3 Allowances and Advances for Work-Related Items

Advances for items including uniforms, tools, equipment, and related items will be allowed as determined by the Village. The amount of the allowance or advance shall be allocated as part of the budget process. Eligible employees who receive an allowance will receive it on the last paycheck of each month. Employees will not receive a monthly allowance if they are on FMLA or other unpaid leave.

5-4 Workweek and Pay Periods

The normal work schedule shall be determined by the requirements of the job. The workweek shall begin at 12:00 A.M. Sunday and end at 11:59 P.M. Saturday. Each workweek stands alone for totaling work hours. A normal workweek shall consist of 40 hours and is established by the Department Director/Manager. Time and attendance records will be kept based on actual hours worked by the employee. The normal workweek may be modified to meet the needs of a specific department as required.

The Village of Ruidoso designates the pay period for Fire Department shift workers on a 14-day period. The 14-day work period is designated pursuant to FLSA section 207(k). Shift workers in the Fire Department include Firefighters, Lieutenants, and Captains. The maximum number of hours per 14-day work period, which can be worked by non-exempt fire employees without incurring overtime liability under the Act, is 106 hours. Fire Department shift workers work rotating shifts and either work a 96-hour period or a 120-hour period which includes 14 hours of mandatory and scheduled overtime.

5-5 Time and Attendance

Non-exempt employees shall log time and attendance records through the approved time documentation process. Any unauthorized work is subject to disciplinary action up to and including termination. Exempt employees are not required to enter regular hours worked each pay period. They are required to enter any leave time taken during the pay period that is in excess of the two hours allowed for administrative time.



5-6 Scheduling

The Department Director/Manager or direct Supervisor will determine the reporting time and leaving time for the employees to ensure operational needs are met and to achieve the maximum effectiveness of the department.

Regular full-time fire positions work rotating shifts which are 48 hours on, and 96 hours off with starting and ending time set by the Fire Chief.

Directors and Managers are expected to be available during busy seasonal holidays and weekends or notify the Village Manager of the person in their department who will be available if needed.

5-7 Meals and Breaks

All employees are permitted a 15-minute paid rest break which may be scheduled by the Supervisor or Manager, for each four-hour work period. Employees who voluntarily work through their rest breaks will not be paid additional compensation.

Employees who work more than six hours in a day are permitted to take an unpaid meal break of 30 minutes and up to one (1) hour depending on department schedules. Emergency personnel are subject to emergency call-out, therefore, lunch periods may vary. Meal breaks are not counted toward hours worked. If a nonexempt employee is required by a Supervisor to perform any work duties while on his or her meal break period, the employee will be compensated for the time spent performing work duties. The time spent working during the meal break will be counted toward the total hours worked. Managers are responsible for the scheduling of meal and rest periods. Breaks and meal periods are not permitted at either the beginning or end of the workday to offset arrival and departure times nor are rest breaks permitted in conjunction with meal breaks. Employees who fail to return on time from rest breaks or meal breaks may be subject to disciplinary action and docking of pay for time missed.

5-8 Nursing Mothers Breaks

The Village of Ruidoso supports breastfeeding mothers by accommodating any employee who is breastfeeding her child. The employee will be provided reasonable break times to express breast milk during her workday when separated from her newborn child. A private space will be designated to the employee to use as needed for this purpose. Nursing mothers wishing to use this private space must make arrangements with the Human Resources Manager. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration, and tampering.

5-9 Employee Incentive to Work Additional Hours During Peak Summer Months

Opportunities may be provided to Village employees to work extra hours during peak summer months from May 30 through September 30 to assist with summer events including, but not limited to, the lakes, the Wubit, parking facilities, concerts, or any additional events or other service industry business as determined by the Village Manager.

Any employee who can demonstrate they have been scheduled overtime hours for an approved event or service industry position will be eligible to work their regular position with a schedule of 4/10's (4 days @ 10 hours per day) which will allow them time to work extra hours on the other days.



CHAPTER 6.

EMPLOYEE BENEFITS

6-1 Benefit Participation

Employee benefits, unless otherwise prescribed by law, are available only to active, appointed, full-time and part-time employees. For this purpose, active, appointed, or full-time employees are those scheduled to work 40 hours per week. Part-time employees are those scheduled to work at least 20 hours but less than 40 hours per week and are eligible to receive pro-rated benefits. Part-time employees who regularly work less than 20 hours in a 40 hour scheduled workweek are excluded from PERA membership and health insurance.

6-2 Benefit Administration

The Human Resources Department administers the Village of Ruidoso's benefits programs. Annually the Village will have an open enrollment period where employees can make changes to their insurance benefits. Open enrollment is the only time during the year that changes can be made without a qualifying event.

Employees who have a qualifying event, such as the birth or adoption of a baby, marriage, divorce, etc., have 30 days from the date of the event to make enrollment changes. Employees who have a qualifying event should contact the Human Resources Department and provide the necessary documentation in a timely manner.

6-3 Employee Leave Benefits

Leave is any authorized absence, with or without pay, during regularly scheduled work hours which is approved in advance in writing by proper authority. All leave is subject to the approval of the employee's direct Supervisor and in some instances, the Village Manager. Requests for leave shall be submitted to the Department Director/Manager through the approved request process.

When an employee is absent before prior approval has been obtained, the employee is responsible for notifying their supervisor and explaining circumstances of the absence. Upon returning to work, the employee will update their time record with the appropriate leave request to cover the absence.

Leave requests are not guaranteed to be approved. Supervisors shall consider each request on a case-by-case basis. Approval shall be considered in terms of workload, staffing levels, availability of personnel, timeliness, and other job-related factors.

Absence without approved leave is considered an unauthorized absence, subject to disciplinary action up to and including dismissal.

6-4 Sick Leave

Sick leave is an employee benefit provided by the Village which provides time off from regular duty, with pay when an employee is unable to work due to illness/injury, well care, medical/dental appointments, exposure to contagious diseases which would endanger the health of other employees, or the first week of an on-the-job injury that is not paid by Worker's Compensation (7 day waiting period). Sick leave may also be used for illness/injury or well-care for the employee's immediate family.

6-4-1 Sick Leave Policy

At the discretion of the Department Director/Manager, an employee may be sent home on sick leave or unpaid leave if the employee seems to be, in the Department Director/Manager's determination, too sick or injured to perform their job duties.



When sick leave extends beyond the duration of three (3) consecutive working days or 48 consecutive hours for fire department employees (one (1) fire duty shift), a doctor's certification verifying the absence was due to illness/injury and that the employee may return to work is required. If the employee does not submit proof to the supervisor for the sick leave taken, then the absences shall automatically be considered leave without pay and the employee will be subject to disciplinary action. An employee with excessive absences may be asked by their Supervisor to provide a doctor's certification. If sick leave is utilized inappropriately by any employee, it may result in disciplinary action.

When an employee has an unscheduled absence due to illness or injury, Supervisors are required to notify the Human Resources Department. It may be necessary for the Human Resources Department to obtain additional information or documents regarding the employee's absence. If a doctor release is required, the employee must present it to the Human Resources Department prior to returning to work.

6-4-2 Sick Leave Accrual

Sick leave is earned starting the first day of employment and is credited to an employee on the last day of each pay period.

- Full-time employees (except for fire shift employees) shall accrue sick leave at the rate of four (4) hours per pay period.
- Fire Department shift employees shall accrue sick leave at the rate of 4.98 hours per pay period.
- Part-time employees shall accrue two (2) hours per pay period.
- Sick leave benefits are not available to temporary employees.

6-4-3 Sick Leave Maximum Accumulation Allowance

No more than 480 hours of sick leave may be carried forward from one calendar year to the next.

6-4-4 Sick Leave Notification

An employee who must miss work due to illness, injury, or other circumstance covered under this sick leave policy, must immediately report such absence to the employee's immediate supervisor or designee. The employee is then required to contact the Human Resources Manager.

- A department may adopt notification procedures for its employees.
- Departments that are 24/7 operations may require notification to occur at least two (2) hours prior to the start of the shift.
- Failure to comply with notification requirements may result in unexcused absence, unpaid leave, and possible disciplinary action, up to and including termination.

6-4-5 Voluntary and Involuntary Termination Provisions

Voluntarily and Involuntarily terminated employees will not receive any sick leave payment for unused accrued sick leave.



6-5 Sick Leave Bank

If an employee is absent from work due to illness or injury and does not have sufficient accrued leave to cover their absence, they can apply to the Village's sick leave bank and borrow the needed hours to cover the absence. The employee is required to fill out an application for the sick leave bank and submit the request to the Department Director or Manager for approval. If approved by the Director/Manager, the application will be forwarded to the Village Manager for review. If approved, the borrowed hours will be made available to the employee to complete their leave entry.

Once the employee returns to work, he/she will begin to pay back the hours from their accrual at 4 hours per pay period until the balance is paid in full.

Employees may also donate hours to the sick leave bank at any time for employees in need. Employees who have over 120 hours, on a voluntary basis, can donate any amount up to ten percent as long as the employee does not fall below 120 hours.

6-6 Sick Leave Donations

Sick leave is intended to be used for genuine sickness, injury, or doctor's appointments. Sick leave is not intended to be used as vacation or for slight indispositions that do not keep the employee from doing his or her job. Sick leave should not be used frivolously by the employee. However, the Village of Ruidoso realizes that major illnesses or injuries can cause an employee to use up sick leave in one round of recuperating or when needed to be the primary care take for his or her child, spouse, domestic partner, or parent during a major illness or injury. The Village of Ruidoso realizes that some employees may want to help co-workers during this convalesce period.

When an employee has used all his/her accrued paid leave (sick or vacation time) and is still out of work due to the employee's off the job illness or injury or due to the employee needing to be the primary care taker of his or her child, spouse, domestic partner, or parent due to an illness or injury, the employee can, in writing to the Village Manager, request sick leave donations from the employees of the Village of Ruidoso. The employee shall also submit a written certification by the employee's health care provider describing the nature, severity, and anticipated duration of the emergency medical condition which includes whether the employee is unable to work all or a portion of the employee's work hours. Any eligible FMLA leave runs concurrent with any donated paid sick leave.

Upon approval, the Human Resources Department will send out requests for sick leave donations for that particular employee. Employees who have over 120 hours of accrued leave can, on a strictly voluntary basis, donate any amount up to ten percent of the accrued leave as long as that employee does not fall below 120 hours. Donations will be strictly confidential. Employees wishing to donate will contact the Human Resources Department and request a voluntary donation form. The employee requesting donations shall not be permitted to know who has donated time. Donated time shall not be used retroactively, therefore, employees cannot receive leave donations as back pay.

6-7 Holidays

Full-time and appointed employees shall be entitled to the benefit of twelve (12) paid holidays annually. Full-time temporary employees who are regularly scheduled to work 40 hours a week are also eligible for paid holidays after six (6) months of service. This does not include temporary employees hired for summer and winter operations.

- New Year's Day
- Martin Luther King Day
- Presidents Day
- Memorial Day
- Independence Day
- Labor Day
- Indigenous People's Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Eve
- Christmas Day



All general employees and eligible full-time temporary employees shall be paid eight (8) hours of holiday pay. General employees who are regularly scheduled to work ten (10) hour shifts shall be paid ten (10) hours of holiday pay. Fire department employees shall be paid twenty-four (24) hours of holiday pay if they work a 96-hour or 120-hour workweek. When the employee is required to be on duty for a holiday, they shall receive holiday pay and compensation for hours worked at the corresponding FLSA payrate.

If the holiday falls on a Saturday, the holiday will be recognized on the preceding Friday and if the holiday falls on a Sunday, the holiday will be recognized on the following Monday. If an employee works in a department that provides 24/7 services, (such as fire, water, wastewater, wastewater treatment, airport, police, parks, or solid waste), the holiday is the actual day of the holiday and is designated by when the employee's shift starts, not when it ends.

- A. Holidays must be observed as they occur.
- B. If the holiday falls on an employee's regularly scheduled day off, the employee shall be entitled to another paid day off during the same pay period as the holiday as scheduled by the Village.
- C. When a designated holiday falls within an employee's vacation or sick leave, that day shall be paid as a holiday at straight time and not deducted from their leave balance.

6-8 Vacation

Vacation leave is intended primarily to provide each employee with paid vacation each year, although it may be used for other employee needs requiring absence during work hours. Employees are expected to use vacation leave each year in order to take time off for the good of their physical and emotional wellbeing. Leave should be planned and requested as far in advance as practicable, in order to allow the Department Director/Manager to plan for the operation of the department. Two weeks' notice is requested of the employee to allow time for the Department Director/Manager to make scheduling adjustments. Each full-time employee shall receive leave based on their length of service in accordance with the following rate table. Each part-time employee shall earn one half of the same table.

Months of Service	All Employees (except Fire). Part time employees receive ½ of these hours. General Employees will receive Vacation hours at the completion of 6 months, 12 months, and annually thereafter on anniversary	24-Hours Shifts (Fire)
6 months	40 hours/1 week	53.20 hours
12 months	40 hours/1 week	53.20 hours
13 thru 60 months continuous service	80 hours annually/2 weeks	106.40 hours
61 thru 120 months continuous service	120 hours annually/3 weeks	159.60 hours
121 thru 240 months continuous service	160 hours annually/4 weeks	266 hours
241 months above continuous service	200 hours annually/5 weeks	266 hours



- Vacation leave balance shall not exceed 260 hours (330 hours for Fire shift employees).
- Vacation leave is credited to an employee at six (6) months of service, twelve (12) months of service, and annually thereafter at the employee's anniversary date.
- Vacation leave may be used for sick leave if sick leave has been exhausted.
- All terminating employees who have been employed for more than six (6) months will be eligible for payment of earned vacation leave.
- Vacation leave will be scheduled to allow minimum interference with the employee's work requirements. The Department Director/Manager will determine approval.
- Vacation leave benefits are not available to temporary employees.

6-9 Employee Acknowledgment

Employees hired prior to the adoption and execution of this personnel policy ordinance will follow the previous personnel policy ordinance approved and adopted September 21, 2014, for the following sections only: 6-4-3 Sick Leave Maximum Accumulation Allowance, 6-4-5 Retirement Provisions, 6-4-6 Voluntary Termination Provisions, and 6-8 Vacation.

6-10 Family And Medical Leave Policy (FMLA)

The Village complies with the Family and Medical Leave Act (FMLA) and will grant leave in accordance with the law. To be eligible for leave under this policy, employees must meet all of the following requirements:

- Have worked at least twelve (12) months for the Village of Ruidoso.
- Have worked at least 1,250 hours for the Village over the twelve (12) months preceding the date the leave would commence.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

6-10-1 Acceptable Reasons for Leave

To qualify as FMLA leave under this policy, the leave must be for one of the reasons permitted by law.

6-10-2 Intermittent Leave or a Reduced Work Schedule

The Village may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable, for planned medical treatment, including recovery from a serious health condition, or to care for a child after birth or placement for adoption or foster care.

When intermittent leave or a reduced schedule is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the Village's operations.

6-10-3 Employee Notice Requirement

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the HR manager. When the need for the leave is foreseeable, the employee must provide the Village with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the Village's procedural requirements for requesting sick leave.



6-10-4 Employee Status and Benefits During Leave

While on paid leave, the Village will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

6-10-5 Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider.

6-10-6 Use of Paid and Unpaid Leave

An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member may choose to use paid vacation, sick leave, or other leave prior to being eligible for unpaid leave. Sick leave may run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established sick leave policy.

An employee who is using military FMLA or military caregiver leave for a qualifying exigency may choose to use paid vacation, sick leave, or other leave prior to being eligible for unpaid leave.

6-10-7 Intent to Return to Work from FMLA Leave

The Village requires employees to check in periodically with HR to report on the employee's status and intent to return to work.

6-11 Injury On the Job Leave (Worker's Compensation Leave) Unpaid:

New Mexico law requires that all municipalities provide compensation to eligible employees injured on the job (§52-1-1 through 52-1-70, NMSA 1978, as amended).

All employees of the Village of Ruidoso are covered by Worker's Compensation Insurance through the Village of Ruidoso at no cost to the employee.

The employee is responsible for immediately reporting any injury to the supervisor in charge. The accident report shall be submitted to the Human Resources Department within 24 hours of the incident. Employees and supervisors who do not immediately report an injury are subject to disciplinary action.

Lost time accidents are paid in accordance with the law and on the basis of average weekly wage amounts at the time of injury.

No loss claims are those on-the-job injuries which result in lost time from work for less than seven days. In cases like this, the employee's time off shall be charged to accrued sick leave, vacation leave, or unpaid leave.

Lost time claims are those on-the-job injuries which would cause the employee to lose time from work for a period of seven days or longer. Lost time accidents are paid in accordance with the law and on the basis of average weekly wage amounts at the time of injury.

The first seven days are considered a waiting period and would not be paid by Worker's Compensation. After the employee becomes eligible for Worker's Compensation payments, the employee shall be placed on an unpaid leave of absence. Vacation or sick leave shall not accrue during this time.



For the employee on Worker's Compensation disability who remains an employee of the Village, the Village will continue paying the Village's share of group insurance. The employee on Worker's Compensation is responsible for and must arrange for payment of the employee's share for coverage during the leave period. If the payment is more than 15 days late, the Village will notify the employee with written notification. Coverage for employee paid policies may cease if the employee's share of the premium payment is more than 30 days late.

Before being permitted to return to work, employees are required to present a fitness for duty release from their health care provider indicating they are capable of returning to work with or without restrictions. This release must be given to the Human Resources Department to be cleared for return to work.

6-12 Bereavement Leave

Employees may request to take up to three days of paid administrative leave (48 hours or one shift for Fire) for an employee who has a death in the immediate family. For purposes of bereavement leave, family is defined as any legal dependent, domestic partner, parent, spouse, sibling, child, grandparent, or grandchild (including step-relatives or in-laws that parallel this list).

6-13 Unpaid Leave

Although leave without pay is not encouraged, there may be times that employees may be granted leave without pay under certain conditions contingent upon recommendation by the Department Director/Manager and approval by the Village Manager. The employee shall not accrue sick leave, vacation leave, holiday pay, or any other benefits while on leave without pay. Retirement contributions are not made while the employee is on leave without pay.

When an employee is on unpaid leave, the employee is responsible for ensuring that any employee paid deductions are paid while they are on unpaid leave.

6-14 Administrative Leave with Pay

Administrative leave with pay may be used for a variety of reasons. As described in this manual, bereavement, voting, and jury leave are examples of administrative leave benefits given to employees. There are times when salaried employees work a significant amount of time outside their regular schedule. The Village Manager may grant an administrative leave day.

Administrative leave with pay may also be used during an investigation of misconduct by an employee or at any time the Village Manager or designee, in their sole discretion, determines the Village's best interest will be served by placing an employee on paid administrative leave. Each situation will be administered on a case-by-case basis.

The Village Manager or designee shall contact the Human Resources Manager as soon as possible upon placing an employee on administrative leave for the remainder of that shift if they believe there is misconduct, alleged misconduct, or a safety issue. The Department Director/Manager, Human Resources Director, and Village Manager will determine what further actions (if any) will be taken. Administrative leave is not considered a disciplinary action. All employee benefits will still accrue during the period an employee is on administrative leave.

6-15 Military Leave

The Village will grant full-time employees military leave of absence for attending military reserve duty or for any period of active military service as dictated by State and Federal Law. No leave time will be earned while the employee is on military leave. No holiday time will be given.

The employee on military leave is responsible for and must arrange for employee paid deductions to continue during the military leave period. Accrued leave may be used for this purpose.



6-16 Jury and Witness Leave

All employees may be granted administrative leave with pay if their absence is in response to a jury summons, court-issued subpoena, or direction by proper authority to appear as a witness for the Federal government, the State government, or political subdivision thereof, or in their official capacity as an employee other than in a case against the Village. Such pay shall be their regular compensation.

Documentation of the actual hours served in jury duty will be required. This documentation should be requested by the employee who attends jury duty service and submitted to the payroll department at the end of each pay period to be eligible for jury leave pay. Part-time employees will be paid only for regularly scheduled hours during jury or witness leave.

It is the employee's responsibility to make the court aware they are a municipal employee. If jury fees are paid to the employee by the court, those fees shall be turned over to the Village of Ruidoso except for mileage reimbursement. If an employee chooses to use vacation leave for the time off to serve, the employee shall not be required to turn over the jury fee to the Village of Ruidoso. Jury Duty is not counted as time worked for the purposes of computing overtime.

6-17 Voting

Administrative leave for voting shall be granted as required by law. Any employee who is a registered voter may, on the day of election or during an early or absentee voting period, be absent with pay for up to two hours of time during the time the polls are open to allow employees to vote. Scheduling of the time to be absent for voting shall be at the discretion of the Department Director/Manager.

Administrative leave for voting does not apply to an employee whose workday begins more than two hours subsequent to the time of opening the polls, or ends more than three hours prior to the time of closing the polls.

Voting leave is not counted as time worked for the purposes of computing overtime.

An employee may be required to present to the Village proof of voter registration and/or of having voted. If an employee is found to have taken this leave time and used it for something other than voting, the employee shall be disciplined.

6-18 Disaster Services Leave (unpaid)

Employees who are volunteer emergency responders may be eligible for leave pursuant to New Mexico's Volunteer Emergency Responder Job Protection Act. An employee who will be absent from their place of employment while serving as a volunteer emergency responder to an emergency or disaster must make reasonable efforts to notify the Village HR Manager of that service and must continue to make reasonable notification efforts over the course of the absence. The employee will be required to provide the Human Resources Department with a written verification from the office of emergency management or a state or local official managing an emergency or disaster of the dates and time that the employee served as a volunteer emergency responder to an emergency or disaster. An employee may use vacation leave time for any time absent from employment while serving as a volunteer emergency responder to an emergency or disaster.

6-19 Social Security and Medicare:

A deduction for Social Security, as prescribed by the Social Security Administration, will be withheld from each employee's paycheck, and be matched with the same amount by the Village, and paid to the Social Security Administration on behalf of the employee.



6-20 Medical Insurance:

Medical insurance is provided to the employees of the Village of Ruidoso. For the purpose of medical insurance, the Affordable Health Care Act will apply. The Village pays 80% of the premium for appointed, contract, and full-time employees starting on date of hire. For part-time employees who work twenty (20) hours or more, the Village pays 60% of the premium starting on date of hire. The remainder of the premium is the responsibility of the employee and applicable premium payments will be made through payroll deduction. The Village will bear the expense of administration of this insurance coverage. Open enrollment is offered annually for a July 1st effective date.

6-21 Dental Insurance:

Dental insurance is provided to the employees of the Village of Ruidoso. For appointed, contract, and full-time employees the Village pays 80% of the premium starting on date of hire. For part-time employees who work twenty (20) hours or more, the Village pays 60% of the premium starting on date of hire. The remainder of the premium is the responsibility of the employee and applicable premium payments will be made through payroll deduction. The Village will bear the expense of administration of this insurance coverage. Open enrollment is offered annually for a July 1st effective date.

6-22 Basic Life Insurance:

Basic life insurance is provided to the employees of the Village of Ruidoso. The Village will bear the expense of administration of this insurance coverage. Open enrollment is offered annually for a July 1st effective date.

6-23 Vision Insurance:

Vision insurance is provided to the employees of the Village of Ruidoso. For appointed, contract, and full-time employees the Village pays 80% of the premium starting on date of hire. For part-time employees, who work twenty (20) hours or more the Village pays 60% of the premium starting on date of hire. The remainder of the premium is the responsibility of the employee and applicable premiums will be made through payroll deduction. Open enrollment is offered annually for a July 1st effective date.

6-24 Other Insurance Options:

Employees may choose additional coverage from various insurance plans such as short-term disability, accident, dependent life, and supplemental life insurance. These insurance plans are employee paid policies and are offered through payroll deduction. The types and providers of plans offered are subject to change at any time with or without notice. These policies are individual policies and may be continued at the employee's cost after employment with the Village of Ruidoso ends. Open enrollment is offered annually for a July 1st effective date.

6-25 PERA (Public Employee Retirement Association):

Except for the employees who are exempt as specified by PERA, Village employees are required to join the Public Employees' Retirement Association of New Mexico (PERA). A percentage of an employee's base pay will be deducted each pay period from the employee's payroll check. The Village of Ruidoso also contributes a percentage to the employee's PERA. Part-time employees who regularly work less than 20 hours in a 40-hour scheduled workweek or fewer than 40 hours in an 80-hour pay period may file for exclusion from PERA membership.

6-26 Longevity Pay:

Longevity pay is a lump sum annual payment that is to be paid to all current employees during the month of December. Longevity pay shall be paid at \$4.00 for each full month worked beginning with the most recent date of hire. Longevity pay shall not exceed \$1200 annually.

6-27 COBRA

Under the Consolidated Omnibus Budget Reconciliation Act of 1985, better known as COBRA, an employee who separates from employment with the Village is entitled to continue participating in the Village's group health, dental, and vision plans for a prescribed period of time. A notice will be sent to each employee after separation from employment offering the opportunity to enroll for continued coverage.



CHAPTER 7.

ORIENTATION, TRAINING, AND CAREER DEVELOPMENT

7-1 Orientation

All new employees are required to complete all onboarding paperwork prior to their date of hire, as well as sign an official offer letter and job description. Employees are required to attend an orientation provided by the Human Resources Department and the Safety Coordinator.

The Human Resources Department will conduct a general orientation and will ensure employees receive information in the following areas:

- Personnel Policies.
- Harassment Prevention Training.
- Information regarding benefit programs.
- Information regarding PERA retirement plans.
- Other important information the Village determines employees will need for their position.

The Safety Coordinator will conduct a general safety orientation regarding safety requirements in the workplace as well as assistance in identifying hazards. Emphasis will be placed on the Village of Ruidoso safety program and our mission to educate employees to work safely.

The employing department may conduct further job orientation specific to the department and position.

7-2 Training

All employees will be required to attend and complete required safety training annually. The Safety Coordinator and/or Human Resources Department will notify employees of scheduled training. Both in person and online training may be available depending on the training topic. Safety training course completion will be documented by employee and employees will be notified when refresher training is needed. It is the employee's responsibility to complete scheduled safety training and ensure requirements are met.

The Village may also offer other online training or in-person training in various disciplines to ensure employees are providing information related to skills to assist in their professional development. Directors and Managers are expected to ensure employees attend required training. The Human Resources Department will provide a certificate of completion for each course provided by the Village to be maintained in the employee's personnel file.

The Department Director/Manager or supervisor may allow or require the attendance of employees at meetings, conferences, or seminars intended to improve skills or knowledge.

7-3 Employee Performance Evaluations

Employee performance evaluations provide a review and evaluation of an individual's performance. Evaluations also give opportunities for employees to receive feedback on progress and completion of assigned goals as well as identify new goals for the upcoming year. The Village administers evaluations following the current approved administrative regulation which outlines due dates for all employees including new hires and employees who have transferred or promoted.

It is the responsibility of the employee's direct supervisor to ensure performance evaluations are effective and timely. All performance evaluations are maintained in the Human Resources Department in the employee personnel file.



7-4 Succession Planning

The Village of Ruidoso has established a succession plan to provide continuity in leadership and avoid vacancies in management positions that would be a hardship to the Village. The Village's succession plan is designed to identify and prepare candidates for high-level management positions that become vacant due to retirement, resignation, or new opportunities within the Village.

The succession plan will identify the incumbent in the position as well as the identified employee(s) who is being trained and mentored, the required training that is needed, and the length of time it may require for the employee to be ready for the promotion. Ideally the timing should correspond to the incumbent's retirement or advancement opportunity of his or her own. If the employee has been identified on the succession plan, their supervisor has actively worked with them to ensure they are ready for promotion, and the employee has not received disciplinary action or otherwise engaged in action deemed contrary to a promotion, the Village may decide to promote that individual rather than advertising for the position. It will be the Director and Village Manager's decision if they choose to advertise for the position externally.

It is the policy of the Village to assess the leadership needs of the organization and ensure that the selection of qualified leaders is a good fit and will assist the Village in continuing to drive the organization's mission and goal.



CHAPTER 8.

EMPLOYEE CONDUCT

8-1 Public Employment as a Public Trust

In performing the duties and in the many contacts with the public, Village employees should be continually aware that the impression of Village government that the public forms is based upon the employee's manner, appearance, speech, and conduct. Consequently, the Village government is dependent upon standards of reliability, integrity, industriousness, helpfulness, courtesy, efficiency, patience, grooming, dress, and language which are appropriate to the work situation and acceptable to the majority of the community. A public employee away from the job shall exercise the same rights as any other private citizen insofar as they do not interfere with the performance on the job or undermine public confidence in that employee, other Village employees, or the Village as an organization.

8-2 Code of Conduct

The Village of Ruidoso recognizes the importance of professional standards at all levels of the government and services provided to the community. The success of our services is dependent on the trust and confidence earned from employees, citizens and the Governing Body. We gain credibility by adhering to our commitments, displaying honesty and integrity and reaching Village goals solely through honorable conduct.

All employees deserve to work in an environment where we are treated with dignity and respect. The Village is committed to creating such an environment because it brings out the full potential in each employee, which in turn, contributes directly to the Village's success. Success for the Village of Ruidoso is dependent upon the standards of its employees with regard to:

- Integrity and honesty
- Transparency and openness
- Impartiality, objectivity, non-discrimination
- Confidentiality
- Due diligence/duty of care
- Fidelity to professional responsibilities
- Avoiding potential or apparent conflict of interest
- Legality (respect for the rule of law)
- Efficiency
- Equality
- Justice
- Responsibility
- Accountability

The Village is an equal employment affirmative action employer and is committed to providing a workplace that is free of discrimination of all types from abusive, offensive, or harassing behavior.

At the Village of Ruidoso, everyone should feel comfortable to speak his or her mind, particularly with respect to ethics concerns. Directors have a responsibility to create an open and supportive environment. The Village will benefit tremendously when employees exercise their power to prevent mistakes, wrongdoing, and unethical behavior.

The Village Management will investigate all reported or questionable unethical behavior. In every instance where improper behavior is found to have occurred, Village Administration will take appropriate action. The Village will not tolerate retaliation against employees who raise genuine ethics concerns in good faith.



8-2-1 Applicability:

This policy in all its sections shall apply to all Village employees, no matter their classification. Employees are to uphold State and Federal laws and the rules, regulations, policies, laws, and ordinances of the Village of Ruidoso. Employees are not to use their positions or official capacity to obtain personal gain or to give unwarranted benefits or unwarranted treatment to any person. Any employee who engages in any such behavior will be subject to corrective action up to and including termination of employment. Because the Village's strong disapproval of such inappropriate or offensive behavior, all employees must avoid any action, conduct, or behavior that could be viewed as a violation of this policy. Employees shall maintain public trust and the trust of the Ruidoso Officials and Governing Body.

8-2-2 Code of Conduct Expectations:

All Village employees shall:

- Maintain public trust during their tenure with the Village.
- Remember to use good judgement inasmuch as that he/she represents the Village of Ruidoso. Any action or behavior, whether on or off duty, by an individual employee can be viewed as a reflection of the Village as an organization.
- Accept their position as a means of unselfish public service, not to benefit personally, professionally, or financially from his/her position.
- Treat all members of Village employment, Village Council, and all community members with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion but requires respect within those differences.
- Support and commit to the decisions of Administration and Village Council and shall not demonstrate at any time disrespect to any person or official of the Village of Ruidoso.
- Recognize that the primary function of local government at all times is to serve the best interests of all of the people.
- Honor confidential information, seek no favor and accept that personal aggrandizement or profit secured by holding these positions is dishonest
- Conduct themselves so as to maintain public confidence in their local government and in their performance of the public trust.
- Conduct official business in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.
- Unless specifically exempted (e.g. Executive Session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.
- Not solicit or accept gifts that benefit the employee's (or immediate family or household member's) personal or financial interest if it can be reasonably inferred that the gift is intended to influence the employee's actions or judgment.
- Submit any substantial financial interest existing or when acquired either direct or indirect in any corporation, firm, or contract with the Village in writing to the Department Director.
- Use Village resources for lawful municipal purposes only. Municipal resources include but are not limited to, municipal personnel and the Village's money, vehicles, equipment, material, supplies or other property. No municipal official or employee may use or permit the use of municipal resources for personal or private purposes unless that purpose is in the best interest of the community or public safety and is authorized by the Village Manager.



8-2-3 Ethics Policy

Village employees will maintain the highest ethical standards in the scope of their work and duties. The intent of this policy is for employees to understand the expectations to conduct Village business with integrity and comply with all applicable laws in a manner that excludes considerations of personal advantage or gain.

The Village of Ruidoso expects all employees to conduct themselves in a professional manner during their employment. Employees shall adhere to their professional code of ethics as established by their department or profession. Employees will not engage in conduct or activity that may raise questions as to the Village's honesty, impartiality, or reputation or otherwise cause embarrassment to the Village.

Every employee has the responsibility to ask questions, seek guidance, report suspected violations, and express concerns regarding compliance with this policy. Retaliation against employees who use these reporting mechanisms to raise genuine concerns will not be tolerated. Department Directors/Managers are responsible for supporting implementation and monitoring compliance.

8-2-4 Ethics Complaint Procedures

Any complaint regarding the conduct of an employee should be taken seriously and shall be directed to the Village Manager.

Individuals who file a complaint and those who are the subject of the complaint must not disclose their role to anyone outside of those involved in the complaint process in an ethics complaint. Disclosing this information may jeopardize the ethics process and violate the rules of fundamental fairness by which all parties are protected.

If an investigation is deemed warranted, the Village Manager shall initiate an investigation of the complaint and notify the individual involved of such. The results of the investigation shall be managed in accordance with procedures identified in the Village Personnel Policy.

If it is determined that unethical conduct has occurred, the Village Manager may impose sanctions, including, but not limited to, reprimand, censure, suspension or termination.

Any employee who is involved in business or financial operations or situations which are or may be in violation of this policy, is required to immediately disclose the matter in writing to the employee's Department Director. If it is determined that a violation does exist, the Village Manager will make a determination as to what steps will be taken, including but not limited to, reassignment of duties to avoid violation, notification of all involved, and allowing the employee to continue in his/her official capacity. Other violations or not reporting business or financial interests or potential business or financial violations, shall be handled through the disciplinary process.

8-2-5 Accountability

Each employee of the Village is responsible for knowing and adhering to the values and standards set forth in this Code and for raising questions if they are uncertain about the Village policy. If employees have questions or concerns about the standards being met or if they are aware of a violation of the Code, they should contact the Human Resources Department or the Village Manager.

8-3 Attendance

The purpose of this policy is to set forth the Village's policy and procedures for handling employee absences and tardiness to promote efficient operations of each department and minimize unscheduled absences.



Punctual and regular attendance is an essential responsibility of each employee at the Village of Ruidoso. Employees are expected to report to work as scheduled, on time and prepared to start working. Employees are also expected to remain at work for their entire work schedule. Late arrival, early departure, or other unexcused absence from scheduled hours are disruptive and must be avoided.

Employees must notify their immediate Supervisor if they will be late or absent no later than two hours prior to the scheduled start time of their shift. Employees who must leave work prior to the end of their scheduled shift must also notify and request approval from their Supervisor immediately.

In either case, if the employee is unable to reach their Supervisor, they are required to notify the next Supervisor in their chain of command.

An employee who is absent more than three consecutive workdays or one 48-hour shift for Fire employees, must provide the Human Resources Department and their Supervisor a proof of physician's care and a fitness for duty release prior to returning to work.

If an employee is absent without notice for three days in a row, they will be considered as having abandoned their job, and the Village will process a Personnel Action Notice as a voluntary resignation on behalf of the employee.

8-4 Conflict of Interest

The Village of Ruidoso prohibits employees from using their position for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

Employees in a position to deliver services to eligible individuals will avoid the real or perceived conflict of interest when the eligible individual is a relative, close friend, or other person of interest. The Department Director/Manager must be made aware of the relationship of the person receiving services through the Village and will give guidance to the employee on how to handle any actions to be taken.

8-5 Other Employment

Employment with the Village shall be considered the primary employment of all employees in regular full-time positions. Other employment is subject to the written approval of the Department Director/Manager following final approval by the Village Manager. An employee shall fill out the request for permission for outside employment found in Appendix B and submit to the Department Director/Manager for approval. This form will need to be submitted and approved or disapproved on an annual basis (fiscal year) and when an employee gains and/or has changes in outside employment. The Department Director/Manager shall be responsible for determining if a conflict does or may exist with the Village of Ruidoso employment. A copy of the approval or denial shall be kept in the employee's personnel file in the Human Resources Department.

Permission to engage in outside employment may not be granted if:

- the outside employment impairs the employee's on-the-job-efficiency.
- unfavorable publicity to the Village of Ruidoso or poor public relations would result.
- the outside employment conflicts with the employee's official capacity with the Village of Ruidoso.
- the employee receives below average rating from the supervisor on punctuality, safety, work performance, or attendance records or
- the outside employment is considered by the Village as unusually physically strenuous and/or hazardous.

Permission may be withdrawn if, upon review by the employee's Supervisor or Department Director/Manager, it is determined the employee's work performance, attendance, or other conditions of employment are not meeting the Village of Ruidoso's needs.



8-6 Political Activity

No Village employee shall campaign, distribute literature, or solicit political contributions while on the job. No Village employee shall ever be expected, required, or coerced to contribute to any campaign. No Village employee shall represent or allow themselves to be inferred as representing the Village at any political meeting or in political activity.

A Village employee will not campaign during working hours. An employee elected to a post may not retain their Village employment after election if the elective post is incompatible with their Village employment. The Village Manager will determine compatibility.

If a Village employee chooses to run, they shall follow policy 8-5 Other Employment. If the employee plans to campaign during working hours for political office, the employee shall take vacation leave or leave without pay.

8-7 Gifts, Money, Gratuities

Employees may not seek gifts, money, or gratuities (including tips) from persons receiving benefits or services from the Village of Ruidoso or performing services under contract or otherwise in a position to benefit from such action. If an item is donated to an employee, the employee must notify their Supervisor and can accept the donation on behalf of the Department or the Village. If a cash donation is made the employee must notify their Supervisor and the money will be deposited into the Department's donation account.

8-8 Confidentiality

Information regarding customers or employees should be held as confidential information except where specified by state law. No employee shall disclose at any time, either directly or indirectly, any information regarding the Village employees, vendors, or customers. Further, this confidentiality requirement continues after the term of employment. Any breach of confidentiality shall be considered a serious allegation and will not be tolerated. Any breach of confidentiality by an employee will be subject to disciplinary action up to and including termination.

Employees shall not maintain any record that contains confidential information in files for personal use.

8-9 Workplace Violence

The Village of Ruidoso provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy. The Village has a zero-tolerance policy when it comes to any form of workplace violence.

8-9-1 Prohibited Conduct

Village of Ruidoso does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. This list of behaviors provides examples of conduct that is prohibited and is not all-inclusive:

- Causing physical injury to another person.
- Making threatening remarks.
- Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
- Intentionally damaging employer property or property of another employee.
- Possessing a weapon while on Village property or while engaged in Village business.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.



8-9-2 Individual Situations

Although the Village of Ruidoso does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgement and to inform the Human Resources department if any individual exhibits behavior that could be a sign of a potentially dangerous situation. Such behavior includes:

- Discussing weapons or bringing them to the workplace.
- Displaying overt signs of extreme stress, resentment, hostility, or anger.
- Making threatening remarks.
- Showing sudden or significant deterioration of performance.
- Displaying irrational or inappropriate behavior.

8-9-3 Dangerous/Emergency Situations

Employees, other than law enforcement, who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact, and talk to the individual. If a supervisor can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given.

8-9-4 Reporting Procedures

Any potentially dangerous situations must be immediately reported to a Supervisor of the Human Resources Department. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents will be handled confidentially to the extent permitted by law.

8-9-5 Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts on Village premises will be reported to the proper authorities.

8-9-6 False Reports

Making false reports of workplace violence will subject an employee to disciplinary action up to and including termination.

8-9-7 Retaliation

There will be no retaliation and/or reprisal against an employee who genuinely reports threats of workplace violence in good faith. Any employee of the Village who engages or assists in retaliatory actions will be subject to disciplinary action up to and including termination.

8-9-8 Domestic Violence, Sexual Assault, and Stalking

The Village of Ruidoso shall, without violating any existing rules, regulations, statutory requirements, or contractual obligations, take actions to protect employees of the Village of Ruidoso who are affected by domestic abuse. The Village shall ensure that actions do not discriminate against victims of domestic violence, sexual assault, and/or stalking, and are responsive to the needs of victims of these offenses.

Employees who have restraining orders against individuals must report that restraining order to Human Resources Department and Department Director/Manager as soon as it is obtained so that appropriate actions can be taken to assure the safety of the employee, co-workers, and other individuals in the workplace.



8-10 Workplace Bullying

The purpose of this policy is to communicate to all employees, including Supervisors, Managers, Directors, and Executive Management, that the Village will not tolerate bullying behavior.

Employees found in violation of this policy will be disciplined, up to and including termination. The Village of Ruidoso defines bullying as repeated, inappropriate mistreatment of one or more people by one or more perpetrators. It is abusive conduct that includes:

- threatening, humiliating, or intimidating behaviors;
- work interference/sabotage that prevents work from getting done;
- verbal abuse; and/or
- behavior that violates the Village's Code of Conduct, which states that all employees will be treated with dignity and respect.

The Village of Ruidoso considers the following types of behavior examples of bullying:

- Verbal bullying: Slandering, ridiculing, or maligning a person or his or her family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the target of jokes; or abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault, or damage to a person's work area or personal property.
- Gesture bullying: Nonverbal gestures that can convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

Individuals who feel they have experienced or witnessed bullying should report this to their Supervisor or the Human Resources Manager before the conduct becomes severe or pervasive. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible to allow the Village of Ruidoso to take appropriate action.

8-11 Fraud, Waste, and Abuse

This policy applies to any fraud or suspected fraud involving employees, officers, or directors, as well as members, vendors, consultants, contractors, funding sources, and/or any other parties with a business relationship with the Village of Ruidoso. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship with Village of Ruidoso.

The Department Director/Manager and Village Manager are responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Fraud is defined as the intentional false representation or concealment of a material fact for the purpose of inducing another to act upon it to their injury. Each member of management will be familiar with the types of improprieties that might occur within their area of responsibility and be alert for any indication of irregularity.



8-11-1 Actions Constituting Fraud

The terms fraud, misappropriation, and other fiscal irregularities refer, but are not limited to the following:

- any dishonest or fraudulent act;
- forgery or alteration of any document or account belonging to the Village of Ruidoso;
- forgery or alteration of a check, bank draft, or any other financial document;
- misappropriation of funds, securities, supplies, equipment, or other assets of Village of Ruidoso;
- impropriety in the handling or reporting of money or financial transactions;
- disclosing confidential and proprietary information to outside parties;
- accepting or seeking anything of material value from contractors, vendors, or persons providing goods or services to the Village of Ruidoso. Exception: gifts less than a nominal value (*refer to Chapter 8-7*);
- destruction, removal, or inappropriate use of records, furniture, fixtures, and equipment; or
- any similar or related irregularity.

8-11-2 Reporting Requirements

Any fraud that is detected or suspected must be reported in writing immediately to the Finance Director or Village Manager. In the absence of the Village Manager, the suspected fraud shall be reported to the Manager's designee.

Immediately upon discovery of any violation of a criminal statute in connection with financial affairs, the Village Manager or Finance Director shall report a violation to the State Auditor as required by law.

At the local level, the Village Manager has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. The Village Manager may utilize whatever internal and/or external resources to conduct an investigation. If an investigation substantiates that fraudulent activities have occurred, the Village Manager will take appropriate action.

Decisions to prosecute or refer to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel, Village Management, and the State Auditor.

The Council, Village Manager, Deputy Village Manager, Finance Director, and the Human Resources Manager shall treat all information received as confidential to the extent permitted by law.

8-11-3 Authority for Investigation of Suspected Fraud

The person(s) assigned to investigate will have:

- free and unrestricted access to all Village of Ruidoso records and premises; and
- the authority to examine, copy, and/or remove for inspection any or all portions of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of the investigation.



All inquiries concerning the activity under investigation from the suspected individual(s), their attorney or representative(s), or any other inquirer should be directed to the Village Manager or legal counsel. No information concerning the status of an investigation will be given out by employees. The proper response to any inquiry is "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

8-11-4 Information Systems

The Village provides technologies and communications systems that are intended for business use. Use is encouraged and intended to make work activities and communication more efficient and effective. All use of such resources shall be in an honest, ethical, and legal manner that conforms to applicable license agreements, contracts, and policies regarding their intended use.

Village communication systems and the equipment used to operate the communication systems are owned and provided by the Village to assist in conducting business of the Village. Communications systems are not to be used to solicit or advocate for commercial ventures, religious, or political causes, outside organizations, or other non-job-related solicitation.

The Village reserves the right to access and monitor all Computer/Technology resources. All employees are put on notice that system security features such as passwords and message delete functions do not take away the ability to archive any message, at any time, for future viewing by Management.

The following guidelines have been established for the use of Computer/Technology resources. Any improper use of Computer/Technology resources is not acceptable and will not be permitted.

The purpose of this section is to set forth the ground rules for successful usage of the information systems environment for the Village of Ruidoso. The information technology department is charged with establishing and maintaining the computerized environment within the Village of Ruidoso.

8-11-5 Standards and Security

1. Physical Security

Servers, switches, and other network equipment will be placed in a location with locks and environmental controls.

2. Data Security

The I.T. Department provides changes or terminates user's access to network directories and specific databases, email, other software, etc. dependent upon the individual user's job description and specifications of the user's Department Director.

The Information Technology Department must receive employee data from the Human Resources Department for employee access. Access will not be provided, changed, or terminated without the proper documentation from the Human Resources department.



To protect all sensitive, confidential, and proprietary information, all Village personnel shall observe the following practices:

- Access to network directories and databases shall be restricted to personnel with a demonstrated “need to know” as determined by the Department Director or Village Manager.
- All employees are prohibited from allowing unauthorized access to Village Computer/Technology systems and databases.
- Employees shall either lock their computers and portable devices or log off whenever they leave their work area if devices are in an area with public access.

8-11-6 Definitions

Authorized Users: Referred to as Users in this policy include the following:

- Village employees;
- elected and appointed officials of the Village of Ruidoso; and
- software vendors that require access to support applications. Vendor accounts will be disabled by default and only enabled while support work is being performed.

Computer/Technology: Computer/information technology shall be defined to include any and all networks, hardware, software, and data used to create, store, process, and communicate information electronically as well as services to keep these resources current and operational. Examples include, but are not limited to, electronic-based communication and records, personal computers, laptop computers, printers, portable storage devices, fax machines, phones, cell phones, on-line services, software, internal or external network servers, e-mail, the Internet, social media, electronic bulletin board systems, and other systems and devices that transmit and/or store information on media other than paper, whether listed here or acquired in the future. All equipment, regardless of the funding source (grants, etc.), is included as equipment owned by the Village and users must abide by all Village rules for I.T. resources.

Data: Information stored on servers or stand-alone computer systems, including data contained in databases, files, folders, and email accounts.

LAN: Local Area Network is a computer network that interconnects computers in a limited area using network media.

WAN: Wide Area Network is a network that covers a broad using private or public network transports.

Network: Either a LAN or WAN.

Management: Village Manager, General Services Director, or designee.

Supervisor: Employee’s direct supervisor, Department Director, or Village Manager.



8-11-7 Security

1. Data “Information Stored on Computer systems”

Corrupted data, whether on a stand-alone computer, laptop computer, or tablet is a very serious problem. It is extremely difficult and time consuming to restore corrupt data. It will cause serious problems if the corrupt data is used to develop reports for internal or public use before it is discovered. Security precautions are taken to help prevent the loss and corruption of data. Data is also secured by assigning permissions to folders and files so that employees only have access to the data that is relevant to their positions. Servers are backed-up daily, however computers are not. Hard drive failure can result in the loss of all data stored on the computer. For this reason, employees must save all vital data to a server, not their computer.

Employees are not permitted to knowingly falsify Village records that are stored on Village computer systems. Falsifying records includes the unauthorized modification, deletion, or removal of information from any Village computer including, but not limited to, stand-alone computers or network computers. Such action will result in disciplinary action, up to and including termination of employment.

2. Backup of Data

Information Technology Department is responsible for backing up Village servers. The user of a stand-alone computer is responsible for backing up the computer data on a regular basis.

3. Password Security

All Village computer systems are password protected. User ID's, personal access codes, and passwords identify users to the Village systems. User ID's, personal access codes, and passwords shall not be shared, even with other Village employees, except in certain instances where it is deemed necessary for I.T. Department to assist in resolving an issue experienced by the employees. The Village Computer/Technology systems track history by user ID and password. History records may show information regarding whom, what, and when a user was using the system. Each user is responsible for all occurrences during the time the computer systems show them logged on to the system.

User should maintain complex passwords and change passwords every 60 days on all user accounts even those without complexity requirements and password change requirements.

4. Mobile Devices

A. Village Owned Devices:

- Users are responsible for the safety and security of mobile/portable devices (i.e. laptops, tablets, etc.) assigned to them. When storing mobile devices in office areas during non-office hours, place them in locked locations such as closets.
- Do not leave mobile devices open or unattended in public areas.
- When transporting mobile devices in vehicles, use weather resistant padded cases and store in a concealed location such as the trunk.
- Do not leave mobile devices in vehicles during extremely cold or extremely hot weather.
- Do not check mobile devices as baggage when traveling via air or land.



- Maintain complex passwords on all user accounts on mobile/portable devices and rotate password compliant with 60-day rotation policy where applicable.
- Any user assigned a Village-owned mobile/portable devices must have a completed mobile device form on file with the Information Technology Department.

B. Personal Mobile Devices:

- Personal devices may only connect to Village public wireless. Connecting personally owned mobile devices directly or through the Village's internal wireless network is explicitly prohibited.
- The employee must understand that interacting with the Village's email and calendar system on any personally owned device means that information on the device may be subject to either Inspection of Public Records Act (IPRA) requests or discovery in litigation. The Village makes no representation that privately owned computer hardware or software will be able to connect remotely to the Village's network or e-mail system.
- If your personally owned device is used to access Village email and is lost or stolen, you must contact the I. T. Department as soon as possible.
- Allowing interaction with the Village's e-mail system is a privilege and not a right. Inappropriate use may result in cancellation of these privileges as well as disciplinary action.

Pirated Computer Software

Federal law requires software licensing for all software programs. It is considered illegal when software is purchased and installed on one computer and then is copied or reproduced and installed on another computer. The use of pirated software is subject to harsh penalties under federal law. If the same software is on more than one computer, there must be a software license for each copy or user if required by the End User License Agreement (EULA) of the software being installed.

Non-Village Purchased Software

Software purchased or downloaded from the Internet by any employee other than authorized Village personnel cannot be installed on any Village computer systems. The Village I.T. Department must purchase or approve the use of any software installed on any computer, including laptops and other mobile devices.

SCADA Systems

The operational components of the Village's SCADA System rests with the Public Works Director. The Village's I.T. Department is to be included in the purchase of any computers, laptops, mobile devices, or servers which will be integrated in the Village of Ruidoso LAN and Internet connections to ensure equipment does not pose any vulnerabilities. The I.T. department is to be provided a complete list of this equipment and any software licenses purchased as the I.T. Department is responsible for maintaining the inventory of these items.

Audit

I.T. may conduct a security audit on any system or computer device located on Village of Ruidoso property or owned by the Village of Ruidoso. Audits may be conducted to ensure integrity, confidentiality, and availability of resources and investigate security to ensure compliance with polices. This policy covers any computer devices that are present on premises, but which may not be owned or operated by the Village.



SECTION 1. Purpose

As a result of the unique nature of e-mail, Internet, and voice mail and because of the Village of Ruidoso's desire to protect its interest with regard to its electronic records, the following rules have been established to address oral wire or electronic communications usage by all employees and Elected Officials.

SECTION 2. Definition

Electronic mail ("e-mail") is defined as an office communications tool whereby electronic messages are prepared, sent, and retrieved on computers. On-line services, such as the Internet, are defined as communications tool whereby business information, reference material, and messages are sent and retrieved electronically on computers. Telephone messages (voice mail) is a communications tool whereby business information and messages are sent and retrieved through the telephone system.

All electronic messages are the property of the Village of Ruidoso and are public record as Village property. The Village may monitor, or spot check the contents of electronic messages or methods used by employees and Elected Officials.

SECTION 3. Policy

The e-mail/Internet and voice mail systems are a part of the Village's business equipment and shall be used for Village purposes only. Employees do not have a personal privacy right in any matter created on, received through, or sent through the Village e-mail/Internet or voice mail systems. Electronic communications are not secure, even with the use of a personal access code or password, and even after they are deleted. Use of personal email accounts to conduct Village of Ruidoso business is prohibited.

The Village, in its discretion, reserves the right to monitor and access any matter created on, received through, or sent from the e-mail/Internet or voice mail systems to assure compliance with Village policies, monitor employees' service and effectiveness with customers and clients, and conduct investigations of any activity that may be illegal or adversely affect employees or the Village.

No e-mail/Internet or voice mail messages shall be created or sent that may be derogatory, defamatory, obscene, or otherwise inappropriate, or that may constitute verbal abuse, slander, or defamation of employees, elected officials, customers, citizens, vendors, or any other person or entity.

No e-mail/Internet or voice mail messages shall be created or sent that constitute intimidating, hostile, or offensive material based on race, national origin, marital status, sex, age, ancestry, physical or mental handicap or serious medical condition, disability, religious or political beliefs, or any other characteristic protected by federal, state, or local law. The Village's I.T. Department archives all email sent and received using Village of Ruidoso email accounts.

Requests for copies of archived e-mails should come to the I.T. Department in form of a legal request, public information request, disciplinary action request, etc.

The Village further reserves the rights to repair, inspect, and service the computer, the right to review and disclose all information transmitted by or stored in the system and the right to establish electronic communications' retention and destruction rules.

The Village's policies against sexual or other harassment apply fully to any email/Internet or voice mail.



Transmission of information including writings, verbal messages, or sounds or visual images of any kind which could be considered indecent, immoral, sexually explicit, lewd, or lascivious is prohibited. Users of the Village's system are prohibited from connecting to, posting, or downloading sexually oriented information; engaging in computer-hacking or related activities; reproducing copyrighted information; posting confidential, sensitive, or proprietary information on the Internet; and/or attempting to compromise the security of information contained in the Village's computers.

SECTION 4. Disciplinary Action

Violation of this policy will subject the offender to discipline up to and including termination.

8-12 Social Media

This policy establishes guidelines for the establishment and use by the Village of Ruidoso of social media sites as a means of conveying Village of Ruidoso information to its citizens. The intended purpose in establishing Village of Ruidoso social media sites is to disseminate information from the Village, about the Village, to its citizens.

The Village of Ruidoso has an overriding interest and expectation in deciding what is "spoken" on behalf of the Village-on-Village social media sites.

For purposes of this policy, "social media" is understood to be content created by individuals, using publishing technologies, through and on the Internet. Also, "comments" include information, articles, pictures, videos, or any other form of communicative content posted on a Village of Ruidoso social media site. Social media covers all web-based applications that permit the sharing and collaboration of information via Internet communities, social-networking sites, video-sharing sites, wikis, blogs and micro-blogs, and others.

While we recognize first amendment rights of our employees, it is important to understand that negative comments on personal social media accounts about the Village, Village employees, or Village elected officials are unacceptable and may violate the code of conduct policy.

- Village social media sites should make clear that they are maintained by the Village of Ruidoso and that they follow the Village's Social Media Policy.
- Wherever possible, Village social media sites should link back to the official Village of Ruidoso website for forms, documents, online services and other information necessary to conduct business with the Village of Ruidoso.
- If content posted by the Village include photographs containing people, the department posting the photograph is responsible for obtaining written permission from all persons in the photograph to use it on the site.
- The Public Information Coordinator will monitor content on Village social media sites to ensure adherence to both the Village's Social Media Policy and the interest and goals of the Village of Ruidoso.
- The Village reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable law. Any content removed based on these guidelines must be retained by the Public Information Coordinator for a reasonable period of time, including the time, date, and identity of the poster, when available.
- The Village of Ruidoso's website will remain the Village's primary and predominant internet presence.
- All Village social media sites shall adhere to applicable federal, state, and local laws, regulations, and policies.
- Village social media sites are subject to the New Mexico Inspection of Public Records Act. Any content maintained in a social media format that is related to Village business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure.



- Comments on topics or issues not within the jurisdictional purview of the Village of Ruidoso may be removed.
- Employees and Elected Officials representing the Village via Village social media sites must recognize their conduct as a representative of the Village and in accordance with all Village policies. Offensive, demeaning, or disruptive messages are prohibited. This includes, but is not limited to, messages that are inconsistent with the Village's policy concerning equal employment opportunity and its policy prohibiting sexual and other unlawful harassment. Under no circumstances may the Village's systems or equipment be used to transmit foul, indecent, scandalous, or improper information via social media or otherwise. Moreover, the use of the Village's electronic communications system and equipment in support of political, religious, or other controversial causes is an inappropriate use of the system. Additionally, offensive racial or sexual comments are expressly prohibited.
- Employees and Elected Officials may not use social media in a manner that compromises the confidentiality of the Village's confidential or proprietary information or other sensitive information.
- Employees should not have any expectation of privacy with respect to information placed by the employee on Village Social Media. The Village may, from time to time, as it sees fit, monitor, review, intercept or gain access to communications employees initiate or receive on the Village's electronic communications systems and equipment. Employees' use of the Village's systems will constitute consent to such monitoring, reviewing, interception or access.
- This Social Media Policy may be revised at any time.

8-12-1 Comment Policy

As a public entity the Village must abide by certain standards to serve all its constituents in a civil and unbiased manner. Comments containing any of the following inappropriate forms of content shall not be permitted on Village of Ruidoso social media sites and are subject to removal and/or restriction by the Public Information Coordinator or his/her designees:

1. Comments not related to the original topic, including random or unintelligible comments;
2. Profane, obscene, violent, or pornographic content and/or language;
3. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, national origin, or other protected status;
4. Defamatory or personal attacks;
5. Threats to any person or organization;
6. Comments in support of, or in opposition to, any political campaigns or ballot measures;
7. Solicitation of commerce including, but not limited to, advertising of any business or product for sale;
8. Conduct in violation of any federal, state, or local law;
9. Encouragement of illegal activity;
10. Information that may tend to compromise the safety or security of the public or public systems; or
11. Content that violates a legal ownership interest, such as a copyright, of any party.

A comment posted by a member of the public on any Village of Ruidoso social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Village of Ruidoso nor do such comments necessarily reflect the opinions or policies of the Village of Ruidoso.

The Village of Ruidoso reserves the right to deny access to Village of Ruidoso social media sites for any individual who violates the Village of Ruidoso's Social Media Policy, at any time and without prior notice.



Departments shall monitor their social media sites for comments requesting responses from the Village and for comments in violation of this policy.

When a Village of Ruidoso employee responds to a comment, in his/her capacity as a Village employee, the employee's name and title should be made available, and the employee shall not share personal information about himself or herself, or other Village employees.

Employees and Elected Officials bear his or her own personal responsibility to follow this policy and use good judgment with his or her social media activities.

Employees have an affirmative duty to immediately report to their supervisor, Village Manager, or Human Resources Manager any conduct that violates this Social Media Policy. In such circumstances, an employee should follow the same reporting procedures set forth in the Village's Anti-Harassment Policy.

8-12-2 Employment References

No one, with the exception of the Human Resources Department, is allowed to give employment references, complete employment verification forms, or any such employment related action for current or previous Village of Ruidoso employees. Letters of reference can be given to employees upon request, if approved in writing by the employee's Department Director, and Human Resources Manager or Village Manager. All inquiries will be referred to and conducted by the Human Resources Department. The only exception is the Police Department as part of a background investigation.

Pursuant to law, when employers acting in good faith provide a reference requested by a current or former employee the employers are immune from liability for comments about the employee's job performance. This immunity provision is not applicable when the information supplied was knowingly false or deliberately misleading, was provided with malicious purpose, or violated any civil rights of the employee.

8-12-3 Phone Policy

While at work, employees are to exercise discretion in using Village phones or personal cellular phones for personal use. Excessive personal calls, and/or text messaging during the workday interferes with employee productivity and is distracting to others. While in the workplace, all personal cellular phones must be placed on vibrate or turned off unless employee receives a reimbursement allowance. Employees should limit the placing or receiving of personal calls to lunches and breaks during the workday. Employees are asked to make sure that friends and family members know to limit calls during business hours. Department Directors/Managers may set policies for use of personal cellular phones to fit the needs of the individual department.

8-12-4 Media Relations

The Village Manager or designee will make all official reports and announcements to newspapers and other news media. Employees are prohibited from communication with the media on behalf of the Village without direct approval from management. Individuals designated to communicate on behalf of the Village are the Village Manager or designee. Department Directors/Managers may be authorized to communicate departmental information when deemed appropriate by the Village Manager or designee. Media communications will be coordinated with the Village Manager or designee. If the employee's Department Director/Manager is unavailable, then the Village Manager or designee must be contacted.



8-12-5 Whistleblower Protection

The “Whistleblower Act” prohibits retaliation against any employees who in good faith report official wrongdoing. New Mexico’s law contains whistleblower protection provisions.

No Village of Ruidoso employee will attempt to persuade or intimidate another employee from reporting concerns or violations regarding Village of Ruidoso operations, procedures, or compliance with Federal, State, Statutory, or regulatory requirements.

8-12-6 Anti-Retaliation

The Village of Ruidoso is committed to providing a workplace that is free from retaliation. If an employee has an employment-related grievance, or participates in a workplace- related investigation, you are encouraged to come forward with information without any fear of retaliation.

- “Retaliation” occurs when an employee:
- Engages in a protected activity (such as filing an employment complaint with the Village of Ruidoso);
- Is subject to an adverse employment action (such as termination, demotion, or a hostile work environment); and
- The protected activity is causally related to the adverse employment action.

Complaint Reporting Procedure

If an employee believes he/she is subjected to retaliation for engaging in a protected activity, the employee should immediately report the situation to their immediate supervisor or the Human Resources Department. The complaint should include the details of the incident, the name(s) of those involved, any witnesses, and any supporting documentation.

Investigation

After a retaliation complaint has been reported, the Village Manager and/or the Human Resources Manager or designee will investigate the incident. The Human Resources Manager will release information about the complaint only to those who are determined by as “need to know”. Absolute confidentiality is not guaranteed. In order to thoroughly investigate the complaint, the Human Resources Manager will require disclosure to the accused, any witnesses, and any Managers or Directors involved or who could be affected by the investigation. If a separate complaint is being investigated and the employee fears or is experiencing retaliation, they should inform the Village Manager or Human Resources Manager immediately so that action may be taken to protect them and investigate the retaliation claim.

Remedying Retaliation

If the investigation shows that an employee has engaged in retaliatory conduct, the Village Manager will take appropriate disciplinary action, up to and including termination.



CHAPTER 9.

ANTI-HARASSMENT POLICY

9-1 Anti-Harassment Policy

The Village of Ruidoso strives to create and maintain a work environment in which people are treated with dignity, decency, and respect. The Village will not tolerate unlawful discrimination, harassment, or retaliation of any kind.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. The Village will determine the appropriate disciplinary action to be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but is not limited to, verbal or written reprimand, suspension, or termination of employment.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment, or retaliation, including the failure to immediately report such misconduct to Human Resources, are in violation of this policy and subject to discipline.

9-1-1 Prohibited Conduct Under This Policy

The Village, in compliance with all applicable federal, state, and local antidiscrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of Village policy to discriminate in the provision of employment opportunities, benefits, or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information, veteran status, marital status, or other protected class.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state, and local laws including, but not limited to, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1967, the Americans with Disabilities Act of 1990, and the New Mexico Human Rights Act. This policy is intended to comply with the prohibitions stated in anti-discrimination laws.

Discrimination in violation of this policy will be subject to disciplinary action up to and including termination.

Harassment

The Village prohibits harassment of any kind, including sexual harassment. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, or coerce an employee, co-worker, citizen, or any person working for or on behalf of the Village.

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, sexual orientation, pregnancy, appearance, disability, gender identity or expression, marital status, or other protected status, including epithets, slurs, and negative stereotyping.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, insults, belittles or shows hostility, aversion, or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status, or other protected status.



Sexual Harassment

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under the Village's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters, or cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets, Internet postings, or other electronic communication; or other forms of communication that are sexual in nature and offensive.

Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

9-2 Consensual Romantic or Sexual Relationships

The Village strongly discourages romantic or sexual relationships between a manager or other supervisory employee and an employee who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the employee. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken.

If any employee of the Village enters into a consensual relationship that is romantic or sexual in nature with an employee who reports directly or indirectly to that employee, or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the HR Manager. Because of potential issues regarding quid pro quo harassment, the Village has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties where neither one supervises or otherwise manages responsibilities over the other.



Once the relationship is made known to the Village, Human Resources will review the situation in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the Manager will make the final decision on which employee will be transferred. That decision will be based on which transfer will be least disruptive to the organization as a whole as determined by the Village. If no other jobs are available for either employee, they will be given the option of terminating their relationship or resigning.

9-3 Retaliation

No hardship, loss, benefit, or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.
- Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation and may subject the employee to disciplinary action.
- Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.

9-4 Confidentiality

All complaints and investigations are treated confidentially, and information is disclosed strictly on a need-to-know basis or as required by law. The identity of the complainant is usually revealed to the parties involved during the investigation. The complainant shall report any retaliation immediately to the HR Manager.

9-5 Complaint procedure

The Village has established the following procedure for submitting a complaint of harassment, discrimination, or retaliation and will treat all aspects of the procedure confidentially.

1. Complaints should be submitted to the Human Resources Manager in writing as soon as possible after an incident has occurred.
2. Upon receiving a complaint, the Human Resources Manager will review the complaint and determine if an investigation will be initiated to determine if the alleged violation of this policy occurred.
3. If a determination is made that it would be in the best of the Village, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or paid administrative leave of one or both of the employees.
4. Upon conclusion of the investigation, the Human Resources Manager will prepare a written report of his or her findings. If it is determined that a violation of this policy has occurred, the Human Resources Manager will recommend the level of disciplinary action. The disciplinary action will depend on the following factors:
 - the severity, frequency, and pervasiveness of the conduct.
 - prior complaints made by the complainant.
 - prior complaints made against the respondent; and the evidence.

If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the Human Resources Manager may recommend appropriate preventive action.

The Human Resources Manager will submit to the complainant and respondent a written summary report to notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be notified.



CHAPTER 10.

TERMINATION OF EMPLOYMENT

10-1 Termination

Employees should understand that in consideration of continued employment, they agree to abide by all rules and regulations of the Village and that failure to do so may result in termination of employment. Termination is defined as separation of an individual from the work force, either voluntarily or involuntarily, with resulting severance of all employee benefits.

Voluntary Termination – When the employee decides to leave the employment of the Village of Ruidoso. Employees are encouraged to give at least a two-week notice prior to departure to better ensure eligibility for rehire and mitigate the impact to delivery of services to the citizens.

Involuntary Termination – When an employee is dismissed from the Village of Ruidoso work force.

1. **Termination of Unclassified Employees:** An unclassified employee serves at the convenience of the Village of Ruidoso and may be terminated with or without cause at any time and without the right to a hearing.
2. **Termination of Classified Employees:** A classified employee may be terminated for cause including but not limited to:
 - a. as a result of disciplinary action;
 - b. due to loss of skill, certification or other conditions which would make the employee unfit to perform the functions of the job; and/or lack of qualifications for service;
 - c. when the Village has made a determination that a lack of work or funding exists with respect to a position(s);
 - d. because of a physical or mental impairment that cannot be accommodated (see Disability Termination);
 - e. whenever the Village Manager determines to make changes deemed;
 - f. to be in the best interest of the Village;
 - g. dereliction of duty;
 - h. failure to report any criminal conviction;
 - i. upon conviction of a criminal act;
 - j. flagrant or continued failure to obey work rules and regulations, as set forth herein or as may be set forth in writing by Department Directors or Village Manager;
 - k. inability to work with others;
 - l. dishonesty in the execution of job duties, falsification of a Village document; or dishonesty when participating in an administrative investigation
 - m. for other employee conduct which is detrimental or prejudicial to the best interests of the Village government;
 - n. for misuse of Village credit card;
 - o. insubordination;
 - p. violation of Village and/or Department policies, procedures, rules, regulations, or directives; and
 - q. if grant funding ceases to continue for specific positions.
3. **Appointed Positions** – Village Manager, Police Chief, Emergency Manager, Treasurer, Village Clerk, and/or any other appointed positions created by the Governing Body are all subject to appointment and re-appointment at the discretion of the Governing Body and/or termination in accordance with any executed employment agreement between the Village and the Appointee.

An employee who has been terminated as a result of disciplinary action or terminated during the probationary period will not be eligible for rehire. However, depending on the circumstances, the Village Manager reserves the right to make a final ruling to allow an employee to be eligible for rehire.



10-2 Disability Termination

An employee who has a physical or mental impairment that prevents the employee from performing the essential job functions of the employee's position and the employee cannot be reasonably accommodated may be subject to disability termination. The Village may require an examination or evaluation at its expense performed by a physician of its choice. Failure to submit to such examination or evaluation may also result in termination.

10-3 Resignation

Any employee wishing to leave the Village of Ruidoso in good standing shall file, with their supervisor, a written resignation, stating the date the resignation will become effective, and the reason for leaving, and the employee must schedule and complete an exit interview with the Human Resources Department. A minimum advance notice by the employee of two weeks is required. Failure to give a two-week notice will be recorded in the resigning employee's personnel file and may be cause for denying re-employment with the Village of Ruidoso. However, the Department Director/Manager shall make the determination of rehire status with written documentation.

If the employee does not submit a letter of resignation, the Department Director/Manager shall submit a memo to the Human Resources Department documenting the employee's intent to resign.

The exit interview should take place during normal working hours during the employee's last week of work. Where an exit interview cannot be scheduled, the Human Resources Department may mail an exit interview form to the former employee for completion or conduct a telephone or virtual interview. The record completed during the exit interview will be retained in the administrative files of the Human Resources Department but will not be included in the employee's personnel file.

The Human Resources Department will provide information concerning extended benefits, PERA, COBRA, uniform returns, employment verification, and other pertinent matters.

Once a resignation has been presented in writing, it cannot be withdrawn except in cases approved by the Village Manager.

The Village Manager is the only person authorized to approve the rehire of a person recorded as not eligible for rehire. The Village Manager is the only person authorized to approve the rehire of a person recorded as not eligible for rehire.

10-4 Reduction in Force (RIF-Lay Off)

When a position must be discontinued or abolished, Reduction in Force (RIF) regulations must give effect to five factors in releasing employees:

1. Tenure of employment (e.g., type of appointment, position)
2. Veteran's preference
3. Length of service
4. Performance ratings
5. Qualifications/skills

A RIF of employees may occur for reasons such as: funding constraints, reorganization, lack of work, inadequate employee base, excessive employee base, or the exercise of certain reemployment or restoration rights. A furlough of more than 30 calendar cumulative workdays, or of more than 22 consecutive workdays, is also a RIF action.

The Department Director/Manager will submit a written report to the Human Resources Manager as to the employees identified for possible lay off for final determination and recommendation by the Village Manager. The order of layoff of employees will be determined on the basis of factors set forth above. Laid off employees are encouraged to apply for open positions that meet their skills.



The Village Manager has final approval for all reductions in force. An employee who, after receiving official written notice of impending reduction-in-force, retires or applies for retirement prior to the separation date waives the right to priority rehire consideration and severance salary continuation. An employee who must be laid off shall be notified in writing at least two weeks prior to the effective date or shall be granted equivalent severance pay in lieu of notice. An employee separated through a reduction in force may appeal that separation if it is alleged the separation is in retaliation for the employee's opposition to alleged discrimination on account of the employee's protected status. Such an appeal may be filed directly with the Human Resources Department, at the choice of the employee. The appeal process is outlined in Chapter 11.

Laid off employees shall remain on the layoff list for up to one year at which time the layoff list shall expire. No new employee shall be hired until qualified employees on layoff have had an opportunity to be recalled or the layoff list has expired. The employees separated in a reduction in force will be maintained on the layoff/recall list as described herein. An employee will be removed from the layoff/recall list if employee refuses an interview or fails to respond to a recall as described below, or has accepted a position at the Village at or above the pay rate for which the employee was at the time of separation.

It shall be the responsibility of the laid off employee to notify the Human Resources Department of any changes in their mailing address and/or telephone number. Failure to provide current correct address and/or telephone information shall automatically remove the candidate from the layoff/recall list and the Village shall have no further obligation to the laid off employee.

In a recall situation, the qualified employee with the greatest seniority in the position shall be recalled first. If a position exists for which no one is on the recall list, the Village may offer the position to any employee on the recall list who is qualified for the position, in seniority order. An employee, who has a break in service (more than 30 calendar days), may be required to serve a new probationary period if: the essential duties and responsibilities of the position into which the employee is being reemployed are significantly different from those of the position held at the time of reduction in force notification. The employee shall be notified in writing of the decision to require a new probationary period.

The Village shall notify employees of the recall by return receipt requested mail at the last known address. The employee must respond in writing by return receipt requested mail or may hand deliver the response to the Human Resources Department and have an employee of the Human Resources Department sign receipt of the written response. The written response must be mailed and postmarked, or hand delivered within five business days of receipt of the recall notice. Failure to respond within the five business days of receipt of recall notice shall automatically remove the candidate from the layoff/recall list and the Village shall have no further obligation to the laid off employee.

Employees being recalled shall be allowed a maximum of 10 business days from the date the employee returns acceptance of the recall. Failure to report to work within the 10 business days shall remove the employee from the layoff/recall list and the Village shall not have further obligation to the laid off employee.

10-5 Death

Separation shall be effective as of the date of death. All compensation and accrued leave shall be paid to the designated beneficiary or estate of the employee. Pay out on accumulated vacation shall be in accordance with Village policy. If an employee's death is determined to be in the line of duty and through no negligence or contributing factor of the employee, as determined by the Village, the employee's accrued vacation benefits will be paid out to the employee's designated beneficiary or estate.



10-6 Unauthorized Leave

An employee who is absent from duty without approval shall receive no pay for the duration of the absence and may be subject to termination. An unauthorized absence for three consecutive workdays will be considered job abandonment and voluntary resignation.

10-7 Return of Village Property

It is the responsibility of the Department Director/Manager to make sure a terminating employee has returned all Village owned property. Prior to the final paycheck, the Department Director/Manager must certify in writing by using the Village of Ruidoso Property Agreement that the employee has returned all Village-owned property including, but not limited to keys, I.D. badges, emblems, patches, equipment, laptop, vehicle, or other items. The Department Director/Manager will submit the completed Village of Ruidoso Property Agreement form to the Human Resources Department.

10-8 Disbursement of Final Pay Check

When an employee resigns their position, the earned salary, or wages plus any other compensation (such as annual leave accrual) shall be due and payable on the next regular payday. When an employee is terminated from employment, the earned salary, or wages plus any other compensation (such as annual leave accrual) shall be due and payable no later than the fifth (5th) calendar day following termination. Exempt employees will be paid a proportionate part of that employee's full salary for the time actually worked in the last week of employment. The employee's final paycheck will be direct deposited unless arrangements are made to receive a paper check prior to the deadline.



CHAPTER 11.

EMPLOYEE-MANAGEMENT RELATIONS

11-1 Village Manager's Open Door

The Village Manager is available to any employee seeking to discuss work-related problems or concerns in an open and informal manner. When an employee has made a good faith effort to resolve difficulties with their Director/Manager and feels that their concerns have not been adequately addressed, they have the right to meet with the Village Manager without fear of reprisal or retaliation. The employee shall contact the Village Manager's office to schedule an appointment. Once the date and time have been agreed upon, the employee shall inform his/her immediate supervisor of the scheduled meeting.

11-2 Human Resources Department

The Human Resources Department shall:

1. Have overall responsibility for establishing, maintaining, and coordinating personnel transactions and records management systems and procedures for all Village employees consistent with state and federal laws.
2. Advise and assist supervisors/management on all Village personnel matters, policies and procedures.

11-3 Management and Supervisors

Management and supervisors shall:

1. initiate personnel transactions and corrective and disciplinary actions for their employees, using forms established by the Human Resources Department;
2. direct and supervise all operations, functions, and the work of the employees;
3. assign shifts and work hours as well as determine location of work to be completed;
4. determine methods, processes, and manner of performing work;
5. revise schedules when necessary, depending on operational needs;
6. designate, assign or delegate work duties;
7. review and approve/disapprove requests for leave;
8. review and approve/disapprove overtime and assign overtime;
9. evaluate and judge the skill, ability and efficiency and work performance of employees;
10. take actions, as necessary, to carry out the mission of the Village daily and in emergency situations.

11-4 Employees

Each employee shall notify their supervisor and the Human Resources Department of any changes which may affect his/her employment or benefit status. Qualifying events must be reported to Human Resources within 30 days. If the employee does not report a qualifying event within 30 days, they will be required to wait until annual open enrollment to make any changes to their benefits. Examples of changes in personal status include but are not limited to:

1. marital status;
2. dependent status;
3. legal name change;
4. physical limitation;
5. additional education, training, or certification;
6. revocation of license, permit certification, or other credentials required for the job;
7. changes of address or telephone number; and /or
8. change in beneficiary.



11-5 Authority to Discipline

The Village Manager, Department Director/Manager, and Supervisor have certain authority to discipline employees as provided in this manual.

11-6 Reasons for Discipline

- A. Reasons for discipline include, but are not limited to:
- B. charge or conviction of a criminal offense or other conduct punishable as a crime;
- C. conduct unbecoming and/or conduct bringing the Village into disrepute;
- D. demonstrated insubordination or disrespect for the Village of Ruidoso Administration, Department Director/Manager, Supervisor, or other legally constituted authority;
- E. endangering safety of others; engaging in workplace violence or violation of the workplace violence policy;
- F. excessive tardiness or leaving early without supervisor approval;
- G. excessive absenteeism or a pattern of absenteeism;
- H. failure to meet prescribed standards of work;
- I. falsification of application or Village document;
- J. fraud;
- K. inefficiency in work performance;
- L. insubordination;
- M. job abandonment (unauthorized absence);
- N. losing or not obtaining needed certification and/or license in order to perform the job;
- O. misconduct on the job;
- P. misuse, theft, or destruction of Village property or equipment;
- Q. negligence in the maintenance of Village equipment or property;
- R. negligence in the operation of a Village vehicle or any other Village equipment;
- S. negligence in the performance of duty;
- T. non-cooperation by an employee with fellow employees or other personal conduct which substantially interferes with the performance of his/her or another employee's work;
- U. not being available during scheduled standby;
- V. failure to follow safety rules or regulations including, but not limited to, the wearing of safety articles and use of protective equipment, or violation of the safety standards and expectations;
- W. physical or mental unfitness for duty;
- X. unauthorized absence from work;
- Y. use of official position for personal advantage;
- Z. using sick leave for purposes other than stated herein;
- AA. violation of the Code of Conduct policy;
- AB. violation of departmental rules or professional code of conduct generally accepted by those in the same profession as the employee;
- AC. violation of the Village's Drug Policy;
- AD. violation of any Federal or State law, Village ordinance, or any section of this manual;
- AE. violation of the harassment policy, the non-discrimination policy, or other policies of the Village;
- AF. other acts or omissions that adversely affect the welfare of citizens, other employees.



11-7 DWI/DUI

An employee whose job duties require driving and/or a current and valid driver's license, who is convicted of DWI/DUI or otherwise loses his/her license is not insurable through the Village of Ruidoso and, therefore, is unable to perform the functions of the job. Such employee may be subject to termination unless the Village offers the employee a voluntary transfer to a vacant position that does not require driving and or a current and valid driver's license. Such transfer may result in a pay adjustment commensurate with the vacant position.

11-8 Forms of Disciplinary Action

Forms of disciplinary action include:

- documented verbal warning/counseling;
- written warning/reprimand;
- suspension without pay;
- termination.

Disciplinary action including a verbal warning/counseling, written warning/reprimand, suspension without pay, demotion, or termination will be submitted to the Human Resource Manager for review prior to issuing any action. The Village Manager may give authority to a director or manager to place an employee on administrative leave with pay pending an investigation and determination of disciplinary action.

A. Performance Improvement Plan:

B. This can be used as a counseling tool for performance improvement. It is used when the supervisor sees a problem that may affect the employee's annual or probationary performance evaluation. The improvement plan will detail where the employee's performance immediately needs improvement and will include an action plan and a timeframe for correction. If improvement is not demonstrated during the identified timeframe, disciplinary action may be imposed and/or documented on the employee's evaluation.

C. The Village supports the use of progressive disciplinary action. Depending on severity, some incidents in and of themselves will be sufficient cause for formal discipline including termination. Although discipline can be progressive, circumstances may dictate that progressive discipline need not be followed.

D. All disciplinary actions will be forwarded to the Human Resources Department for placement in the employee's personnel file.

11-9 Due Process for Classified Employees

When a recommendation is made for any discipline other than a documented verbal warning/counseling, a predetermination meeting will be provided to the classified employee. This informal meeting provides the classified employee with the opportunity to respond to the charges and the contemplated disciplinary action.

1. In such situations, the Department Director, immediate Supervisor, or other designated Village Management shall present the employee with a written notice which shall include the reason(s) for the contemplated discipline, an explanation of the facts in support of the contemplated discipline, and the date, time, and place of the predetermination meeting. The written notice of the predetermination meeting will be provided to the employee at least two calendar days before the date of the meeting.
2. The Department Director, immediate Supervisor, or other designated Village Management shall conduct the pre-determination meeting with the employee and the Human Resources Manager. This meeting is a personnel action which is a matter between the employee and the Village and is not a public meeting. The employee may be accompanied by one (1) individual as a silent observer during this meeting.
3. The Department Director, immediate Supervisor, or other designated Village Management shall consider all the facts presented and determine whether to uphold, modify, or reverse the contemplated discipline.



4. If the decision is to uphold the contemplated discipline, the action shall be effective on the date of the notice of disciplinary action. Notification shall be by personal delivery or sent by certified mail, return receipt or delivery confirmation, to the employee's last known address as provided to the Human Resources Department. Notification will be as of the date of mailing or personal delivery.
5. If the employee fails to attend the predetermination meeting, the discipline will be imposed and notice of disciplinary action sent to the employee.
6. The employee has the right to request, in writing, a post disciplinary hearing for any disciplinary action of suspension or termination. This written request must be received in the Human Resources Department within 10 calendar days of the date of the notice of disciplinary action.

A post disciplinary hearing provides a more formal process in accordance with due process requirements. The Village Manager shall designate a Hearing Officer who shall conduct the post disciplinary hearing.

A criterion for the hearing officer is as follows:

- The hearing officer must be from the legal community, which means a lawyer, judge, or a qualified Human Resources Director who has administrative hearings experience or municipal government experience.
- The hearing officer may or may not be someone from the local community.
- If not a judge or a lawyer, the hearing officer must:
 - have sufficient knowledge of municipal, employment law, and issues as demonstrated through experience or education; and
 - have no current ties to the Village of Ruidoso, personally or financially.

When the employee requests a post disciplinary hearing as provided above, the Human Resources Manager will distribute the applicable hearing procedures to the employee or his/her representative if he/she is known.

Once a hearing officer is established, the following procedures will be followed:

1. The Human Resources Manager will establish a date, time, and location for the hearing, and shall give written notice to the parties and the hearing officer.
2. The employee may be represented by one person such as legal counsel or other representative. The employee must notify the Human Resources Manager at least ten (10) business days prior to the time of the hearing if legal counsel is to be present.
3. The hearing shall be closed except when an employee requests in writing that the hearing be open. The employee must notify the Human Resources Manager at least five (5) business days prior to the time of the hearing if the meeting is to be open.
4. The Hearing Officer shall have authority to:
 - Review all documents pertinent to the case, including the employee's personnel file.
 - Rule on the relevance or other admissibility of evidence.
 - Question the parties and their witnesses, if any.
 - Hear and decide motions related to discovery, dismissal of any matter, etc.
 - Reprimand and/or exclude from the hearing any person for improper or contemptuous conduct.
 - Take any other action consistent with this regulation, the Village Municipal Code, the laws of the State of New Mexico, and the laws of the United States.
5. The hearing shall be administrative, informal, and shall not require adherence to the rules of evidence.
6. During a hearing, the employee, his/her representative, the Department Director/Immediate Supervisor/designated Village Management, Village's representative, the Human Resources Manager, and the Hearing Officer may be present for the duration of the hearing.



7. Either party may call witnesses. The witnesses shall be required to remain outside of the hearing until called except for those identified in #6 above. The witnesses shall not be permitted to remain in the hearing after their testimony. Either party may arrange for a voice recording of the post determination hearing at their own expense.
8. If a Village employee is called as a witness by the Village, the employee will be paid even if they are off duty. If a Village employee is called as a witness by the employee, they will not be paid by the Village and may receive a witness fee from the employee.

The hearing officer shall render a written determination to the employee within thirty (30) calendar days of the close of the hearing, which may include the filing of post-hearing briefs. The Hearing Officer may uphold, reverse, or modify the disciplinary action. If the determination is to uphold the disciplinary action, the effective date shall be the original date of the notice of disciplinary action. The decision of the hearing officer is final, and the employee shall have no further right of appeal within the Village of Ruidoso.

11-10 Grievance Procedure

The Village of Ruidoso recognizes that there are times when the need arises for employees to express concerns or complaints in a formal manner.

Procedures

Step 1: Informal discussion with supervisor

Employee concerns should first be discussed with the employee's immediate supervisor in an attempt to resolve the issue informally.

Step 2: Written complaint to supervisor

If the employee is not satisfied with the results of the informal discussion in Step 1, the employee may submit a written complaint within five business days to his or her immediate supervisor to include:

- the nature of the grievance;
- detailed information including evidence of the issue, witnesses, supervisor alleged to have committed the violation etc.;
- the policy, rule, regulation, directive, or practice allegedly violated; and
- the specific remedy or outcome desired. Statements such as "to be made whole" are not specific and not acceptable.

The immediate supervisor will have five (5) business days to respond to the employee in writing.

If the employee complaint is regarding illegal harassment, discrimination, or retaliation, the employee should submit the written complaint directly to the Human Resources Manager.

Step 3: Written complaint to Village Manager

If the employee is not satisfied with the response from the immediate supervisor, the employee may submit a written complaint to the Village Manager for review with a copy to the Human Resources Manager. The request for review shall include:

- an explanation of the grievance and details of all previous efforts to resolve the issue;
- a copy of the written complaint submitted to the immediate supervisor;
- a copy of the immediate supervisor's written response to the employee's complaint; and
- detailed information regarding why the employee is dissatisfied with the immediate supervisor's response.

The Village Manager or designee(s) will consult with the employee's immediate supervisor, Human Resources, and any other relevant parties to evaluate the grievance and provide a written response to the employee within five (5) business days. The response by the Village Manager or designee will be final unless new evidence or other circumstances warrant additional review of the complaint.



Recordkeeping

Grievances will be maintained in a confidential portion of the employee's personnel file in Human Resources.

11-11 No Retaliation

The Village of Ruidoso shall not discriminate against any employee or other person who reports a violation of the terms of any contract or any other law or regulation to any appropriate Village authority or law enforcement personnel if the report is made in "good faith."



CHAPTER 12. PERSONNEL RECORDS

12-1 Records Kept

The Human Resources Department has custodial responsibilities for all official personnel records. Personnel records include but are not limited to the original application of the employee; grievances; complaints; all original hiring documents; all retirement paperwork including but not limited to, enrollment, beneficiary information, changes, retirement separation forms; job descriptions; evaluations; documentation of pay adjustments; promotions; disciplinary actions; layoffs; training records; and other information deemed by the Village.

Medical records and pre-employment references will be maintained separately in a confidential file.

12-2 Updating Information

Employees shall notify the Human Resources Department of any change of address, phone number, beneficiary, or relevant dependent information as they occur but no later than ten (10) business days after the change.

Any additional training which the employee has acquired since employment should be submitted to the Human Resources Department in writing.

12-3 Availability

Employees are allowed to review the contents of their personnel file which is considered the official personnel file of the employee. To review their file, an employee should make an appointment with the Human Resources Department. Other individuals having access to an employee's personnel file include:

- Human Resources Manager and the Human Resources Department Staff.
- Village Manager – The Village Manager may remove personnel files from the Human Resources Department and make copies or request copies of information supporting a complaint, grievance, investigation, disciplinary action, legal proceeding, or to assist in the managing of personnel.
- With the approval of the Village Manager, the Village Attorney and/or attorney representing the Village may request copies.
- Department Directors may review information from the employee's personnel file under the supervision of the Human Resources Manager.

Certain information contained in an employee's personnel file is confidential and will not be released to anyone without the notarized written consent of the employee or through appropriate legal processes. Personnel records are privileged documents and may not be removed from the Human Resources Department without the written approval of the Human Resources Manager.

Request for Information from Personnel Files:

Requests by outside agencies or individuals for information contained in an employee's Personnel File will be handled by the Human Resources Manager. Only information that is required by law to be revealed may be divulged.

- A. Information other than employment verification (position held, hire date and termination date) must be requested in writing to the Human Resources Department. The Human Resources Department will take reasonable measures to ensure the confidentiality of the employee's Personnel File.

The employee whose personnel file has been requested to be viewed by an outside agency or individual, other than an attorney representing the Village, will be notified by the Human Resources Manager of the request unless restricted by law.



- B. The Village Manager may choose to approve items before being placed in the Personnel file.
- C. Pre-employment information is not considered part of a personnel file and will be maintained in a confidential file.
- D. Departmental Personnel Records:
Information concerning employees may be maintained in department personnel records. Departmental personnel records are confidential, and employees do not have the right to review such records.

The Village's Responsibilities

The Village of Ruidoso maintains records according to the Protected Health Information (PHI), Health Insurance Portability and Accountability Act (HIPAA), and Employee Retirement Income Security Act (ERISA).



CHAPTER 13.

VEHICLE USAGE

13-1 Purpose

The Village of Ruidoso provides Village owned vehicles as required for the efficient operation of Village business. The Village sets forth standards that must be enforced and followed for safe and efficient fleet operation. In addition, to deliver quality municipal services, at times, it may be beneficial to require an employee to take home a Village vehicle.

13-2 Policy

It shall be the policy of the Village of Ruidoso to maintain general procedures for all employees to follow when Village vehicle usage is permitted. The Village may permit authorized employees to take home a Village vehicle according to the following procedures. Village vehicles shall not be for personal use. Any departmental policy shall not be in conflict with this policy.

A. Who can take home a vehicle?

1. If justification supports, employees who live within the Village of Ruidoso or within a three-mile radius of the Village limits are eligible to take home a Village vehicle with written approval of the department director and Village Manager. Employees who reside outside the three-mile radius of the Village of Ruidoso are not eligible to take a Village owned vehicle home except:
 - a. Emergency vehicles - which are defined by Federal regulations (Police and Fire department only) and as approved in writing by the Chief of the department and the Village Manager.
 - b. Other vehicles on a case-by-case situation as approved in writing by the Village Manager.
2. There may be circumstances where an employee may take a Village vehicle home on a non-recurring basis. This is only when it is deemed by the Village Manager or designee, to be beneficial to the Village of Ruidoso, such as on call personnel, snow removal, and during an emergency situation. Employees are required to fill out the "Request to Take Home a Village Vehicle" form and obtain written approval by the Department Director and Village Manager.
3. As any changes occur throughout the year, Department Directors are responsible for having the employees fill out the vehicle take home agreement form. All changes or updates are also subject to the approval of the Village Manager.

B. Valid Driver's License:

Each operator of a Village-owned vehicle must possess and maintain a valid and properly classed New Mexico driver's license for the vehicle being operated.

C. Non-insurable employee:

An employee deemed non-insurable under the New Mexico Self Insurers Fund (NMSIF) will not be allowed to drive a Village vehicle. Based upon the position the employee holds, an employee may be subject to dismissal from employment.

D. Assigned Vehicles:

Some employees who regularly use Village vehicles may be assigned specific vehicles. However, during business hours when the vehicle is not in use, it shall be made available to other Village employees for use.

E. Emergencies:

In a bona fide emergency, when transportation is not available, the Department Director may request that another Village vehicle transport the called-out employee.



F. Vehicle Safety:

1. When operating a Village-owned vehicle, an employee shall strictly adhere to the safety manual, posted speed limits, and other motor vehicle and traffic regulations. Vehicles shall be operated in a safe and responsible manner appropriate to road, traffic, and weather conditions, with special regard to driving courtesy. It is the responsibility of the Department Director to ensure that all drivers receive the Village's approved and required driving courses every two years.
2. All employees operating Village vehicles shall exercise due regard for the safety of all persons. Protection of life is paramount. Employees shall drive defensively at all times. No job, task, call, or incident justifies disregard of public safety and traffic laws. Further, Village drivers are expected to demonstrate exemplary driving behavior.
3. All employees operating Village vehicles or equipment are not to use a cell phone while driving a Village vehicle or equipment. Only hands-free devices are permitted if talking on a cell phone in a vehicle.
4. Texting and/or emailing are prohibited while operating a Village vehicle or equipment.

G. Maintenance of Vehicle:

Maintenance, repair, upkeep, and vehicle inspections of the assigned vehicle are the primary responsibility of the employee to whom the vehicle is assigned. If the vehicle is not specifically assigned to any one employee, it is the Department Director's (or designee's) responsibility to ensure the maintenance, repair, upkeep, and inspections are performed.

Except for those exempt by the Village Manager, all Village vehicles are to be identified with approved Village emblems. These emblems are to be placed on the driver and passenger side doors. The logos must be permanent and not removable (magnetic emblems are not allowed).

H. Abuse or misuse of a Village-owned vehicle:

An employee who abuses or misuses a Village vehicle may lose the privilege of assignment or operation of the Village-owned vehicle and possible dismissal from Village employment.

I. Passengers:

1. Animals are not permitted to ride in the same compartment in which humans ride.
2. Non-employees conducting Village business may at times ride in a Village owned vehicle with the approval of the Department Director or Village Manager.

J. Personal use of a Village owned vehicle:

1. A Village owned vehicle is not to be used for personal use. These vehicles are to be used to transport an employee to and from work and to conduct Village-related business.
2. Use of a Village vehicle other than for Village-related business is strictly prohibited unless otherwise approved in writing by the Village Manager.
3. An employee is permitted to stop at locations within reason, such as a store or cleaners etc. on his/her way to or from the work site. An example of "within reason" would be: An employee leaves work and drives by the grocery store on his way home from work. It would be appropriate to stop at the store for groceries. It would not be appropriate to drive the Village vehicle home, and then drive the Village vehicle back to the grocery store. If an employee is unsure of what is "within reason," the employee is responsible for asking the Department Director for approval.
4. No open alcoholic containers are permitted in a Village vehicle with the exception of evidence materials by law enforcement.
5. No unopened alcoholic containers are permitted unless approved by the Village Manager in writing for Village-sponsored activities.



K. Departmental Procedures:

A department that uses vehicles and allows take home vehicles may develop departmental policies. A Departmental policy cannot be in conflict with this policy. The Departmental policy is subject to the approval of the Village Manager and will be submitted to the Human Resources Office once approved.

L. Federal Benefit Tax:

The Federal Government has determined that taking home a vehicle is considered a benefit to the employee. According to the Federal Government, it does not matter why an employee takes home a vehicle, it is still considered a benefit, and therefore the benefit tax applies. An employee who takes home a vehicle, for any reason, (except for police and fire vehicles), is required to pay tax in an amount determined by the Federal government. The number of days a vehicle is taken home is to be entered on the employee's time sheet (days off are not counted). The Federal Government has determined that specific Police and Fire departments emergency vehicles are exempt from this law.

M. Use of Personal Vehicles for Village Business:

All Village employees required in writing by the Department Director or Village Manager to drive their personal vehicles to conduct Village business will be paid reimbursement based on the amount allowable pursuant to New Mexico State Statute and are required to meet the following criteria:

- Meet and maintain the current coverage requirements of the auto insurance policy.
- Possess, maintain, and provide copies of a valid New Mexico driver's license to the Human Resources Department.
- Possess, maintain, and provide copies of proof of personal liability auto insurance, with minimum limits as required by state law. Copies must be provided to the Human Resources Department.

Employees who are authorized to use their personal vehicle to conduct official Village business must have prior written approval from their Department Director. A mileage reimbursement form will be maintained by the employee and reimbursement will be made according to the mileage driven. Actual odometer readings will be used to calculate reimbursement mileage. A recognized resource may also be used to establish mileage such as but not limited to State of New Mexico Map, MapQuest, etc.

N. Use of Village Gas Cards

A Village gas card is not to be used for personal vehicles under any circumstances.

Gas cards for travel requests in Village vehicles must be completed and approved in advance for out-of-town travel. If approval is granted, all gas receipts must be remitted to the Finance Department for reconciliation within five (5) calendar days of return from travel.

13-4 Texting and Talking on Hand-Held Cell Phones While Driving

PURPOSE: To establish a policy that supports a safe driving environment to protect the employee and the public from the dangers of distracted driving. The following establishes a policy concerning the use of Village-owned and private cell phones while driving a Village vehicle, equipment, or a personal vehicle on Village business.

The increasing concerns to the Village of Ruidoso are the dangers of distracted driving. Recent deadly crashes involving drivers distracted by talking and texting while driving highlight a growing danger on our roads. Numerous studies have demonstrated how the use of hand-held cell phones while driving pose a significant safety risk to motorists, their passengers, and others on the road.



POLICY: The Village of Ruidoso does not tolerate texting or talking on a handheld phone while operating a Village vehicle or equipment or while operating a personal vehicle on Village business.

Hands-free devices are permitted; however, conversations should be brief or, preferably, conducted while parked. The main purpose of being in a vehicle or on equipment is to focus on the work at hand and the equipment being used.

The Village of Ruidoso employees are required to:

- Turn cell phones off or put on silent or vibrate before starting the car.
- Pull over to a safe place if a call must be made or received while on the road.
- Consider modifying voice mail greeting to indicate that you are unavailable to answer calls or return messages while driving.

The Village of Ruidoso is concerned about the safety of its employees. Violations of this policy will lead to disciplinary action up to and including termination.



CHAPTER 14.

ADA POLICY

14-1 Policy Statement

It is the policy of the Village of Ruidoso to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is Village policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

The Village will review requests for reasonable accommodations for qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to the Village.

Reasonable accommodation

Includes any changes to the work environment and may include making existing facilities accessible, job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials, or policies, or the provision of qualified readers or interpreters.

Undue hardship

In determining whether an accommodation would impose an undue hardship, factors to be considered include:

- The nature and cost of the accommodation.
- The overall financial resources involved in the provision of the reasonable accommodation, the number of persons employed, the effect on expenses and resources, or the impact of such accommodation on the operations.
- The overall financial resources of the Village.
- The type of operations, the composition, structure, and functions of the workforce.

14-2 Relevant Information

An employee who believes that they have a condition protected under the ADA and are in need of an accommodation must inform the Village of Ruidoso in writing. The employee agrees to provide the relevant and necessary information to permit the Village of Ruidoso to make a determination as to a reasonable accommodation consistent with the needs of the employee and the business needs of the Village of Ruidoso.



CHAPTER 15.

DRUG AND ALCOHOL POLICY

15-1 Purpose

In compliance with the Drug-Free Workplace Act of 1988, Village of Ruidoso has a longstanding commitment to provide a safe, quality-oriented, and productive work environment. Alcohol and drug abuse or being under the influence of alcohol or drugs in the workplace poses a threat to the health and safety of Village of Ruidoso employees and to the security of the Village's equipment and facilities. For these reasons, Village of Ruidoso is committed to the elimination of drug and alcohol use and abuse or impairment in the workplace.

15-2 Scope

This policy applies to all employees and all applicants for employment of the Village of Ruidoso. The Human Resources (HR) department is responsible for policy administration.

15-3 Employee Assistance

The Village of Ruidoso will assist and support employees who voluntarily seek help for drug or alcohol problems before being subject to a drug and/or alcohol test under this or other Village of Ruidoso policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or if they have violated this policy previously. Once a drug test has been initiated under this policy, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and will face possible discipline, up to and including discharge.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely.

15-4 Work Rules

Whenever employees are working, are operating any Village of Ruidoso vehicle, are present on Village of Ruidoso premises, or are conducting Village-related work offsite, they are prohibited from:

- a. Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (to include possession of drug paraphernalia).
- b. Being under the influence of alcohol or a controlled substance as defined by this policy.
- c. Possessing or consuming alcohol.

The presence of any detectable amount of any illegal drug, controlled substance, or alcohol in an employee's system, while performing Village business or while in a Village facility, is prohibited.

Village of Ruidoso will also not allow employees to perform their duties while taking prescribed drugs that adversely affect their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked. Any illegal drugs, controlled substance, or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution



15-5 Required Testing

Pre-employment

Applicants being considered for hire must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

Reasonable suspicion

Employees are subject to testing based on (but not limited to) observations by at least two members of management of apparent workplace use, possession, or being under the influence. HR should be consulted before sending an employee for testing. Management must use the Reasonable Suspicion Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of drugs or alcohol. Examples include:

- Odors (smell of alcohol, body odor, or urine).
- Movements (unsteady, fidgety, dizzy).
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements).
- Face (flushed, sweating, confused, or blank look).
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts).
- Emotions (argumentative, agitated, irritable, drowsy).
- Actions (yawning, twitching).
- Inactions (sleeping, unconscious, no reaction to questions).

When reasonable suspicion testing is warranted, management will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol test within two hours. Refusal by an employee will be treated as a positive drug test result and will result in termination of employment.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee and arrange for the employee to be transported home.

Post-accident

Employees are subject to testing when they cause or contribute to accidents that damage a Village of Ruidoso vehicle, machinery, equipment, or property or that result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including, but not limited to, a Village of Ruidoso forklift, pickup truck, overhead crane, or aerial/man-lift) is found to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing should take place within two hours following the accident, if not sooner. Refusal by an employee will be treated as a positive drug test result and will result in termination of employment.

Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee to the testing location.

Safety Sensitive Positions and DOT Requirements for CDL drivers

Village of Ruidoso complies with post-accident drug- and alcohol-testing requirements as required by the Department of Transportation (DOT) Federal Motor Carrier Safety Administration (FMCSA) regulations. This policy applies to employees whose job requires them to obtain and maintain a commercial driver's license (CDL) and/or operate a commercial motor vehicle (CMV).



Circumstances Requiring Testing

Employees in safety-sensitive positions are required to submit to testing to determine the presence of drugs or alcohol under certain circumstances. Testing will be administered when the employee is performing safety-sensitive functions and is involved in a work-related accident that results in either of the following:

- Death.
- A citation to the employee under state or local law for a moving traffic violation arising from a work-related motor vehicle accident and when any vehicle requires towing from the accident scene or any involved person requires treatment away from the accident scene.

Enforcement

An employee who refuses to consent and submit to a test when requested will be subject to disciplinary action, including termination, pursuant to the Village's discipline and dismissal procedures. Refusal to submit includes failure to provide adequate breath for testing without a valid medical explanation after receiving notice of the requirement for breath testing, failure to provide adequate urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for urine testing, engaging in conduct that clearly obstructs the testing process, and leaving the scene of an on-the-job accident.

Confidentiality

All information from an employee's drug and alcohol tests will be confidential to the extent required by law.

15-6 Collection and Testing Procedures

Employees subject to alcohol testing will be transported to a Village of Ruidoso-designated facility and directed to provide specimens. Breath specimens will be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen will be tested. The results of the second test will be determinative. Alcohol tests may, however, be a breath, blood, or saliva test, at the Village's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the Village.

Applicants and employees subject to drug testing will be transported to a Village of Ruidoso-designated testing facility and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated, or substitute specimens. Collected specimens will be sent to a federally certified laboratory and tested for evidence of, but not limited to, marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone, and propoxyphane. Specimens may be tested for other illegal drugs. The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

15-7 Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest in the future. Employees who refuse to cooperate in required tests or who use, possess, buy, sell, are under the influence, manufacture, or dispense an illegal drug or controlled substance in violation of this policy will be terminated. If the employee refuses to be tested, yet the Village believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.



Employees who test positive, or otherwise violate this policy, will be subject to termination. Depending on the circumstances, the employee's work history/record, and any state law requirements, Village of Ruidoso may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis, which could include rehabilitation program and follow-up drug testing at times and frequencies determined by the Village of Ruidoso for a minimum of one year but not more than two years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not successfully complete the rehabilitation program or tests positive during or after completing the rehabilitation program, the employee will be immediately discharged from employment.

Employees subject to reasonable suspicion testing will be paid for time spent in alcohol or drug testing and then placed on paid administrative leave pending the results of the drug and/or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test with the employee, the Village Manager, and a representative of HR.

15-8 Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and medical information provided to Human Resources will be kept confidential to the extent required by law and maintained in secure files separate from the employee's personnel file. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim, or other legal proceeding initiated by or on behalf of an employee or applicant.

15-9 Inspections

Village of Ruidoso reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to discipline, up to and including discharge.

15-10 Crimes Involving Drugs

The Village of Ruidoso prohibits all employees, including employees performing work under government contracts, from manufacturing, distributing, dispensing, being under the influence, possessing, or using an illegal drug or controlled substance in or on Village premises or while conducting Village business. Village of Ruidoso employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel may be notified, as appropriate, when criminal activity is suspected.

The Village of Ruidoso does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the Village of Ruidoso reserves the right to take disciplinary action for illegal drug or controlled substance use, sale, manufacture, or distribution while off Village premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug or controlled substance are required to report the conviction, plea, or sentence to HR within five calendar days. Failure to comply will result in discharge.

15-11 Enforcement

The HR Manager is responsible for interpretation, administration, and enforcement of the policy.



CHAPTER 16.

MISCELLANEOUS

16-1 On-the-Job Injuries

All on-the-job injuries are to immediately be reported to the employee's immediate supervisor and the Human Resources Manager. It is each injured employee's responsibility to see that an incident report is completed within 24 hours of the injury occurrence. The injured employee is to sign the incident report attesting to its completeness and accuracy. These reports shall be submitted by the employee to the supervisor for completion and signature and then forwarded to the Human Resources Department.

Employees are subject to post accident drug and alcohol testing when they are involved in an accident that damages a Village of Ruidoso vehicle, machinery, equipment, or property or that results in an injury to themselves or another employee requiring offsite medical attention.

For employees who are injured on the job and will be out more than three days, FMLA will run concurrently with Worker's Compensation leave. All rules for FMLA apply. See Section 6.: Employee Benefits.

16-2 Smoking

The Village of Ruidoso maintains a smoke-free environment in accordance with State law. No smoking is permitted in any part of a Village building or in vehicles owned, leased, or rented by the Village. Departments may designate smoking-permitted areas a reasonable distance beyond doorways so that a person does not have to pass through smoke to enter a building. Smoking-permitted areas must also be beyond windows and other ventilation intakes so that smoke does not enter the building. During level 2 and level 3 fire instructions, it is expected that Village employees follow all noted restrictions.

16-3 Weapons Policy

No employee, while on duty for the Village of Ruidoso, shall be allowed to:

- Carry any firearm on his/her person;
- Carry any firearm in any Village Vehicle, or;
- Keep or store any firearm in any Village-owned building or facility. This section shall not prohibit the proper and safe display or exhibition of firearms within a historical or cultural exhibit.

Exceptions to this policy are police officers in the discharge of their duties, and other properly trained employees as authorized by the Village Manager and Chief of Police.

16-4 Cell Phones and Other Portable Electronic Communications Equipment

The Village of Ruidoso may provide cell phones, tablets, laptops, and other portable, electronic communications equipment to individual employees.

To increase the efficiency and effectiveness of local government communications and operations, the Village Manager authorizes Department Directors/Managers to determine who is required to possess and use Village issued cellular equipment or other electronic communications devices. Employees who are issued a cellular phone shall make themselves available thereby in accordance with this cellular phone policy and directives.

Cellular Equipment Policy Requirements:

- Employees who are currently assigned a cellular phone by the Village of Ruidoso shall continue the use of their current cellular phone number. Employees who are subsequently designated by the Village Manager shall acquire a cellular phone of their choice and subscribe to a cellular phone plan of their choice in their own name and for which they shall be financially responsible.



- Each employee receiving a cellular phone stipend shall, prior to the receipt of such stipend, fill out a form for the cellular phone stipend stating the cellular phone number and cellular phone carrier. Cellular phone numbers must be a local call, meaning the area code needs to be (575) and the cellular number needs to be local. This is to avoid long distance charges when calling these numbers from a landline. Cellular numbers shall be published and distributed as necessary to management, administrative staff, and public. This form will contain the employee's signature, Department Director/ Manager, and Village Manager signature to be considered as fully executed.
- Exempt employees receiving Village issued cellular equipment shall make themselves available by cellular phone at all times, including weekends, days off, holidays, and when cellular phone service is available during out-of-town vacations and business travel, unless arrangements have been made and approval granted for times of unavailability. Classified employees that are on standby will follow the standby section in the Personnel Manual.
- Exempt employees receiving Village issued cellular equipment are prohibited from making and receiving personal calls on the cellular equipment.
- Each individual employee is responsible for the safe keeping and protection of all Village issued cellular equipment issued to them.
- Any and all data contained on Village issued cellular equipment remains the property of the Village of Ruidoso. Employees shall surrender any Village issued cellular equipment and the data contained thereon immediately upon demand by the employee's supervisor, director, manager, or any other superior. The deletion of any data from Village issued cellular equipment is strictly prohibited.
- The Village of Ruidoso may provide cell phones to a department for use as needed by the department. These phones are normally assigned to a location or vehicle and not to an individual.

16-5 Solicitation and Distribution

Solicitations and distributions of information/materials on Village premises are permitted to the extent that they do not interfere with the work of the employee, other workers, and/or customers.

16-6 Unauthorized Purchases

All purchases shall follow the Village Procurement Policies. All purchases and/or financial obligations must have prior authorization as stated in the Procurement Manual. Employees who incur unauthorized expenses in the name of the Village may have the cost of the unauthorized expense deducted from their paychecks. Refer to the Village of Ruidoso Procurement Policies and Procedures Manual.

16-7 Dress and Appearance

All employees are expected to appear in a manner that will reflect favorably upon themselves as well as the Village of Ruidoso. Employees are expected to be suitably attired and groomed during working hours or when representing the Village. Personal appearance should be a matter of concern for each employee.

While it is not the Village's intention to dictate the personal wardrobe of employees, the appearance and dress of employees is important in creating a favorable image supportive of public confidence. The following guidelines shall be followed:

A. Uniformed Personnel:

Uniforms are expected to be neat, fresh, and clean when reporting for duty. Uniforms will be complete and appropriate for the season. Employees are responsible for wearing proper uniforms, related accessories, and equipment.

Uniforms will not be worn during off duty hours (except to and from work) or in combination with non-uniform clothing. Employees shall not wear uniforms into drinking establishments or for other jobs.



Uniforms that are paid for and supplied by the Village must be returned to the Village upon separation from employment with the Village. If the employee refuses to return or has excessively damaged the items and/or uniforms, the cost of the items or uniforms may be withheld from the last paycheck and/or charged to the employee. Uniforms purchased by the Village for employees, which are determined to be taxable items as defined by the IRS, will be taxed and/or reported in accordance with IRS guidelines.

B. Non-uniformed personnel:

Employees not provided uniforms should wear clothing, which is neat, clean, attractive, and suitable for conducting business with the public. Departmental regulations will serve as a guide to dress. The Village Manager must approve requests for deviations to this code in advance in writing.

Employees are responsible for wearing proper attire and being properly groomed to perform the job for which they have been hired to perform. All clothing, accessories, and shoes should be functional and safe for the type of work performed. Employees not wearing proper attire or not being properly groomed for the job, for which they have been hired to perform, shall be sent home, without pay until the proper attire or grooming is altered. Employees with vacation leave balances shall be permitted to use vacation leave when sent home to change. An employee who is sent home to change will be considered in violation of the dress code policy and may be subject to disciplinary

16-8 Employee Committee

The Village has established an Employee Committee Fund that is to be funded by the employees on a completely voluntary basis. If an employee voluntarily chooses to donate to the Employee Committee Fund, they must complete the Employee Committee Fund Authorization Form. The money collected The money collected by payroll deduction will be used for employee events throughout the year.

The employee can cancel or change their deduction at any time as long as the employee submits their request in writing prior to the end of the pay period. The money donated by the employee is non-refundable.

16-9 Department Information Boards

Departments may post informational notices on Department information boards including but not limited to, upcoming trainings, job postings, employee events, employee committee notifications, etc. Because of the public nature of the boards, distasteful, derogatory, potentially offensive, political, or commercial material shall not be posted.



CHAPTER 17.

WORK RULES

17-1 Village Work Rules Purpose

The orderly and efficient operation of the Village requires that certain work rules be established. Work rules covering personal standards of conduct as well as standard operating procedures are necessary to protect the health and safety of all employees, maintain uninterrupted service to the citizens, and protect the Village's goodwill and property.

17-2 Implementation

All Village of Ruidoso Department Director/Managers shall be responsible for the overall administration of the work rules to include recommending revisions, deletions, or adoption of new rules. Human Resources shall also be responsible for advising supervision on proper implementation of work rules. Violation of these work rules may lead to disciplinary action up to and including termination.

17-3 Work Rules

The following work rules apply to all Village employees. These rules are not intended to be all-inclusive, and the Village may, when it deems appropriate, establish additional rules to ensure effective operation of the Village.

1. Employees must be at their designated work place on time and ready to work. Employees who come to work prior to the start time are not eligible for overtime or hours worked unless authorized in writing by their Director. Employees shall remain at work, until the scheduled quitting time, unless permission to leave earlier is granted in writing by their supervisor. Where operations are continuous (e.g. 24/7 operations), an employee shall not leave his/her post until replaced by the next shift employee or until relieved by the supervisor.
2. Village Hall offices will be staffed at least between 8:00 A.M. and 5:00 P.M. Monday through Friday to provide prompt assistance to Village residents and the public. Supervisors will arrange for their office staff members to take staggered lunch hours or shifts so Village offices are staffed during these hours.
3. Employees shall not gather on Village premises to conduct any personal business without written authorization of the Department Director/Manager.
4. Employees shall follow all safety regulations including wearing safety articles and using protective equipment. Employees shall immediately report accidents or injuries to their immediate supervisor. Supervisors shall report employee accidents or injuries immediately to the Human Resources Manager.
5. Employees shall be responsible for and shall not misuse Village property, records, equipment, or other materials in their care, custody, and control. Village property, records, equipment, or other materials shall not be removed from the premises without written permission from the Department Director/Manager or Village Manager.
6. Employees shall not litter work areas and shall clean up after themselves after they have used employee areas such as offices, breakrooms, conference rooms, etc.
7. Employees shall deal with the public and co-workers in a courteous and professional manner.
8. No Village employee will make a public statement on behalf of the Village on a matter involving litigation or confidential personnel or other confidential matters without expressed written authority to do so from the Village Manager. Village employees shall direct media inquiries to the appropriate authorized person to address the media's particular questions. The Public Information Officer, Village Attorney, and the Village Manager are the only individuals authorized to make public statements on behalf of the Village.



9. Prior to the scheduled reporting time, each employee shall advise their direct supervisor of his/her inability to report to work and the reason. Such reporting shall be done at least two hours in advance in order for the Supervisor to ensure there are no disruptions in operations.
10. Employees shall immediately report the loss of their badge or identification card to their supervisor. Employees shall not allow other persons to use their badges or identification card at any time.
11. Employees shall only smoke in designated smoking areas and only when applicable Village fire restrictions are not in force.
12. Employees will notify their supervisor and the Human Resources Department immediately whenever there is a change that may affect their employment or benefit status.
13. Employees are responsible for obtaining and renewing any license, certificate, permit, or other credential required in order to perform their job. Moreover, employees are required to report the loss or revocation of any license, certificate, permit or other credential to supervision immediately. Failure to report may result in disciplinary action up to and including termination.
14. All employees of the Village who are required by their duties to wear uniforms will wear regulation uniforms provided by the Village as determined by the Village Uniform Policy or Standard Operating Procedures of the Department.
15. In the course of conducting Village business, employees shall not park in handicap areas or fire lanes unless authorized by law to do so.
16. Employees shall not unduly restrict or interrupt work or interfere with the work of others.
17. Employees shall report for and remain at work only when able to safely perform their job duties.
18. Employees will notify their immediate supervisor and request approval whenever they will be absent, late, or need to leave early.
19. Employees may not use his/her position to coerce or abuse another person.
20. Employees may not engage in theft, vandalism or damage of Village property, or private property while in performance of his/her official duties.
21. Employees shall not fight, engage in horseplay, gamble, use abusive language, assault, including sexual assault, harass, or make threats while on duty or on Village premises.
22. Employees shall not use Village facilities or equipment to conduct personal business or engage in personal business during working hours on Village premises and shall not remove Village property from Village premises without prior written consent of their supervisor.
23. Employees shall not engage in unapproved soliciting or any partisan political activity while on the job.
24. Employees shall not post notices on the Village premises without prior written approval from Village Management.
25. Employees shall not possess unauthorized weapons, illegal drugs, or alcohol on Village premises.
26. Employees shall not sell, distribute, use, or be under the influence of any illegal drug or alcohol while on Village premises or while operating any Village owned or leased equipment. Employees shall not operate any Village owned or leased equipment while under the influence of prescribed or over the counter medication that may impair the employee and shall report such medication use to their immediate supervisor.
27. Employees will not engage in personal conduct, which interferes with the proper performance of another employee's duties.
28. Employees shall not falsify time sheets, public records, or claims of illness or injury.
29. Employees shall not input hours worked or leave taken for another employee unless that person is a supervisor or time entry delegate for the Department.
30. No employee shall engage in any unapproved outside employment or business activity that conflicts with his/her Village employment. The Village Manager must approve any outside employment for full-time employees.



31. No employee shall harass, discriminate, or retaliate against any other employee or citizen.
32. No employee shall be insubordinate, which is failure to obey a direct lawful order of a supervisor or someone higher in the chain of command or failure to follow policy.
33. Employees shall not engage in negligent or careless operation or maintenance of equipment or unsafe practices which may endanger the employee, other employees, or the public.
34. Employees shall not abuse grievance processes resulting in repeated unsubstantiated claims.
35. Employees will make themselves available, participate fully in all administrative or other investigations and be completely honest in said participation.
36. All employees shall immediately notify their Director/Manager following any accident or citation received in the course of operating Village equipment. The Director/Manager will then forward this information to the Human Resources Manager.
37. No Village employees shall solicit anything of value from a citizen or business for services that the Village is expected to provide.

