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## **Article V — Miscellaneous Employment Policies**

### **§ 12-501 Use of Borough Vehicles and Equipment.**

No employee shall use any Borough vehicles or other equipment for personal use unless approved in advance by the Borough Manager. The Borough Manager shall not use any Borough vehicles or other equipment for personal use unless approved in advance by the President of Council.

### **§ 12-502 Insurance Policies and Other Contracts or Documents.**

No employee shall authorize any changes, deletions, or additions to any Borough insurance or benefits policies, or any other Borough contracts or documents, without prior approval by Council. Quotes may be received by employees.

### **§ 12-503 Zoning Complaints.**

Zoning complaints may be taken anonymously by the Borough Manager or by the Zoning Officer directly. The Borough Manager shall keep a log of complaints received and their final disposition. The Zoning Officer shall review and investigate all complaints weekly, and provide a written monthly report to Council on all complaints received by the first of that month and the action taken by the Zoning Officer.

## § 12-504 Photocopies.

(a) **In General.** Except as provided in subsection (b), the Borough shall not photocopy any documents which are not public documents of the Borough of Alburtis for any person or organization, whether a fee is tendered or not.

(b) **Nonprofit Organizations.** Borough employees may photocopy, at no charge, a *de minimus* number of documents for nonprofit organizations qualified under Section 501(c)(3) of the U.S. Internal Revenue Code, so long as the performance of this task does not interfere with the timely completion of other duties.

## § 12-505 [RESERVED]

## § 12-506 Drug and Alcohol Policy for CDL Employees.

Each maintenance department employee who maintains a commercial driver's license (CDL) as a condition of employment shall conform to the Borough's drug and alcohol policy for CDL employees, as adopted and amended by Council from time to time.

## § 12-507 Prohibition of Sexual Harassment.

(a) **In General.** It is the Borough's policy to provide a positive, discrimination-free work environment, and therefore, sexual harassment in the workplace is unacceptable conduct that will not be tolerated.

(b) **Definition.** For purposes of this Section, "sexual harassment" is unsolicited, nonreciprocal behavior by an officer, elected official, or employee who is in a position to control or affect another person's job status with the Borough and who uses the power or authority of that position to cause that person to submit to sexual activity, or to fear that he or she would be punished for refusal to submit.

"Sexual harassment" also includes any conduct by an officer, elected official, or employee which unreasonably interferes with another's work performance for the Borough by creating an intimidating, hostile, or offensive work environment. Sexual harassment consists of a variety of behaviors, including, but not limited to:

- (1) subtle pressure for sexual activity;
- (2) inappropriate touching;
- (3) inappropriate language;
- (4) demands for sexual favors; and
- (5) physical assault.

(c) **Reports of Sexual Harassment.** The Borough strongly encourages all officers, elected officials, and employees to report all situations which they believe may constitute sexual har-

assment or other violations of this Section, including both actions against them personally and actions against others. Where appropriate, reports should initially be made to the reporting individual's immediate supervisor. However, the Borough recognizes that a person may not be comfortable making such a report to his/her immediate supervisor or may not believe that such a report will be effective. Accordingly, in those situations, reports may be made to the Borough Manager, the President of Council, or the Borough Solicitor.

**(d) Investigation and Remedy.** All reports of sexual harassment or other violations of this Section shall be promptly investigated. The Borough shall take prompt and effective action to remedy any violation of this Section.

**(e) Limited Disclosures.** No disclosures shall be made of any reports under subsection (c) except to the extent necessary to investigate the report appropriately or remedy the problem, or as required by law.

**(f) Retaliation.** No officer, elected official, or employee shall take any action against any person for making a good faith report under subsection (c) or for cooperating with any investigation under subsection (d).

**(g) Disciplinary Action.** The Borough will treat sexual harassment, and retaliation for reporting sexual harassment or cooperating with an investigation of sexual harassment, as forms of misconduct. Employees who engage in harassing or retaliating behavior shall be disciplined appropriately, up to and including dismissal.

## § 12-508 Access to Borough Hall.

**(a) Access to Administration Offices.** No employee shall permit any person access to, or permit any person to be present in, any Borough administration offices outside of normal administration office hours, except Borough employees, the Mayor, and members of Council.

**(b) Keys to Borough Hall.** The following individuals, and only the following individuals, shall have keys to Borough Hall:

- (1) the Borough Manager, Borough Treasurer, and any other full-time office employees of the Borough;
- (2) all full-time Borough maintenance department employees;
- (3) all full-time and part-time Borough police officers;
- (4) the President of Council;
- (5) the Vice President of Council;
- (6) the Mayor.

If a Borough board, commission, or committee intends to conduct a meeting at Borough Hall at a time when none of the individuals described in paragraphs (1), (4), (5), or (6) above are expected to be present, then any individual described in paragraph (1) is authorized to allow the chair, president, or other head of the Borough board, commission, or committee (or, if the head individual is not expected to attend the meeting, the next ranking member) to sign out a key for a

short period to allow entry to Borough Hall and the public meeting room to conduct the meeting and lock up Borough Hall after all participants have left.

**(c) Keys to the Administration Office Section of Borough Hall.** The following individuals, and only the following individuals, shall have keys to the administration office section of Borough Hall:

(1) the Borough Manager, Borough Treasurer, and any other full-time office employees of the Borough;

(2) all full-time Borough maintenance department employees;

(3) the Chief of Police;

(4) the President of Council;

(5) the Vice President of Council;

(6) the Mayor.

**(d) Keys to the Police Department Section of Borough Hall.** The following individuals, and only the following individuals, shall have keys to the Police Department section of Borough Hall:

(1) all full-time and part-time Borough police officers;

(2) the Mayor;

(3) the Maintenance Supervisor;

(4) the President of Council.

**(e) Access Codes for Entrance to Borough Hall.** In the event the Borough shall implement a security system at Borough Hall which requires access codes for entrance to Borough Hall, the following provisions shall apply:

**(1) Persons with Codes.** The following individuals, and only the following individuals, shall possess valid access codes to the security system at Borough Hall:

**(A)** the Borough Manager, Borough Treasurer, and any other full-time office employees of the Borough;

**(B)** all full-time Borough maintenance department employees;

**(C)** all full-time and part-time Borough police officers;

**(D)** all members of Council;

**(E)** the Mayor.

If a Borough board, commission, or committee intends to conduct a meeting at Borough Hall at a time when none of the individuals described in subparagraphs (A), (D), or (E) above are expected to be present, then any individual described in subparagraph (A) is authorized to grant a temporary access code to the chair, president, or other head of the Borough board, commission, or committee (or, if the head individual is not expected to attend the meeting, the next ranking member) valid only for a short period to allow entry to Borough Hall and the public meeting room to conduct the meeting and lock up Borough Hall after all participants have left.

(2) **Individual Codes.** Each individual identified in paragraph (1) shall have his/her own individual code.

(3) **Deactivation of Codes.** The security access code of any person who is no longer actively employed or serving in a position described in paragraph (1) (whether due to retirement, resignation, involuntary termination or removal, extended leave, or otherwise), or who is suspended from a position described in paragraph (1), shall be deactivated immediately.

## § 12-509 Applications for Grants.

(a) **Purpose.** Council recognizes the importance of applying for and receiving grant money to help provide equipment and services for the Borough. Council is also aware of the enormous amount of man-hours that are sometimes required for these grant proposals, and that the Borough frequently must participate in the cost of grant programs. With these factors in mind, Council has adopted the policy set forth in this Section.

(b) **Prior Approval Required.**

(1) No person shall apply for any grants in the name of the Borough without the express prior approval of the Approving Authority.

(2) No employee shall expend any working time paid by the Borough to complete any part of any application for a grant, or undertake any other activity in support of any application for a grant, without the express prior approval of the Approving Authority.

(c) **Approving Authority.** For purposes of this Section, the term “Approving Authority” shall mean—

(1) Council, except in the case of an Emergency Application;

(2) Both the Mayor and the President of Council, in the case of an Emergency Application for a grant for property and/or services to be used exclusively by the Police Department; and

(3) Both the President and the Vice President of Council, in the case of an Emergency Application not described in paragraph (2).

(d) **Emergency Applications.** For purposes of this Section, an “Emergency Application” means an application for a grant where the person proposing the application first becomes aware of the grant after the last regular meeting of Council prior to the deadline for submitting the application. Emergency Applications should be extremely rare and will be subject to an especially high degree of scrutiny.

(e) **Supporting Information.** Any person who requests approval to apply for any grant in the name of the Borough shall provide the Approving Authority with all of the following information, in writing:

(1) the purpose of the grant;

(2) the amount of money expected to be received under the grant;

- (3) the amount of money the Borough will be expected to contribute towards the project covered by the grant;
- (4) the deadline schedule for the grant application; and
- (5) in the case of an Emergency Application, the reason why the application could not have been submitted to Council.

#### **§ 12-510 Borough Hall Office Hours.**

Except as directed by the Borough Manager or the President of Borough Council in response to an emergency, the Borough Hall office shall be open from 8:30 AM to 4:00 PM from Monday through Friday (except Borough holidays). Additional hours may be made available by the Borough Manager by appointment only.